



Agenda for a meeting of the Pokeno Community Committee to be held in the Pokeno Community Hall, Cnr Great South Road and Market Street, Pokeno on **MONDAY, 23 MARCH 2020** commencing at **7.00PM**.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. PUBLIC FORUM

5. CORRESPONDENCE

6. REPORTS

- | | | |
|-------|---|---------------|
| 6.1 | Presentation – Pokeno to Pukekohe Bus Service | 3 |
| 6.2 | Subcommittee Reports | <i>Verbal</i> |
| 6.2.1 | Strategy & Growth | |
| 6.2.2 | Finance | |
| 6.2.3 | Facilities | |
| 6.2.4 | Events | |
| 6.2.5 | Communications | |

7. COUNCIL REPORTS

- | | | |
|-----|---|---------------|
| 7.1 | Pokeno Works & Issues Report – March 2020 | 4 |
| 7.2 | Councillors' Report | <i>Verbal</i> |

8. CONFIRMATION OF MINUTES

- | | | |
|--|--|----|
| | Meeting held on Monday, 10 February 2020 | 65 |
|--|--|----|

9. **ACTION LIST**

10. **GENERAL BUSINESS**

Gj Ion
CHIEF EXECUTIVE

Open Meeting

To	Pokeno Community Committee
From	Clive Morgan General Manager Community Growth
Date	11 March 2020
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV0516
Report Title	Presentation – Pokeno to Pukekohe Bus Service

1. EXECUTIVE SUMMARY

Mr Andrew Wilson will be in attendance at the Committee's meeting to discuss the Pokeno to Pukekohe Bus Service.

2. RECOMMENDATION

THAT the verbal report from **Mr Wilson** be received.

Open Meeting

To	Pokeno Community Committee
From	Clive Morgan General Manager Community Growth
Date	16 March 2020
Prepared by	Karen Bredesen PA to General Manager Service Delivery
Chief Executive Approved	Y
Reference/Doc Set #	PCC2020
Report Title	Pokeno Works & Issues Report – March 2020

1. EXECUTIVE SUMMARY

To update the Committee on issues arising from the previous meeting.

2. RECOMMENDATION

THAT the report from the General Manager Community Growth be received.

3. APPENDUM

- Works & Issues Report – March 2020
- Consent Evaluation Report
- Letter – Application for Land Use Consent

WORKS & ISSUES REPORT – MARCH 2020

Issue	Area	Action	Comments
Urban development plan	Ric Odom	Follow up	Joint meeting with Tuakau, Meremere, Mercer etc – put together a submission to WDC for planned 10 – 30 year strategy outlined for Growth and Development in four districts.
Trucks parking on Hillpark Drive	Ric Odom	Follow up	<p>Mayor Sanson advised WDC were talking to RTA, no trucks to be parked in urban streets.</p> <p>PCC propose to write to Gavin Ion, Executive WDC before further intervention.</p>
Munro Road Sports Park	Richard Clark	Provide link: - Relevant consents for the stream diversion.	Please note that the link to the Munro Road Sports Park Consent documents are not accessible outside the WDC computer network, and therefore a copy is attached.
Wastewater – Pokeno Reticulation Scheme – Phase 3	Paul McPherson	Letter to residents: - To inform community of this work. - What other communication has there been?	<p>Various communications for the Pokeno wastewater scheme phases have been carried out over a period of 4-5years.</p> <p>This final phase of works only involved direct communications with the 15 properties that make up this package of works. The work is to complete property connections for the 15 properties that had signed agreements in the past but for one reason or another missed being connected as part of phase 2 works.</p> <p>WDC project managers conducted site visits on numerous occasions prior to putting the physical works package out to the market - with the most recent property investigations being conducted alongside a property representative explaining the scope of work for their property and advising of the anticipated key dates (tendering, award date, commencement of physical work, payments/costs, etc).</p>

Issue	Area	Action	Comments
			<p>A variation letter was sent out on 9 December 2019 indicating works had been approved to go ahead and advising of the variation to the payment plan due to work being postponed for 2.5 years.</p> <p>Additional communication, notification and collaborative site walk overs with property owners (and/or tenants) is undertaken by WDC contractor Pipescape NZ prior to establishing at each property.</p>
Toilets – Pokeno	Paul McPherson	<ul style="list-style-type: none"> - Will toilets be usable during works? If not, is there an alternative solution? - Provide a description of works being done. - Is there a future budget for a full replacement toilet in the LTP? If not, why not? When will the next upgrade take place? 	<p>The existing toilets will be closed during the renovations. While the toilets are being refurbished temporary toilets will be provided (portacom-style) and will match the capacity.</p> <p>Pokeno’s internal configuration remains largely unchanged however a refurbishment is required.</p> <p>WDC is taking this opportunity to change the entrance, rather than men having to walk past the women’s door, removal of some balustrade will create an entry from the centre. In addition to this, cornered screens will be installed at each door for added privacy. With the entrance at the front rather than the side, the current rubbish bin will need to be relocated and a new ramp constructed.</p> <p>There is no specific replacement toilet budget or listed project in the WDC Public Toilet Strategy (July 2015). An opportunity for replacement would be to incorporate new toilets in with the proposed library/information centre planned over the next several years.</p>
Urban Upgrades – Pokeno Main Street	Gareth Bellamy	<ul style="list-style-type: none"> - When will the Committee receive the preliminary design to review? 	<p>The section of works between Hitchen Road and Helenslee Road is currently being designed.</p> <p>There is still analysis work yet to be completed with</p>

Issue	Area	Action	Comments
			<p>the plan for Great South Road and surrounding areas which will be from the outcomes of the growth strategy and the work that our consultant is undertaking.</p> <p>A concept plan will be completed by mid-late March.</p>
Community Connections	Megan May, Community Connections	<ul style="list-style-type: none"> - Proposed planting fruit trees in Pokeno reserves. - PCC Facilities group to look into suitable areas and link it to the Community Garden Project. Then report back to Clive. - Kim to contact Kris and Helen (Facilities sub-committee) - Identify what facilities are available for Pokeno in our boundaries. - Pest control (possum, rats, stoats etc) for the garden and fruit tree plantings – who is responsible? - Please provide an updated list of community facilities in Pokeno eg Pools, Parks, Halls etc. 	<p>The Committee need to provide locations where the community would like fruit trees planted. Other areas (Tuakau and Raglan) have done similar projects and incorporated it into community planting days. This is an initiative that the Community Venues and Events Team could support for Pokeno if it was supported.</p> <p>Kim will contact Chris and Helen to discuss options.</p> <p>Staff advise that they have never had a problem with pest control in other garden and fruit tree plantings in the district.</p> <p>A list of sites for both buildings and open spaces for Pokeno are listed below.</p> <ul style="list-style-type: none"> - Pokeno Hall - Pokeno Tennis Club - Pokeno Toilet - Pokeno Cemetery - Pokeno Old Soldiers Cemetery - Pokeno War Memorial - Hitchen Road Reserve - Mark Ball Reserve - Balmore to Westmuir Crescent Walkway - Harriet Johnston Reserve - Helenslee Esplanade

Issue	Area	Action	Comments
			<ul style="list-style-type: none"> - Helenslee to Pyne Walkway - Hillpark Drive Esplanade - Hitchen Road Walkway - Kirklee Lane to Helenslee Road Walkway - Mark Ball Drive Park (Playground is within the Park) - Mark Ball Drive Walkway - Muirhill Place Esplanade - Parkgrove Crescent Esplanade - Pokeno Domain
Deans Road Footpaths	Gareth Bellamy/Karen Bredesen	- Leigh Shaw received footpath queries from residents. WDC to investigate. (This was noted in the PCC Minutes)	Staff have not received any communication from Leigh Shaw.
Councillors Report – Grant Application	Lianne van der Bemd	- Committee has applied for \$1000 grant.	The Pokeno Community Committee funding application will be submitted to the next Strategy and Finance meeting being held on 18 March 2020.
Main Street area and Kowhai Downs clean-up	Jordy Wiggins	<p>Allan Grainger (PCC) - would like to discuss these voluntary activities and to make sure they comply with relevant Council rules/regulations:</p> <ul style="list-style-type: none"> - Who to contact at Council - Plants and Trees - Water blasting main street area - Sweeping roadside gutters - Waterfall – Kowhai Downs area 	<p>Samantha Baker at the WDC is the contact person for any voluntary works undertaken on WDC Reserves.</p> <p>Samantha will be able to liaise between Volunteer Group and Roding team in regards to footpath clean up/gutters etc.</p> <p>Her email address is: samantha.baker@waidc.govt.nz</p>
Pokeno Events – apply for funding	Lianne van der Bemd	<ul style="list-style-type: none"> - Provide a workshop for the new committee on fund application processes and who, when and how to approach funders. - Please contact, chair Ric Odon to provide contact details. 	Lianne has contacted the Chair to arrange a funding meeting.

