

Report 12.500  
Date 9 October 2012  
File N/50/06/01

Committee Environmental Wellbeing Committee  
Author Tracy Berghan – Principal Planning Advisor (Flood Protection)

## Renewal of global consents project

### 1. Purpose

To seek endorsement of the approach being pursued to renew resource consents for the Council's existing operations and maintenance activities across the region.

### 2. The decision-making process and significance

Officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties.

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002 (the Act). Part 6 sets out the obligations of local authorities in relation to the making of decisions.

#### 2.1 Significance of the decision

Part 6 requires Greater Wellington (GW) to consider the significance of the decision. The term 'significance' has a statutory definition set out in the Act.

Officers have considered the significance of the matter, taking the Council's significance policy and decision-making guidelines into account. Officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

### 3. Background

Flood Protection has eight global consents and three gravel extraction consents due for renewal between April 2013 and March 2017. The existing consents are spread between the western and eastern parts of the region.

### Western Rivers

- Hutt River – expires 6 October 2013
- Waikanae River – expires 23 November 2013
- Otaki River – expires 22 February 2014
- Wainuiomata River – expires 26 March 2017
- Hutt River Gravel wet extraction – expired 27 October 2011- continuance under application lodged 27 April 2011.

### Eastern Rivers

- Waingawa River – expires 28 August 2013
- Waiohine/Mangaterere/Kaipatangata Rivers – expires 30 September 2015
- Waipoua River – expires 30 September 2015
- Upper Ruamahanga River – expires 30 September 2015
- Ruamahanga River [WAR 26530 Land Use Consent (gravel extraction) – change in consent conditions]
- Gravel extraction from Kaipatangata Stream 300m upstream and 300m downstream of Dalefield Rd culvert.

To enable operations and maintenance activities permitted under the existing consents to continue until such time as the new consents are granted, applications need to be lodged six months prior to the expiry of the consent.

Input into the strategy for re-consenting GW's existing consents has been sought from Biodiversity, Environmental Science, Environmental Regulation and Environmental Policy departments.

We are seeking a collaborative approach from Council departments in preparing the applications, in order to make the best use of the knowledge and experience held with GW. In particular, input from the Environmental Science Department is being provided on an independent expert advice basis so that it can be used by both the applicant (Flood Protection) and the Consenting Authority (Environmental Regulation).

The agreed strategy which underlies both the project plan and consultation strategy is outlined below:

- Obtain short-term consent for the Waingawa River Feb 2012-Feb 2013
- Renew the Western Rivers consents September 2011- April 2013
- Renew the Eastern Rivers consents April 2013- September 2015

## **4. Workstreams**

The global consents project is progressing in five work streams described below:

### Work Stream 1 - Consent Applications

Workstream 1 is split into two parts covering the western and eastern parts of the region. Re-consenting the western consents started in April 2012 and applications starting with the Hutt River will be lodged between April and September 2013. Work on the eastern consents will not start until 2014.

### Work Stream 2 - Waingawa Short-term Consent

GW holds a global consent to undertake river maintenance works in the Waingawa River. This consent expires on 30 September 2013. A short term consent (two years) is being applied for to bring the Waingawa consent expiry date into line with the other river in the Wairarapa. A long term consent, 35 years, will then be applied for in conjunction with all of the other Wairarapa river consents.

The draft application seeking consent for a two year term has been submitted to Environmental Regulation for their feedback prior to lodging later this year.

### Workstream 3 - Environmental Monitoring

The purpose of this workstream is to develop a region-wide monitoring programme to better understand the effects of flood protection works.

Prepare scoping report and implementation and investigations programme Feb 2012- April 2013

Ongoing monitoring and investigations April 2013 onwards

Environmental monitoring will be required to characterise existing biological resources of these river systems and enable the potential effects of the proposed activities to be adequately assessed. Monitoring information is also required to inform the environmental code of practice that is being updated for all routine operations and maintenance works in these watercourses.

