

Our Reference: 842472334-9829

Consent No. RM25.221.01

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 Central, Dunedin

To disturb the bed of a watercourse for the purpose of carrying out maintenance works on the existing Lake Tuakitoto sill structure fixed across Scheduled Drain 222

For a term expiring: 25 July 2028

Location of consent activity: Scheduled Drain 222, Lake Tuakitoto

Legal description of consent location: Legal river

Map Reference NZTM (2000): E1355830 N4874397

Conditions

Specific

1. The maintenance 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 RM25.221:
 - a) Application form, and assessment of environmental effects prepared by SLR Consulting, 30 April 2025.
 - b) Ecological assessment, SLR Consultants, dated 31 January 2025
 - c) Plans:
 - 709941.003-SN01, Structural, General notes 1, Calibre, 15.06.2025
 - 709941.003-SN02, Structural, General notes 2, Calibre, 15.06.2025
 - 709941.003-S001, Stop logs elevation and details, Calibre, 15.06.2025
 - 709941.003-S002, Stop logs hinged lock details, Calibre, 15.06.2025
 - 709941.003-S003, Concrete stop log and handrail details, Calibre, 15.06.2025If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.
2. Final detailed design drawings for works must be submitted to and certified by the Consent Authority prior to works being undertaken. This design must include a fish passage lightweight ramp design, and a rounded top edge of upper sill board to aid fish passage.

3. The Consent Holder must prepare and submit a Construction Management Plan (CMP) to the Consent Authority for certification no less than 20 working days prior to the commencement of construction. The CMP must be submitted to and certified by the Consent Authority prior to works commencing. The CMP must include but not be limited to:
 - a) Plans and provisions to ensure no machinery will be located in the wet bed of water course / Scheduled Drain 222
 - b) Provide for an area to be marked out for vehicle and machinery storage that is set back from surface water and from the flood bank such that flood banks are not accessed and risk of scouring grass area adjacent to the banks is minimised.
 - c) Provide for refuelling and storage areas to be set back from surface water, stored on the gravel roads area only. Risk of contaminant entering the watercourse is minimised. Provide details of spill clean-up methodology/process.
 - d) Include details of manual access and egress point(s) into the watercourse from the eastern bank immediately downstream of the sills.
 - e) No wet concrete will be used on or adjacent to the site. Replacement sill 'slabs' must be prefabricated offsite.
 - f) Details of sediment control measures must be provided both upstream and downstream of the structure. The methodology must be in accordance with GD05.
 - g) Details of sediment control measures must be provided for the eastern bank of Scheduled Drain 222, should machinery operate from the grass area adjacent to the banks. Sediment controls upstream and downstream must include provision for potentially catching concrete grinding dust and minimising discharge to water.
 - h) Details of temporary diversion (coffer dam / bund or similar), to divert flows during sill works. Temporary diversion must maintain flows through sill structure such that levels upstream (Lake Tuakitoto) do not drop below 100.77 metres above datum, in accordance with resource consent conditions of Water Permit 94423.
 - i) Temporary bund to be located downstream of structure, to prevent tidal up flow through the site during works.
 - j) Weather and tide forecasts will be monitored, and works will not be undertaken during or immediately after rain events or King Tides.
4. Works must not be undertaken between 1 May and 30 September inclusive.
5. An ecologist must be on the site for fish recovery from the isolated areas (during and immediately following diversion set up). The activity must be undertaken in accordance with the fish recovery protocol provided in: Ministry for the Environment. 2021. National works in waterways guideline Appendix 5: Fauna capture, relocation and salvage.
6. A temporary marker (stake or similar) must be placed in the stream channel upstream of the temporary bund with the minimum lake level and a warning level clearly marked. Should the stream level fall below the warning level, immediate action must be taken to reduce the diversion flow to prevent the lake level falling below 100.77m datum.
7. If a significant rainfall event is forecast following commencement of works, the site must be stabilised to the extent practicable, and any temporary bund and diversion infrastructure removed, until lake levels/stream outflow recedes, and work can safely recommence.

8. Weather conditions must be monitored by the consent holder prior to and during construction. Works should only be performed if no significant rainfall events are forecast for the following 7 days.

General

9. Construction must not commence until the CMP has been certified and all measures identified in that plan as needing to be put in place prior to the start of the works are in place. All works on-site must comply with the certified CMP at all times.
10. Prior to the works described in condition 1 of this consent the Consent Holder must ensure that all personnel working on the site are made aware of, and have access at all times to:
 - a) The contents of this document;
 - b) The CMP required by Condition 3.Copies of these documents must be present on-site at all time while the work authorised by this consent is being undertaken.
11.
 - (a) Work shall be undertaken with the minimum time required in the wet bed of the watercourse and with the minimum necessary bed disturbance.
 - (b) Damage to riparian vegetation shall be minimised when exercising this consent.
 - (c) All reasonable steps shall be taken to minimise the release of sediment to water.
 - (d) At completion the works shall not result in any decrease of the upstream and downstream cross-sectional area of the streambed, as the streambed exists prior to commencement of the works authorised by this consent.
 - (e) At the completion of the works authorised by this consent, the consent holder shall ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and any other material brought on site is removed from the site. The site shall be tidied to a degree at least equivalent to that prior to the works commencing.
 - (f) The consent holder shall ensure that existing fish passage is not impeded as a result of the placement of the structure.
12. The Consent Holder must ensure that the works authorised by this consent do not result any flooding, erosion, scouring, land instability or property damage.
13. All machinery and equipment that has been in watercourses shall be water blasted and treated with suitable chemicals or agents prior to being brought on site and following completion of the works, to reduce the potential for pest species being introduced to or taken from the watercourses, such as didymo. At no time during the exercise of this consent shall machinery be washed within the bed of a watercourse.

Notes to Consent Holder

1. *Under section 125 of the Resource Management Act 1991, this consent lapses three years after the date of commencement of the consent unless:*
 - a) *The consent is given effect to; or*
 - b) *The Consent Authority extends the period after which the consent lapses.*

2. *Where information is required to be provided to the Consent Authority in condition 3 this is to be provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM25.221 and the condition/s the information relates to.*
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.

4. *The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. A copy of this consent should be present on site at all times while the work is being undertaken.*
5. *During the exercise of this consent, the consent holder should ensure that fuel storage tanks and machinery working and stored in the construction area shall be maintained at all times to prevent leakage of oil and other contaminants into the watercourse. No refuelling of machinery shall occur within the watercourse. In the event of contamination, the consent holder shall undertake remedial action and notify the Consent Authority within 5 working days.*
6. *The consent holder shall also comply with all notices and guidelines issued by Biosecurity New Zealand, in relations to avoiding spreading the pest organism *Didymosphenia geminata* known as “Didymo” (refer to www.biosecurity.govt.nz/didymo).*

Issued at Dunedin this 25th day of July 2025.



Allan Cubitt
Independent Decision Maker for Otago Regional Council