Issue	Area	Action	Comments
Solid Waste Review	Phil Ellis	Required for March	A steering committee has been established which includes four councillors. They have met a couple of times this year to clarify the direction that the Solid Waste review will take.
Public Transport	Vishal	Required for March	<p>Pokeno-Tuakau-Pukekohe bus service is on track to be in place by July 2020.</p> <p>Council is also working with NZTA, Auckland Transport, Auckland Council and the Ministry for Housing and Urban Development (MHUD) on a Point of Entry Statement to determine key public transport issues within southern Auckland and northern Waikato in light of planned growth.</p>
Hamilton to Auckland Spatial Plan	Vishal	Required for March	This is subject to the outcome of the Waikato District Growth and Economic Development Strategy (Waikato 2070) hearings. A meeting between WDC and Ministry for Housing and Urban Development has been scheduled for 9 March 2020 to discuss next steps based on directions given by Hearing Commissioners for the Waikato District Growth and Economic Development Strategy. This meeting will take stock of these directions and its implications for the River Communities Spatial Plan. The Statement of Shared Spatial Intent for the Hamilton to Auckland Corridor will be updated in mid-2020 for consideration by Cabinet.

COMMUNITY PROJECTS UPDATE

Parks

Munro Road Sports Park

Tenders closed at 4.00pm on Friday 7 February 2020, having received four conforming tenders. The evaluation of tenders has been completed and the contract has been awarded to MacKenzie & Parma Civil Construction based out of Takanini in Auckland, with a tendered sum of \$1,054,711.69.

Establishment is scheduled for 9 March and completion 8 May 2020.

An initial meeting of Pokeno Sport and Recreation Steering Group comprising representatives from local sporting clubs and groups, Pokeno School, Pokeno Community Committee, and other key stakeholders was held at the Pokeno Tennis Club on 17 February 2020 from 7pm.

Wastewater

Pokeno Wastewater Reticulation Scheme, Phase 3 (expected completion March 2020).

The contract (17/224) for the completion of the scheme-subsidised private drainage connections in Pokeno is well underway with 6 of the 15 scheduled connections completed.

Toilets

Pokeno

Contract 18/213 to refurbish toilet facilities at Great South Road, Pokeno and at The Point, Ngaruawahia was awarded to ESN Construction.

The works at Pokeno are expected to take 6 weeks. Insurance, bonds, and Site Specific Safety Plan (SSSP) are currently being worked through. Once complete, temporary toilets will be installed for the duration of the works, then work can get underway.

Cemeteries

Whangarata Cemetery Development (expected completion May 2020)

Work is ongoing with preparations for contract documents.

11 Consent Evaluation Report

Applicant: Waikato District Council **File No.:** 61 67 83A
Address of Site: Munro Road, Pokeno **Project Code:** RC12179
Application Number: APP137143

1 Introduction

Waikato District Council (WDC - the Applicant) has made application for resource consents to authorise earthworks and cleanfilling activities and the diversion of surface water in association with construction of a new public sports park facility at Munro Road, Pokeno. The specific resource consents sought from the Waikato Regional Council for the proposed activities are described as follows:

Reference Id	Activity Subtype	Activity Description
AUTH137143.01.01	Land - disturbance	To undertake earthworks and associated clean filling in a flood plain in association with the sports park complex development, Munro Road, Pokeno.
AUTH137143.02.01	Diversion	To divert surface water through construction of a stream channel diversion and infilling of a floodplain in association with the development of the sports park complex, Munro Road, Pokeno.

These activities are located to the north of Pokeno Road, at or about map references NZTM 1778275 E 5876356 N.

Details of the proposed activities and potential environmental effects are described and assessed within the following consent evaluation report.

2 Background and Description of Proposal

2.1 Background

The location of Pokeno Village within the northern Waikato Region, approximately 50km south of the Auckland central business district and on the alignment of major motorway and rail networks has recognised the town as a major growth node within the Franklin District Growth Strategy 2007. This strategy recognises Pokeno as a suitable location to accommodate an additional population of approximately 5,200 people by 2051, supported by an industrial land area of approximately 80ha.

The Pokeno Structure Plan 2008 (PSP) sets out a vision for the area which is based on the former Franklin District Council's (now Waikato District Council) aspirations, technical studies and community input to provide a framework for the staged growth of the village into a town. Plan Change 24 was lodged with the Franklin District Council by the Pokeno Landowners Consortium and seeks to enable development to proceed within the PSP area. This plan change was subject to a public, notified process with notification occurring in December, 2008 followed by a public hearing in September, 2009. A decision on that Plan Change was released for public notification on the 16 March 2010 with Plan

12

Change 24 being declared operative on 1 June, 2011. Subsequently, development activities have now been underway in Pokeno for a number of years with rapid growth in the number of residential dwellings and a local population.

The PSP included provisions for development of a sports park facility to provide recreational opportunities for the future population and identified the low lying land located between Pokeno Road and Munro Road as a potential location for the park based upon its limited development potential due to geotechnical and potential flood hazard constraints. The WDC has now acquired this land and intends to undertake the necessary works to develop the Sports Park which comprise the subject of these applications.

2.2 Proposal

As described, the subject site comprises a low lying area of low gradient to undulating land. Furthermore, the site comprises the location of a number of watercourses which pass either through or around the margins of the site with much of the site being subject to inundation from these watercourses during high flow flood events.

Hence works are proposed comprising cut to fill earthworks, importation/ placement of cleanfill, and diversion of both a stream channel and floodwaters to achieve the desired sports field surfaces within the sports park site. The specific details of the proposed activities are described within the following sections.

2.2.1 Earthworks/Cleanfilling

It is proposed to undertake earthworks comprising approximately 30,749m³ of cut and 52,408m³ of fill over an area of approximately 6.3ha within the application site. Generally, cut will be excavated from the more elevated areas and from the proposed stream diversion channel within the southern part of the site and used to fill across the lower lying land around/within the current stream channel within the central /northern parts of the site. The application identifies maximum cut/fill depths of 3m.

As noted above, the proposed earthworks volumes present a short fall in fill volumes of 21,660m³ with this additional volume proposed to be made up via importation of cleanfill material imported from an off-site source. The proposed source of imported fill is not yet known however the Applicant has outlined that it will likely be sourced from nearby subdivision earthworks and that the material will be limited to cleanfill material only as defined within the Waikato Regional Plan.

The proposed earthworks will generally comprise stripping of topsoil to designated stockpile areas or bunding followed by recontouring of the underlying materials through cut and fill earthworks to achieve the level playing field surfaces. It is noted that based upon the existing stream alignment passing through the centre of the site, the works are proposed to be undertaken in two stages comprising an initial stage of works on the southern side of the existing stream channel followed by a second stage of works once the stream has been diverted to a new alignment within the southern part of the site allowing the works to progress into the northern part of the site.

A variety of motorscrapers, bulldozers, tractors, excavators, dump trucks, and scoops will be utilised to undertake these works.

On completion of the bulk earthworks activities, the site surfaces are proposed to be stabilised through re-spreading of topsoil and establishment of the sports field turf surfaces or general park grass surfaces.

The application has included an Erosion and Sediment Control Plan (ESCP) outlining proposed measures to control potential sediment discharge effects as well as a Dust Management Plan outlining proposed

measures to manage potential dust effects over the course of the proposed earthworks activities. These measures are described in detail and discussed within section 7.1 of this report.

While the works were initially intended to be undertaken over the current summer earthworks season, the Applicant has outlined that the works are now likely to be delayed until the 2018/19 season.

2.2.2 Surface Water Diversion

The earthworks activities are proposed to occur both directly within or in proximity to the existing water courses at the site. In this respect, there are two aspects to the proposed surface water diversion activities as follows:

Stream Diversion

An existing unnamed tributary watercourse currently enters the site at the western/Munro Road boundary and passes through the centre of the site to reach a confluence with the main Tanitewhiora Stream channel at the eastern site boundary. To allow the proposed expansive, open playing field surfaces to be established within the site it is proposed to divert this watercourse from its current alignment to follow a new alignment along the southern boundary of the site.

These diversion activities will result in the loss/infilling of an existing 520m length of existing stream channel which will be replaced with an equivalent length of new channel which is described as being designed to establish a meandering channel with a diversity of aquatic habitat values while also maintaining hydraulic flow capacities through the site. The new stream channel will be formed through excavation of the new channel to form a trapezoidal shaped low flow channel set within a wider high flow/floodplain channel. The application documents have outlined specific methodologies to ensure that potential environmental effects are managed during the stream diversion works including construction methodologies, channel erosion protection and habitat enhancement measures. Additionally, the application plans have outlined a riparian planting package comprising planting of the entire length of the new diversion channel at a width of 10m on both sides along with a proposal to undertake riparian planting along a 10m wide strip on the southern side of the main Tanitewhiora Stream channel for a length of 878m which flows along the eastern and northern site boundaries.

Flood Water Diversion

The application has identified that during large scale flood events, large portions of the existing site are subject to inundation from both the main Tanitewhiora Stream and its tributary which flows through the centre of the site. In this respect it is identified that the proposed earthworks will result in the infilling of sections of the site which currently comprise areas subject to flood inundation during events extending from the 2 year up to the 100 year. Hence these activities will result in modifications to the existing flood regimes at the site and the diversion of flood waters during these events.

3 Site Description/Receiving Environment

The site comprises an overall property of 12.78ha in area made up of a single land parcel owned by the Applicant which is described as:

- Lot 1 DP 189825

Figure 1 below provides an aerial photograph demonstrating the location of the site including the location of the unnamed tributary stream (to be diverted) and the main Tanitewhiora Stream channel.