### Work Stream 4 – Code of Practice

Updating GW's existing Environmental Code of Practice for undertaking river management and flood protection works forms a key part of the work required for the global consent application. The updated Code of Practice will be region wide and will be a best practice guide on how all activities are undertaken by the Flood Protection Department.

### Work Stream 5 – Floodplain Management Plans

The Floodplain Management Plan (FMP) approach which sets out agreed expectations for how the Council will manage rivers are key tools that support operations and maintenance consent applications.

For the western rivers, FMP's have already been completed. Some additional information may be required to support the re-consenting process in the form of a review of the river management approach being used. For the eastern rivers, FMPs are either underway or will be completed for all the rivers GW currently has "schemes" on. These are the Waingawa, Waiohine, Waipoua, three reaches of the Ruamahanga, Taueru, Whangaehu and the Kopuaranga Rivers.

## **5. Review of Regional Plans**

Flood Protection continues to work with Environmental Policy staff on the development of the second generation of regional planning, exploring options through this process for the consent and management of river maintenance activities. Which consents are applied for will be dependant on the interplay between the progress of the plan review work and the expiry date of GW's consents.

Applications for global consents in the western half of the region are likely to be applied for under the existing plan as they expire before the new NRP is likely to be proposed. At this time the western consent applicants are continuing on the basis that activities that are currently permitted by the existing regional plans will continue to be permitted in the proposed NRP. A judgment will have to be made shortly as to whether this is the likely outcome or whether more, or less, consents will need to be included to cover activities that are currently permitted by the existing regional plans.

## 6. Budget

Work to re-consent GW's existing operations and maintenance activities will be undertaken during the next year for the western consents and the following two years for the eastern consents. To meet this timeline, internal and external resources have been engaged.

Item	2012/13	2013/14
Consents and Baseline Monitoring	304,000	100,000
Code of Practice	100,000	129,000
FMP Investigation	100,000	129,000
<b>TOTAL</b>	<b>504,000</b>	<b>358,000</b>

Budgets for the eastern consent renewal work for 2014/15 and 2015/16 will be developed once we have progressed further with the western consents. It is anticipated that all of the monitoring and the code of practice work will be sufficient to progress the eastern consents, without any additional work being required.

## 7. Communication

A consultation strategy for workstreams 1 and 2 has been developed and will be modified as necessary as the applications are progressed.

The purpose of the consultation is to:

- Distribute information on the global consent project and specifically the western consents (part of Workstream 1) and the short term Waingawa Consent (Workstream 2).
- Explain the timeframe and process for consultation.
- Brief directly affected parties, interested parties, and the wider community on applications
- Discuss potential effects of activities, and how these could be avoided, remedied or mitigated with directly affected parties, and interested parties and seek feedback.

- Identify possible methods of avoiding, remedying or mitigating adverse effects and provide feedback to directly affected parties, and interested parties.
- Provide opportunities to participate in the preparation of the applications. These applications will be publicly notified and stakeholders and other interested parties will also have an opportunity for making formal submissions.

The consultation process will involve:

- Setting up a “Science Group” to provide independent technical advice.
- Individual and combined meetings with Iwi, HCC, KCDC, UHCC, DoC, Fish and Game NZ, and liaison groups.
- Information sheets and press releases as required.
- Direct engagement with recreation groups.
- Public Notification for wider public.

## 8. Recommendations

*That the Committee:*

1. **Receives** the report.
2. **Notes** the contents of the report.
3. **Endorses** the proposed process for securing new flood protection operations and maintenance consents.

Report prepared by:



**Tracy Berghan**  
Principal Planning Advisor –  
Flood Protection

Report supported by:



**Colin Munn**  
Team Leader, Operations  
Delivery & Planning

Report approved by:



**Graeme Campbell**  
Manager  
Flood Protection

Report approved by:



**Wayne O'Donnell**  
General Manager  
Catchment Management