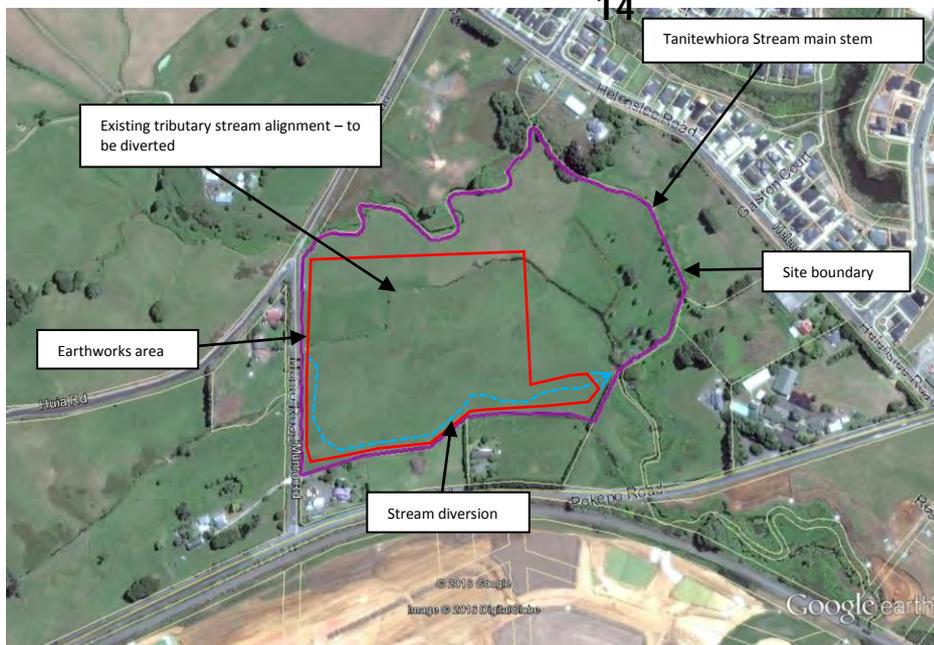


Figure 1: Site Location Plan

The topography within the site comprises low gradient pasture land currently used for stock grazing purposes.

Drainage within the site occurs either via ponding and slow infiltration to the underlying soils or via low gradient runoff across the pasture surfaces to the watercourses within the site with the site surfaces being largely saturated during the site visit undertaken in September, 2016.

The tributary watercourse which is proposed to be diverted enters the site at the western boundary via an existing culvert under Munro Road. The catchment area above the site comprises an area of approximately 350ha comprising rural hill country used for grazing purposes. At the site, this watercourse comprises a channel width of approximately 2-4m with depths between 0.4-1.5m following a straightened, low gradient alignment evident of past modification and diversion activities - refer Figure 2 below.



Figure 2: Unnamed tributary stream within the site.

The application documents have included an ecological assessment of the tributary stream undertaken by Freshwater Solutions which outlines the following key characteristics of the watercourse within the site:

- Aquatic and riparian habitat along the section of the unnamed tributary within the site is of poor quality due to the lack of flow, high amount of organic detritus, clay streambed, siltation of instream surfaces and high levels of streambank erosion;
- The unnamed tributary is clogged with introduced emergent and submerged macrophyte species that have a negative influence on aquatic habitat and water quality. High macrophyte cover within the channel reflects very poor channel shading and sediment and nutrient inputs from the grazed landuse that stimulates growth;
- The unnamed tributary provides degraded, slow flowing, soft bottomed habitat of low quality for aquatic macroinvertebrates. The macroinvertebrate community was dominated by poor water and habitat tolerant taxa including snails, crustacea, platyhelminthes and oligochaete and was typical of highly degraded habitat conditions with low MCI scores recorded;
- A fish survey identified 8 short finned eels, abundant gambusia and one red eared slider turtle within the tributary stream although other native species including long finned eels and kokopu have previously been recorded within the Tanitewhiora Stream catchment.

The tributary stream reaches a confluence with the larger Tanitewhiora Stream channel at the eastern site boundary. The Tanitewhiora Stream then flows under the Pokeno Road bridge, Hitchen Road bridge, McDonald Road bridge, NIMT culvert, Great South Road culvert and SH1 culvert before entering the Mangatawhiri Swamp which has been identified as a Wetland Conservation Zone under the Waikato/Franklin District Plan and has been assigned outstanding wildlife value. The stream follows a defined channel through the wetland area and enters the Mangatawhiri Stream which then flows southward to enter the Waikato River north of Mercer.

Geotechnical investigations have been undertaken by the Applicant which indicate the site soils as comprising topsoil of around 0.2m overlying firm to hard alluvial deposits along with some areas of non-engineered fill to depths of 1.6m which is described as 'push-over material'.

A preliminary site investigation has been commissioned by the Applicant into past land use activities and potential soil contamination effects. This investigation has identified part of the site which indicates the potential for contamination effects (horticultural activities) and would fall within the Hazardous Activities and Industry List (HAIL). Subsequently a detailed site investigation has also been undertaken which has identified heavy metal and organochloride pesticide concentrations as complying with the NES standards although heavy metal concentrations within some samples exceeded background levels for the Waikato region.

Russell Foster Associates has completed an archaeological investigation of the site and surrounding sites as part of the overall plan change documentation. The investigation identified that there were several archaeological sites within the wider vicinity of the proposed development, however no sites were identified within the area subject to this application.

Outside of the proposed works area, a number of neighbouring properties are identified which contain residential dwellings located in proximity to the proposed earthworks site. These dwellings are located along the southern boundary of the site and to the west across Munro Road with these dwellings ranging in distance from the earthworks boundary between 25 – 70m.

4 Status of Activities under the Plans

16

Consent is required under the following provisions of the following Waikato Regional Plan (WRP):

4.1 Earthworks and Cleanfilling

The Applicant has outlined that the proposal will include earthworks within High Risk Erosion Areas and will exceed 2000m³. Consent is thus required as a discretionary activity in accordance with rule 5.1.4.15 of the WRP.

The Applicant has outlined that the proposal will include discharge of cleanfill material in excess of 2500m³ within a high risk location (floodplain). Consent is thus required as a discretionary activity in accordance with rule 5.2.5.6 of the WRP.

4.2 Surface Water Diversion

The permanent diversion of surface water associated with both the diversion of the tributary stream channel and the floodplain infilling works is unable to comply with rules 3.6.4.6, 3.6.4.7, 3.6.4.8, 4.2.9.1, 4.2.9.2 or 4.2.9.3 and is thus to be considered as a discretionary activity in accordance with rule 3.6.4.13 of the WRP.

4.3 Other Activities

4.3.1 Waikato District Council

Consent applications were lodged concurrently with the Waikato District Council (WDC) to authorise the proposed earthworks activities. This process will include consideration of the land contamination requirements under the National Environment Standard for Assessing and Managing Contaminated Soils (NES – Contamination).

5 Consultation/Affected Party Approvals

5.1 Iwi

Consultation has been carried out with local iwi for the current applications including Ngati Te Ata and Ngati Tamahao. This included a site visit being undertaken with the representatives of these iwi groups and forwarding of the design plans to the representatives of these iwi groups.

Subsequently the application has included correspondence received from both of these parties which has confirmed their acceptance of the proposed activities subject to the proposed site management and mitigation measures.

5.2 Other Parties

5.2.1 Neighbours

As described, there are a number of residential properties located in proximity to the subject site which are at risk from potential effects (namely dust) over the duration of the earthworks. In this instance, based upon the scale and nature of the works along with measures proposed within the application to manage these potential effects and recommended consent conditions, it is considered that these potential effects can be managed to ensure that any effects will be less than minor upon these parties.

6 Process Matters

The resource consent applications were lodged with the WRC on 10 August, 2016 and were subsequently placed on hold on 22 August, 2016 requesting further information pursuant to section 92(1) of the RMA. The further information requirements were eventually addressed on 2 February, 2017 allowing the consent applications to progress to the decision stage. A timeframe extension of 2 days was applied in order to finalise the application. The applicant agreed to the timeframe extension as per their acknowledgement in the application.

Date	Process Detail
10/08/2016	Lodged
12/08/2016	Active
22/08/2016	On Hold
3/02/2017	Active
24/02/2017	S37A(4)(b)(ii) timeframe extension 2 days

7 Statutory Considerations

When considering an application for a discretionary activity the consent authority must have regard to Part 2 (“Purposes and Principles” – sections 5 to 8), and sections 104, 104B, of the Resource Management Act 1991 (RMA).

The statutory considerations under section 104 provide the ‘legal framework’ within which the application is addressed. Amongst other things, this framework requires consideration of any actual or potential effects on the environment; the relevant provisions of national policy statements (including the NZ coastal policy statement); regional policy statements and regional plans (both operative and proposed); and any other relevant and reasonably necessary matters to determine the application.

Section 104(2) allows any effects that may arise from permitted activities specified in the plan to be excluded from the assessment of effects related to the resource consent. This is known as the permitted baseline test. The ‘baseline’ constitutes the existing environment (excluding existing use rights) against which a proposed activity’s degree of adverse effect is assessed. It is only the adverse effects over and above those forming the baseline that are relevant when considering whether the effects are minor. It is at the Council’s discretion whether to apply the assessment of the permitted baseline to any proposal. In this instance, considering the significant scale of the proposed activities above the permitted standards outlined within the WRP, the application of the permitted baseline is not considered to be applicable to the works.

Once a proposal is deemed to be a discretionary activity the full range of matters under section 104(1) becomes applicable and the full range of actual and/or potential effects is to be considered under section 95 and 95A-95F RMA.

When considering an application for resource consent, the Council must not have regard to any effect on a person who has given their written approval to the application [section 104(3)(b)] and may disregard an adverse effect of any activity on the environment if an operative plan permits an activity with that effect [section 104(2)].

Under section 104B a consent authority may grant or refuse consent for a discretionary activity and may impose conditions.

7.1.1 Earthworks

The proposed earthworks activities have the potential to result in a variety of environmental effects which are subject to consideration under these Regional Council applications. These include sediment discharges to watercourses, creation of dust nuisance to surrounding properties, potential contaminant discharges through importation of fill and disturbance of contaminated ground and potential disturbance of archaeological/cultural sites. These potential effects are discussed and assessed below in regard to the proposed earthworks activities.

7.1.1.1 Sediment Effects

Estimate of Sediment Loss

The Applicant has provided an estimate of the sediment likely to be discharged from the site during works using the Universal Soil Loss Equation (USLE). While the USLE does not provide a precise tool for calculating the exact volume of sediment to be discharged from the site during the earthworks it does provide a useful tool for providing an indicative estimate of potential sediment loss from the site as well as identifying particular parts of the site which may generate elevated levels of sediment due to specific site conditions such as topography or soil type.

USLE calculations carried out for the existing pasture cover land use scenario have indicated a net sediment loss of 0.04 tonnes over a six month period (being the total period over which the site is anticipated to be exposed for construction earthworks activities). USLE calculations carried out for the construction period indicate a gross sediment yield of 3.02 tonnes from the earthworks area over the anticipated construction period without implementation of any erosion and sediment control measures. Factoring in the proposed erosion and sediment control devices as outlined within the application documents the estimated soil loss from the site is reduced to around 0.75 tonnes. A further calculation is provided based upon the addition of flocculant treatment of the control devices with a further reduced soil loss of 0.15 tonnes.

Based upon these calculations the USLE estimates an increase in sediment yield from the site of approximately 4 times the current scenario over the construction period.

The assumptions and variables utilised for calculating the potential sediment loss have been reviewed by the processing officer and are generally considered appropriate to provide an estimate of sediment loss from the site.

Erosion and Sediment Control

The application documents have included an erosion and sediment control plan (ESCP) which is proposed to be implemented on site over the course of the earthworks activities to minimise potential off site sediment discharge effects. All erosion and sediment control measures are proposed to be installed on site in general accordance with the Waikato Regional Council Technical Report *Erosion and Sediment Control Guidelines for Soil Disturbing Activities*, January 2009 (TR2009/02), which sets out the general methods that the WRC advocates to address the above mentioned erosion and sedimentation effects. Specific measures outlined by the Applicant to control erosion and sediment effects during the bulk earthworks activities include:

Erosion Control

- Installation of contour/cut off drains across site slopes to minimise slope length and erosion effects;
- Staging of works;

- Progressive stabilisation of completed surfaces with topsoil and seeding or with hay mulch where stabilisation is more critical to minimise the extent of exposed surfaces on site as much as possible;
- Provision of a stabilised entrance.

Sediment Control

- Installation of sediment laden diversion drains to convey sediment laden runoff to proposed sediment retention devices;
- Utilisation of 3 sediment retention ponds (SRP A, B and C) for treatment of the bulk earthworks catchments within the western part of the site;
- Installation of lengths of silt fence around the southern and western site boundaries where isolated works catchment may not be able to drain to the SRP devices;

The main sediment control devices to be implemented for the cut to fill earthworks activities comprise the use of 3 SRPs with the application documents including design plans for each of these devices which have been assessed as being in accordance with the TR2009/02 guideline. The proposed SRPs are considered to represent the best practice treatment method for the proposed earthworks area.

Treatment within SRPs is considered to be maximised where it is enhanced through addition of a rain activated flocculant dosing system. In this respect, the addition of chemical flocculants has shown to be of little benefit within the previous residential development earthworks undertaken within Pokeno to date with the site soils exhibiting excellent erosion resistance and settlement properties and thus may again be unnecessary for the balance earthworks. However, in this instance, the earthworks are noted as being located within a lower lying alluvial plain area which potentially presents different soil types to the elevated ash type soils within the residential areas where earthworks have been undertaken to date. In this respect, a consent condition is recommended requiring preparation of a Flocculation Management Plan prior to commencement of works which outlines the results of soil bench testing within this area and details of any necessary flocculation management systems to be implemented should the bench testing identify the addition of flocculants as being beneficial.

A key aspect of the proposed earthworks and the erosion and sediment control plan comprises the works methodology associated with the construction of the proposed stream diversion channel. The methodology involves the construction of the new channel section entirely off-line with any sediment runoff from the channel excavation works to be treated via pump out to SRP C and with the stream flows through the new channel section only being livened once the channel works are completed and effectively stabilised. The Applicant has confirmed that prior to livening of the new channel with catchment flows, the channel will be stabilised via application of hydroseed then leaving the channel for 6 to 8 weeks to allow for grass stabilisation throughout the channel prior to diversion of flows through the new alignment. While the inundated grass surfaces will eventually die off following flooding of the new channel, this methodology is considered appropriate to ensure that the new channel surfaces are stabilised as to prevent adverse scour and sediment mobilisation effects during the initial channel livening phase until the new flows establish their equilibrium through this channel. A consent condition is recommended requiring inspection and approval of the stabilised channel by the WRC compliance officer prior to livening of the channel with catchment flows.

Once the stream flows have been diverted into the new channel, the old channel is able to be blocked off and backfilled with any potential sediment effects from this operation being either contained within the old channel or pumped out to the adjacent SRPs A and B which is considered appropriate.

The effective management of sediment discharges from the site is reliant on robust monitoring and maintenance of the specified erosion and sediment control devices. In this respect the Applicant has outlined proposed maintenance, monitoring and reporting procedures for the proposed works including the following measures:

- Maintaining an on-site rain gauge and regular monitoring of short and long term weather forecasts and adjusting works programmes to suit forecast conditions;
- Regular inspections to ensure that erosion and sediment control measures are in place and properly functioning at all times;
- Ensuring that stand-by staff are on call should adverse weather conditions be forecast outside typical works periods;
- Ensuring that reserve supplies of geotextile, haybales and additional flocculant area available for emergency repairs/batch dosing;

It is considered that implementation of these measures will ensure the effective function of erosion and sediment control measures during any rain event and a consent condition is recommended to ensure that they are implemented.

To summarise, the proposed erosion and sediment control measures and methodologies outlined within the application documents are considered appropriate to confirm that best practice techniques can and will be implemented at the subject site. A consent condition is recommended requiring submission/approval of a finalised ESCP which can be developed in consultation with the site contractor closer to the time of works to confirm detailed design, layout and methodology of all erosion and sediment control measures prior to works.

Receiving Environment Effects

Treated runoff from the site will discharge from the treatment devices to the Tanitewhiora Stream tributary which flows eastward to enter the main branch of the stream. The main stream channel then flows to the south east through the Mangatawhiri Wetland to the Mangatawhiri River and then into the Waikato River north of Mercer.

While the proposed erosion and sediment control measures will ensure that the majority of mobilised sediment particles are retained on site, it is inevitable that some fine particulate and suspended colloidal material arising from the sites clay and silt soils will make their way into the receiving environment during storm events. Within the receiving environment these discharges have the potential to result in adverse effects on water quality and aquatic ecology including the abrasive and smothering effects of fine sediments on aquatic organisms and habitats and the discolouration of water affecting visual feeder species as well as aesthetic and recreational values.

As previously described, the Tanitewhiora Stream drains a rural catchment and is considered to have generally low water quality and in-stream habitat values due to landuse activities in the catchment including agriculture, horticulture and land development activities. Similarly, the Mangatawhiri River and Waikato River drain large scale catchments subject to multiple landuses which impact on water quality, particularly during large scale storm events. In this respect, while it is considered likely that elevated levels of sediment will discharge from the site during significant storm events, it is considered that aquatic ecology within these watercourses will be tolerant to these intermittent, short term sediment discharges and based on the implementation of proposed erosion and sediment control measures these discharges within aquatic receiving environments will be no more than minor. Within the Waikato River these discharges will be easily assimilated within the significant catchment flows and will not result in any noticeable increase in suspended solids levels.

Based on the implementation of the proposed erosion and sediment control measures and compliance with recommended consent conditions it is considered that the effect of the proposed earthworks activities on aquatic receiving environments will be no more than minor. Furthermore, evidence of the site and the adjacent watercourses during the site visit were that the site is heavily grazed and pugged and with evidence of stock trampling directly within the stream channels. In this respect, the conversion of the site from the current agricultural use to the proposed park development will put an end to these

impacts and will also incorporate the proposed stream restoration measures which will result in an overall improvement in water quality and habitat values within the site.

7.1.1.2 Dust Effects

The exposure of large scale earth surfaces associated with earthworks activities creates the potential for adverse dust effects on neighbouring properties when machinery is working on site during dry, windy conditions.

Dust effects are typically associated with machinery tracking across exposed earthworks surfaces and haul roads and thus it is possible that through appropriate site management techniques, these effects can be avoided. In this respect the application documents include a Dust Management Plan which outlines the following measures which can be employed on site to minimise the potential for any potential dust effects to occur:

- Staging earthworks so as to minimise the length of time that areas are exposed to drying;
- Monitoring weather/wind forecast and choosing active works areas accordingly;
- Controlling the route and speed of vehicles traversing the site;
- Avoiding the use of haul routes adjacent to any down-wind neighbours;
- Using water carts to dampen surfaces and reduce the potential for dust mobilisation; and
- Choosing works areas to suit wind conditions.

The Applicant has identified that if these measure are inadequate and/or ineffective then the following further measures will be put in place.

- Continuous sprinkling of water;
- Windbreak fences;
- Covering stockpiles with geo-fabric; and
- Ceasing works until wind decreases in strength or changes in direction.

It is noted that an existing consented water supply bore is already present onsite comprising a bore established as the initial water supply option for the development of Pokeno township (prior to construction of a new watermain to the Waikato River supply in Tuakau). This consent (120989) allows for the taking of up to 997.5m³/day of water which is considered more than sufficient to meet dust control supply needs for this site.

Furthermore, the Dust Management Plan outlines a commitment in the worst case scenario of adverse effects occurring on adjacent properties, to implementation of specific remedies to mitigate any effects. These include:

- Washing of neighbours houses (exterior and interior) if they become dirty;
- Provision of a replacement water supply if roof supplies become contaminated by dust;
- Provision of replacement water filters should they become clogged by dust.

In addition, polymer based spray dust suppressant products are a recent innovation that can be applied to exposed surfaces to provide an extended period of stabilisation and suppression of potential dust effects (as opposed to the temporary effects of water). A consent condition is recommended requiring the implementation of these measures if considered necessary by the WRC compliance officer.

These measures, in combination with the measures outlined within the Dust Management Plan are considered to comprise best practice methods for dust control and if implemented effectively, will ensure that any potential dust effects will be less than minor. Subsequently, consent conditions are recommended to control potential dust effects as follows:

- Management of dust to ensure no nuisance dust effects beyond the site boundary;
- Implementation of the Dust Management Plan;
- Soil moisture to be maintained at sufficient levels throughout the site during dry, windy conditions to prevent any nuisance effects;
- Staging of the bulk cut to fill earthworks in accordance with the Applicants plans;
- Provision of on-call staff for dust control purposes;
- Application of soil stabilisers to any problematic dust generating surfaces as required to prevent any off site nuisance dust effects and as considered necessary by WRC compliance staff.

7.1.1.3 Cleanfilling and Contamination Effects

The importation of fill material to the site creates the potential for introduction of materials which may be contaminated or may give rise potential leachate which presents a risk to environmental of human health.

As described, the source of the proposed imported fill material is not yet known however the Application has outlined that it will likely be sourced from nearby subdivision earthworks and that the material will limited to cleanfill material only as defined within the Waikato Regional Plan. Consent conditions are recommended to ensure that this is the case and that records are maintained of the source and volumes of material imported so finalised fill sources can be confirmed.

Preliminary investigations have identified one HAIL site (former cropping area) within the property which determines the need for remedial activities to address any potential effects. These effects will be subject to consideration through the WDC NES-Contamination consent process and will require remediation in accordance with an approved remedial action plan to address any potential persistent effects.

7.1.1.4 Archaeological/Cultural Effects

The application documents have included an archaeological report prepared as part of the Pokeno Structure Plan development process. While this report identifies that the Pokeno area was subject to intensive occupation by both Maori and European settlers, no specific archaeological sites have been identified within the subject site.

Consent conditions are recommended to ensure that should historical artefacts or koiwi be discovered over the course of the proposed earthworks activities, appropriate procedures and protocols are followed including notification of local iwi and the New Zealand Historic Places Trust and ceasing all works in the vicinity of the discovery until they have been removed.

Local iwi representatives have been consulted in regards to the proposed works with these parties confirming their acceptance of the proposed activities and hence no adverse cultural effects are anticipated.

7.1.1.5 Hydrocarbon Storage and Use

A hydrocarbon spill that enters a stream has the potential to adversely affect water users, aquatic habitat, fish and invertebrates. Consent conditions are recommended which require all machinery to be appropriately operated to ensure that spillages of fuel, oil and other contaminants are prevented.

7.1.2 Surface Water Diversion

7.1.2.1 Stream Diversion Construction Effects

The construction effects of the stream diversion works are largely addressed within the above sections (erosion and sediment control/hydrocarbon effects). As described, the intention is to ensure that the new channel section is appropriately stabilised prior to livening the channel with catchment flows via hydro-seeding and grassing along with a section of boulder armouring. Based upon the low velocity catchment flows and proposed stabilisation method, it is considered that this method is appropriate to avoid adverse channel erosion and sedimentation effects during the channel livening and following channel establishment period. A consent condition is recommended to ensure that the livening of the channel is only undertaken following implementation of these stabilisation measures and during a period of low flows to minimise potential channel erosion and downstream sedimentation effects.

It is also noted that the proposed stream diversion presents a risk for stranding and mortality of any resident fish remaining in the redundant stream channel section following diversion of the stream flows. Hence a consent condition is recommended requiring development of a detailed Fish Management Plan for approval by the WRC ecologist prior to diversion of the stream flows to ensure that best practice methods are followed to recover and relocate any stranded native fish prior to the backfilling of the redundant channel section. Typical practices would include depletion trapping/electric fishing of the redundant channel section prior to dewatering to ensure as many fish as possible are captured and relocated prior to final dewatering and backfilling with these details to be confirmed within the finalised Fish Management Plan.

7.1.2.2 Stream Diversion Aquatic Habitat Effects

The proposed activities will result in the infilling and direct loss of a 520m section of the existing tributary stream channel. The Applicants ecological assessment has assessed the existing stream channel section and determined that the stream provides low quality, degraded stream habitat due to agricultural catchment land uses, past modifications and the lack of any riparian vegetation within the site. Nonetheless, it is acknowledged that the catchment watercourses do provide habitats for a variety of native fish species with a number of short finned eels captured within the site and other native species known to be present within the wider catchment.

On this basis, the application documents outline a mitigation package to offset the loss of the existing and potential habitat values of the existing stream channel section to be diverted within the site which includes the following items:

- The new stream channel has been designed to incorporate a number of design features to maximise habitat diversity within the new channel including:
 - The channel alignment follows a meandering course to maximise stream channel sinuosity and habitat diversity through creating variable areas of stream flow velocities, eddies and bed/bank profiles;
 - The stream channel profile comprises a low flow channel set within a wider excavated floodplain corridor to allow for intermittent inundation into this flood plain and establishment of natural, intermittently inundated floodplain habitat;
 - The channel is proposed to be formed with a run-pool sequence comprising a shallower stream profile through the lineal run sections with larger deeper pools located at the channel bend areas to replicate natural stream channel sequences within this low land environment;
 - The stream channel plans identify 16 locations along the new alignment where large woody debris (e.g logs/branches/stumps) are proposed to be placed within the channel to add structural diversity and cover within the channel to maximise habitat diversity for aquatic species.
- Native riparian plantings to be established throughout the new diversion channel length (520m) over a width of 10m on either side of the new stream channel;

- Native riparian plantings to be established along an 878m channel length of the main Tanitewhiora Stream on the southern side only at the northern and eastern site boundaries;

The Applicant's ecological assessment mitigation package has been reviewed by the WRC's ecologist who agrees with the assessment of the existing stream channel condition as being of low ecological quality and that the scope of the proposed mitigation is appropriate to offset the loss of this channel section and to provide enhanced ecological values within the site.

Based upon this agreed ecological mitigation package, consent conditions are recommended requiring provision of a finalised stream diversion design and mitigation planting management plan which should be based upon the preliminary design and proposed mitigation measures as outlined above. This plan will be subject to approval by the WRC to ensure that the design is appropriate to maximise instream aquatic habitat values and that appropriate species and management regimes are established in the identified areas to ensure the long term viability of the plantings and that the riparian habitat enhancement objectives are achieved. The finalised diversion channel design incorporating the approved environmental features will be required to be subject to inspection by the WRC prior to livening and the approved mitigation planting design will be required through consent conditions to be implemented within the first planting season following completion of the stream diversion activities.

Based upon adherence to these consent conditions it is considered that the aquatic habitat effects of the proposed activities will be no more than minor and overall, enhanced ecological values will be achieved within the site.

7.1.2.3 Stream Diversion Channel Erosion Effects

As described the Applicant has confirmed that immediately prior to livening of the new stream channel, the channel will be stabilised via hydroseeding to mitigate potential erosion and sedimentation effects during the establishment phase.

Considering the potential for long term erosion effects within the new channel, the Applicant has submitted a hydraulic assessment of the new stream channel section which has included modelling of larger flows through the new channel alignment to identify areas where there is an increased risk of adverse erosion effects. This modelling has identified two potential erosion hotspots along the length of the diversion where design measures are proposed to mitigate potential erosion effects. These include:

- A point directly below the Munro Road culvert where the channel enters the diversion channel and makes a sharp 90 degree turn – proposed erosion mitigation measures comprise installation of an approx. 50m long boulder revetment wall along the outside bend of the channel. Note – the Applicant has confirmed that the wall will be maintained within the 50m limit to avoid potential consent requirements for this structure;
- Around CH440 where the low flow channel merges with the flood plain – proposed mitigation comprises widening of the high flow channel to provide a higher capacity cross section through this section.

The Applicants channel erosion assessment and proposed mitigation measures have been reviewed by the WRC engineer who has confirmed their acceptance to this design.

7.1.2.4 Flood Water Diversion Effects

As described, the proposed earthworks will result in the infilling of sections of the site which currently comprise areas subject to flood inundation during events extending from the 2 year up to the 100 year. Hence these activities will result in modifications to the existing flood regimes at the site and the

diversion of flood waters during these events which subsequently creates a potential for adverse hydraulic effects including increased flood levels to occur on surrounding properties and infrastructure during these events.

In response to these potential effects, the application has included a Flood Risk Assessment report which assesses the potential impact of the filling activities on flood levels within and surrounding the site. The assessment includes modelling of pre and post development flood levels to determine the potential impacts of the filling activities upon the surrounding floodplain.

The modelling identifies that the proposed floodplain infilling earthworks will raise the majority of the proposed sports park surfaces above the 1 in 100 year flood level except for the north eastern corner of the proposed rugby grounds area with this area predicted to be inundated during a 1 in 10 year event but not during a 1 in 2 year event. The assessment identifies that new stream diversion channel excavations through the site including the upper flood flow channel has been designed to offset the loss of floodplain storage associated with the proposed floodplain filling activities.

The model results demonstrate that the diversion channel has capacity for the predicted 1 in 100 year flows through the site including allowance for climate change. Furthermore, the model comparison of the pre and post development flows demonstrate that the flood levels upstream and downstream of the site remain the same with no predicted increase on flood levels on adjacent properties. The proposed diversion channel is in fact shown to provide some attenuation function as well as flow conveyance with the effect of decreasing peak flows downstream of the site. Peak flows upstream remain unchanged.

The flood assessment has been reviewed by the WRC engineer who has confirmed that the assessment methods and model inputs are acceptable and that the outcome of the assessment confirming no adverse increases in flood levels as a result of these activities is agreed.

Overall, it is considered that the potential effects of the proposed stream and floodwater diversion activities will be appropriately addressed through the proposed design and mitigation measures proposed by the Applicant and overall, a net improvement in stream habitat quality is anticipated through these activities.

7.2 Policy Statements, Plans and Regulations

7.2.1 National environment standards

As of October 2012 there are five NESs that have come into effect - the National Environmental Standards for Air Quality (where various standards have been in effect since October 2004), Sources of Human Drinking Water, Electricity Transmission Activities, Telecommunication Facilities and Soil Contamination. The land contamination assessment undertaken by the Applicant has identified one historic HAIL activity occurring at the site which requires assessment of potential land contamination effects under the NES – Soil Contamination. These potential effects will be subject to consideration through the WDC consent processes.

7.2.2 Other regulations

There are no other regulations considered relevant to this consent process

7.2.3 National policy statements (including NZ Coastal Policy Statement)

There are no National policy statements relevant to this consent process.

7.2.4 Regional Policy Statement

The new Waikato Regional Policy Statement (RPS) was made operative in May, 2016.

The new RPS reflects amendments to the RMA and changes in policy, economic and environmental direction over the ten year period since the first Waikato Regional Policy Statement became operative in 2000.

Key issues in the RPS relating to this proposal are the state of resources (Issue 1.1), managing the built environment (1.4) and the health and well being of the Waikato River (Issue 1.6). There are a number of overlapping objectives under each of these relevant to this proposal. These are listed as follows:

- Integrated management of natural and physical resources (Objective 3.1)
- Health and well being of the Waikato River (Objective 3.3)
- Ecosystem services (Objective 3.7)
- Built environment (Objective 3.12)
- Mauri and health of fresh water bodies (Objective 3.13)
- Riparian areas and wetlands (Objective 3.15)
- Ecological integrity and indigenous biodiversity (Objective 3.18)
- Natural character (Objective 3.21)
- Natural hazards (3.24)
- Values of soil (Objective 3.25)

More specific policies relating to air, freshwater bodies and soils which are of relevance to the proposed activities are outlined within sections 8 and 14 of the PRPS. These policies outline the following items as key considerations in the management of freshwater bodies and soils within the Waikato Region:

- Managing discharges to water and air;
- Tangata whenua involvement and a joint management approach with iwi for activities affecting the Waikato River;
- Managing riparian activities;
- Maintenance/enhancement of natural functions and ecological health.
- Managing activities to maintain soil quality and reduce risk of erosion
- Identifying and remediating contaminated land

These objectives and policies have been considered and are consistent with the initiatives proposed by the Applicant to manage the potential effects of the proposed activities. Furthermore, consultation has been undertaken with local iwi groups with relevant concerns raised by these parties being addressed. On this basis I consider that the proposal is consistent with the RPS.

7.2.5 Regional Plan

The Waikato Regional Plan (“WRP”) is operative. The purpose of regional plans is to help the Council carry out its functions under s30 of the RMA.

Section 104(1)(b)(iv) of the RMA requires consideration of any relevant provisions of a plan or proposed plan. The WRP contain objectives and policies that relate to the various issues identified within the RPS. The relevant objectives and policies contained in the WRP that are relevant to this proposal are those relating to water resources; river and lake beds, land and soil and air. The following provides a discussion of these objectives and policies.

3.1 Water Resources

3.1.2 Objective

The management of water bodies in a way which ensures:

- a. that people are able to take and use water for their social, economic and cultural wellbeing
- b. net improvement¹ of water quality across the Region
- c. the avoidance of significant adverse effects on aquatic ecosystems
- d. the characteristics of flow regimes are enhanced where practicable and justified by the ecological benefits
- e. the range of uses of water reliant on the characteristics of flow regimes are maintained or enhanced
- f. the range of reasonably foreseeable uses of ground water and surface water are protected
- g. that significant adverse effects on the relationship tangata whenua as Kaitiaki have with water and their identified taonga such as waahi tapu, and native flora and fauna that have customary and traditional uses in or on the margins of water bodies, are remedied or mitigated
- h. the cumulative adverse effects on the relationship tangata whenua as Kaitiaki have with water their identified taonga such as waahi tapu, and native flora and fauna that have customary and traditional uses that are in or on the margins of water bodies are remedied or mitigated
- i. the management of non-point source discharges of nutrients, faecal coliforms and sediment to levels that are consistent with the identified purpose and values for which the water body is being managed
- j. the natural character of the coastal environment, wetlands and lakes and rivers and their margins (including caves), is preserved and protected from inappropriate use and development
- k. concentrations of contaminants leaching from land use activities and non-point source discharges to shallow ground water and surface waters do not reach levels that present significant risks to human health or aquatic ecosystems
- l. that the positive effects of water resource use activities and associated existing lawfully established infrastructure are recognised, whilst avoiding, remedying or mitigating adverse effects on the environment.

3.2.3 Policies

Policy 1: Management of Water Bodies

Manage all water bodies to enable a range of water use activities, whilst ensuring that a net improvement in water quality across the Region is achieved over time through:

- a. Classifying and mapping water bodies based on the characteristics for which they are valued and implementing the classification through a mixture of regulatory and non-regulatory methods.
- b. Maintaining overall water quality in areas where it is high, and in other water bodies, avoiding, remedying or mitigating cumulative degradation of water quality from the effects of resource use activities.
- c. Enhancing the quality of degraded waterbodies.
- d. Providing for the mitigation and remediation of adverse effects in accordance with Section 1.3.3 of the Waikato Regional Policy Statement.
- e. Recognising the positive benefits to people and communities arising from use or development of water resources and by taking account of existing uses of water and the associated lawfully established infrastructure.

Policy 3: Tangata Whenua Uses and Values

Ensure that the relationship of tangata whenua as Kaitiaki with water is recognised and provided for, to avoid significant adverse effects and remedy or mitigate cumulative adverse effects on:

- a. The mauri of water,
 - b. Waahi tapu sites,
- Other identified taonga.

3.4.5 Water Quality

Policy Two: Other Water Bodies

Determine the characteristics² for which other water bodies are valued and manage those water bodies to ensure that any adverse effects on those characteristics are avoided, remedied or mitigated.

Policy Three: Riparian Management

Ensure that the adverse effects of land use on water quality and aquatic habitats are avoided, remedied, or mitigated.

3.6 Damming and Diverting

3.6.2 Objective

Damming and/or diverting of water undertaken in a manner that:

- a. Does not have adverse effects that are inconsistent with the water management objectives in Section 3.1.2.
- b. Does not have adverse effects that are inconsistent with the river and lake bed structures objectives in Section 4.2.2.
- c. Does not obstruct fish passage where it would otherwise occur in the absence of unnatural barriers, so that trout or indigenous fish can complete their lifecycle.
- d. Results in no increase in the adverse effects of flooding or land instability hazards.
- e. Results in no loss of existing aquatic habitats as a consequence of channelisation of rivers.

Policy 2: Damming and Diverting of Water in Perennial Water Bodies

Manage the damming and diverting of water in perennial water bodies in a manner that ensures:

- a. Adverse effects on surface water bodies that are inconsistent with the policies in Section 3.2.3 of this Plan are avoided as far as practicable and otherwise remedied or mitigated.
- b. Adverse effects of the use, erection, reconstruction, placement, alteration or extension of structures on the beds of lakes or rivers associated with the activity that are inconsistent with the policies in Section 4.2.3 are avoided as far as practicable and otherwise remedied or mitigated.
- c. That the activity will not obstruct fish passage of trout and/or indigenous fish to complete their lifecycle where it would otherwise occur in the absence of unnatural barriers.
- d. The adverse effects of flooding or erosion on neighbouring properties are avoided, remedied or mitigated.
- e. Changes in the catchment and sediment transport processes have no significant adverse effects on water quality, habitat and flow regimes in perennial streams.
- f. Any significant adverse effect on cave systems are avoided or mitigated.
- g. Any adverse effects on wetlands² that are areas of significant indigenous vegetation and/or significant habitats of indigenous fauna are avoided, remedied or mitigated in accordance with Policies 1 and 2 of Chapter 3.7.

Policy 3: Tangata Whenua Uses and Values

Ensure that the relationship of tangata whenua as Kaitiaki with water is recognised and provided for, to avoid significant adverse effects and remedy or mitigate cumulative adverse effects on:

- a. The mauri of water,
- b. Waahi tapu sites,
- c. Other identified taonga.

5.1 Accelerated Erosion

5.1.2 Objective

A net reduction of accelerated erosion across the Region so that:

- a. soil productivity, versatility and capability is maintained
- b. there are no adverse effects on water quality, aquatic ecosystems and wetlands that are inconsistent with Water Management Objective 3.1.2
- c. there is no increase in the adverse effects of flooding or land instability hazards
- d. accelerated infilling of lakes, estuaries, rivers, wetlands and cave systems is avoided and the rate of infilling of artificial watercourses, excluding structures designed to trap sediment, is minimised
- e. significant adverse effects on the relationship tangata whenua as Kaitiaki have with their identified ancestral taonga such as ancestral lands, water and waahi tapu are avoided
- f. cumulative adverse effects on the relationship tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water, waahi tapu are remedied or mitigated.
- g. significant adverse effects on natural character and ecological values associated with land and the coastal environment including dune systems is avoided
- h. there are no adverse effects on air quality that are inconsistent with Air Quality Objective 6.1.2, Objectives 2 and 3
- i. damage to property and infrastructure is avoided

Policy 2: Use of Regulatory and Non-Regulatory Approaches of Management for Soil Disturbance/Vegetation Clearance Activities in High Risk Erosion Areas^{1*}

Environment Waikato will use a mixture of regulatory and non-regulatory approaches to:

- a. minimise the adverse effects of soil disturbance and vegetation clearance in high risk erosion areas
- b. minimise the accelerated infilling of Coromandel estuaries that are listed as areas of significant conservation value in the Regional Coastal Plan
- c. minimise adverse effects of soil disturbance activities in karst environments on cave ecosystems.

6.1 Regional and Local Air Management

Objective

2:

No significant adverse effects from individual site sources on the characteristics of air quality beyond property boundary.

The objectives and policies of the relevant sections of the WRP outlined above have been considered and assessed within the assessment of environmental effects carried out within section 8.1 of this report. This assessment has determined that based on the implementation of best practice erosion and sediment controls, dust management and mitigation of ecological effects along with the assessment of flood level effects, the proposed activities will not result in any adverse environmental effects which are more than minor. In this respect it is considered that the proposed activities will not compromise values associated with water resources and air quality or result in accelerated erosion or increased flooding as outlined within the above objectives and policies and thus the proposed activities are considered to be consistent with the provisions of the Waikato Regional Plan.

The **Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments (Healthy Rivers)**, has been publicly notified and therefore came into effect on 22 October 2016 and must be given regard to. However, part of the plan has been withdrawn where Hauraki iwi authorities have an interest. The subject site lies within the area to be withdrawn from the plan change and therefore this application will not be given regard to.

Plan	Rule/Objective
Waikato Regional Plan	3.6.4.13 - Discretionary Activity Rule - Diversion
Waikato Regional Plan	5.1.4.15 - Discretionary Activity Rule - Cleanfill Disposal and works within in High Risk Locations

7.3 Other Matters

Waikato-Tainui Environmental Plan

The Waikato-Tainui Environmental Plan provides a background to, and identifies key, resource based issues for Waikato-Tainui. The plan sets out Waikato-Tainui's vision statement for environmental and heritage issues and key strategic objectives such as tribal identity and integrity, including "to grow our tribal estate and manage our natural resources." The plan is designed to enhance Waikato-Tainui participation in resource and environmental management.

I have assessed this proposal against the objectives and outcomes within this plan and overall I consider that the proposal is consistent with this Iwi Environmental Plan.

7.4 Waikato-Tainui Raupatu (Waikato River) Settlement Claims Act 2010 or Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 or Nga Wai o Maniapoto (Waipa River) Act 2012

7.4.1 Vision and strategy

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted in May 2010 with the purpose of implementing co-management of the Waikato River. The overarching purpose of the Act is to restore and protect the health and wellbeing of the Waikato River for future generations. Through this piece of legislation it is intended to implement the "Vision and Strategy" for the River and consequently aims to meet the objectives of Waikato Tainui for the Waikato River through:

- a) the restoration and protection of the health and wellbeing of the Waikato River;
- b) the restoration and protection of the relationship of Waikato – Tainui with the Waikato River, including their economic, social, cultural and spiritual relationships;
- c) the restoration and protection of the relationships of Waikato Iwi according to their tikanga and kawa with the Waikato River, including their economic, social, cultural and spiritual relationships;
- d) the restoration and protection of the Waikato Region's communities, with the Waikato River, including their economic, social, cultural and spiritual relationships;
- e) the integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River;
- f) the adoption of a precautionary approach towards decision that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the River;
- g) The recognition and avoidance of adverse cumulative effects, of activities undertaken both within the Waikato River and within its catchments on the health and wellbeing of the Waikato River;
- h) The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities;
- i) The protection and enhancement of significant sites, fisheries, flora and fauna;
- j) The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing, requires the restoration and protection of the health and wellbeing of the Waikato River;
- k) The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length;
- l) The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities;
- m) The application of the above of both matauranga Maaori and the latest available scientific methods.

The vision and strategy forms part of the Proposed Waikato Regional Policy Statement and is given effect through the plans administered by Regional and territorial authorities along the river. The

settlement also provides for joint management agreements between Waikato-Tainui and the local authorities; participation in river-related resource consent decision-making; recognition of a Waikato-Tainui environmental plan; provision for regulations relating to fisheries and other matters managed under conservation legislation and an integrated river management plan.

While the subject site is located some distance from the main river channel, development activities within the greater catchment area have the potential to impact on the health and well being of the river. The proposed activities incorporate design features which are considered appropriate to maintain the quality of water and to avoid remedy or mitigate any potential adverse effects on any of the associated water bodies (all tributaries of the Waikato River) with consent conditions recommended to address these items.

Having given regard to the Waikato-Tainui Raupatu (Waikato River) Settlement Claims Act 2010, it is considered that the proposal is consistent with the Vision and Strategy document.

7.4.2 Customary activities

There are no customary activities relevant to this consent process.

7.5 Protected Customary Rights and/or Customary Marine Titles (Marine and Coastal Act 2011 (Takutai Moana))

There are no protected customary rights relevant to this consent process.

7.6 Relevant Part 2 Considerations

All considerations are subject to Part 2 of the RMA, which sets out the purpose and principles that guide this legislation. This means the matters in Part 2 prevail over other provisions of the RMA or provisions in planning instruments (e.g. regional plans) in the event of a conflict. Section 5 states the purpose of the RMA and sections 6, 7 and 8 are principles intended to provide additional guidance as to the way in which the purpose is to be achieved.

The application of Section 5 involves an overall broad judgement of whether a proposal will promote the sustainable management of natural and physical resources. The RMA's use of the terms "*use, development and protection*" are a general indication that all resources are to be managed in a sustainable way, or at a rate which enables people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety. The enabling and management functions found in section 5(2) should be considered of equal importance and taken as a whole.

Sections 6, 7 and 8 of the RMA provide further context and guidance meaning to the constraints found in section 5(2)(a),(b) and (c). The commencing words to these sections differ, thereby laying down the relative weight to be given to each section.

Section 6 of the RMA sets out the matters of national importance which need to be recognised and provided for and includes among other things and in no order of priority, the protection of outstanding natural features and landscapes, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and the protection of historic heritage.

Section 7 of the RMA requires the consent authority to give particular regard to those matters listed in the section. Section 7 matters are not expressly ranked in order of priority. Therefore, all aspects of this section are to be considered equally.

Section 8 of the RMA requires the consent authority to take into account the principles of the Treaty of Waitangi. This section of the RMA recognises the relationship of Tangata Whenua with natural and physical resources and encourages active participation and consultation with Tangata Whenua.

These purposes and principles outlined within part 2 of the RMA have been considered within the assessment section of this report and it is considered that based on proposed environmental management procedures proposed by the Applicant and required through consent conditions, the proposed activities are consistent with Part 2 of the RMA.

8 Discussion/Conclusions

Waikato District Council have made resource consent application to authorise earthworks and surface water diversion activities associated development of the Pokeno Sports Park.

Section 8.1 of this report has assessed the proposed earthworks activities and has identified potential effects including sediment discharges to watercourses, off site dust effects, potential contaminant discharges from cleanfilling and disturbed soil and archaeological/cultural effects. Based on construction methodologies and environmental management techniques proposed by the Applicant and required through recommended conditions it is considered that the proposed earthworks activities can be managed to ensure that any of these potential environmental effects will be less than minor.

Similarly, Section 8.1 has assessed the proposed surface water diversion activities and based upon proposed construction management and ecological mitigation methods along with the hydraulic assessment of potential flooding effects, the effects of these activities will be less than minor.

Consultation with local iwi representatives has been carried out with no cultural or spiritual issues identified and with iwi confirming their acceptance to the proposed design and mitigation plans.

The proposed activities have been considered against the statutory provisions of the RMA 1991, the Proposed Waikato Regional Policy Statement and the Waikato Regional Plan and it is considered that the proposed activities are consistent with the relevant objectives and policies of these documents.

9 Monitoring

Consent conditions are recommended requiring monitoring and maintenance procedures to be implemented over the course of the construction activities to ensure that the required environmental management procedures are implemented on site in accordance with the specifications outlined within the consent application documents, consent conditions and in accordance with Waikato Regional Council best practice guidelines.

Furthermore it is anticipated that Waikato Regional Council monitoring staff will carry out monitoring inspections as required to ensure that the relevant consent conditions are being adhered to on site.

Once the construction activities authorised through these consents are completed and the site is returned to a stabilised state it is considered that the need for ongoing monitoring is minimal. However monitoring will be required to ensure that the required stream diversion channel habitat mitigation measures including the proposed riparian planting is implemented and maintained to ensure full, successful establishment.

10 Consent Duration

10.1 Earthworks

It is considered appropriate that the duration of the earthworks consent is 5 years in accordance with the provisions of section 123 of the RMA. This duration is recommended based upon specified works programming and timeframes and also taking into account standard WRC winter works restrictions and providing for any unforeseen circumstances.

10.2 Diversion of Surface Water

It is considered appropriate that the duration of the surface water diversion consent is 35 years in accordance with the provisions of section 123 of the RMA. This duration is recommended based upon the permanent nature of the stream/floodplain diversion activities and represents the maximum allowable consent duration under the RMA.

11 Recommended Decision

I recommend that in accordance with section 104B resource consent applications AUTH137143.01.01 and AUTH137143.02.01 be granted in accordance with the duration and conditions prescribed in the attached Resource Consent Certificates for the following reasons:

- The activities will have less than minor actual or potential adverse effects on the environment
- The activities are not contrary to any relevant plans or policies
- The activities are consistent with the purpose and principles of the Resource Management Act 1991



PP

Richard Duirs
Consultant Environmental Planner

Date: 24 February 2017

That the resource consent applications are granted in accordance with the above recommendations.

A rectangular box containing a handwritten signature in black ink, which appears to read 'Hugh Keane'.

Hugh Keane
Team Leader – Infrastructure
Resource Use

Date: 24 February 2017

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH137143.01.01

File Number: 61 67 83A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

(hereinafter referred to as the Consent Holder)

Consent Type: Land Use Consent

Consent Subtype: Land - disturbance

Activity authorised: To undertake earthworks and associated clean filling in a flood plain in association with the sports park complex development, Munro Road, Pokeno

Location: Munro Road, Pokeno

Map reference: NZTM 1778275 E 5876356 N

Consent duration: This consent will commence on the date of decision notification and expire on 30 April 2022.

Subject to the conditions overleaf:

CONDITIONS

General

1. The soil disturbance activities authorised by this resource consent shall be undertaken in general accordance with the application for this resource consent, and supporting documentation titled 'Pokeno Sports Park Regional Resource Consent Application' dated August, 2016 and all supporting information except where otherwise required in the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions then the conditions below shall prevail.
2. The consent holder shall appoint a representative(s) prior to commencement of any works authorised by this resource consent, who shall be the Waikato Regional Council's principal contact person in regard to matters relating to this consent. The consent holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted prior to this consent being exercised. Should that person(s) change during the term of this resource consent, the consent holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council of the new representatives name and how they can be contacted.
3. The consent holder shall be responsible for all contracted operations relating to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this consent and ensure compliance with those conditions.
4. A copy of this resource consent shall be kept onsite at all times that the works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.

Winter Works

5. The works authorised by this resource consent shall not be carried out during the winter period 1st May to 30th September inclusive in any year that this consent is current unless authorised by the Waikato Regional Council as per condition 7.
6. The consent holder shall ensure that the site is appropriately stabilised by 30 April of each year unless otherwise approved in writing by the Waikato Regional Council. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural and including, pavement, metalling, hydroseeding, revegetating and mulching) that will minimise erosion of exposed soil to the extent practicable.
7. Requests to undertake works during the period 1st May to 30th September inclusive shall be submitted in writing to the Waikato Regional Council by 1st April, and shall be in the form of amendments to the approved Earthworks and Sediment Control Plan.

Advice Note: *In considering a request for the continuation of winter works, the Waikato Regional Council will consider a number of factors; including:*

- *the nature of the site and the winter soil disturbance works proposed;*
- *the quality of the existing/proposed erosion and sediment controls;*
- *the compliance history of the site/operator;*
- *seasonal/local soil and weather conditions;*
- *sensitivity of the receiving environment; and*
- *any other relevant factor.*

Pre-works Requirements

8. The consent holder shall inform the Waikato Regional Council in writing, prior to commencement of any works, of the start date of the works authorised by this resource consent.
9. The consent holder shall arrange and conduct a pre-construction site meeting and invite the Waikato Regional Council, the site representative nominated under condition 2 of this consent, the contractor, and any other party representing the consent holder prior to any works authorised by this consent commencing on the site.

Advice Note: *In the case that any of the invited parties, other than the site representative does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirements is met.*

Erosion and Sediment Control

10. The consent holder shall provide the Waikato Regional Council with a finalised **Erosion and Sediment Control Plan (E&SCP)**, at least 10 working days prior to the commencement of activities authorised by this consent. The objective of the E&SCP shall be to minimise sediment discharge from the site to the extent practicable over the earthworks period.
11. The E&SCP shall as a minimum be based upon and incorporate those specific principles and practices which are appropriate for the activity authorised by this consent and contained within the Waikato Regional Council document titled *"Erosion and Sediment Control – Guidelines for Soil Disturbing Activities"* (Technical Report No. 2009/02 – dated January 2009), and shall include at least the following;
 - a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site;
 - b) The design criteria and dimensions of all key erosion and sediment control structures;
 - c) A site plan of a suitable scale to identify;
 - i) The locations of waterways;
 - ii) The extent of soil disturbance and vegetation removal;
 - iii) Any "no go" and/or buffer areas to be maintained undisturbed adjacent to watercourses;
 - iv) Areas of cut and fill;
 - v) Locations of topsoil stockpiles;
 - vi) All key erosion and sediment control structures;
 - vii) Erosion control methods;
 - viii) The boundaries and area of catchments contributing to all stormwater impoundment structures;
 - ix) The locations of all specific points of discharge to the environment; and
 - x) Any other relevant site information.
 - d) Construction timetable for the erosion and sediment control works and the bulk earthworks proposed;
 - e) Methodology for stabilisation and livening of the new stream channel diversion section;
 - f) Timetable and nature of progressive site rehabilitation and re-vegetation proposed;
 - g) Maintenance, monitoring and reporting procedures;
 - h) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;

- i) Procedures and timing for review and/or amendment to the E&SCP; and
- j) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.

The E&SCP shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing and the consent holder shall undertake all earthworks authorised by this consent in accordance with the approved E&SCP.

- 12. Any changes proposed to the E&SCP shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
- 13. The consent holder shall ensure that a copy of the approved E&SCP, including any approved amendments, is kept onsite and this copy is updated within 5 working days of any amendments being approved.
- 14. Prior to bulk earthworks commencing on any area, the consent holder shall submit to the Waikato Regional Council a certificate signed by an appropriately qualified and experienced engineer to certify that the erosion and sediment controls have been constructed in accordance with the approved erosion and sediment control plans and in accordance with the document titled "*Erosion and Sediment Control Guidelines for Soil Disturbing Activities January 2009*". Certified controls shall include the sediment retention ponds, decanting earth bunds, silt fences and diversion channels/bunds. The certification for these measures shall be supplied within five working days of completion of construction of those measures.

Information supplied if applicable shall include:

- a) Contributing catchment area; and
- b) Retention volume of structure (dead storage and live storage measured to the top of the primary spillway); and
- c) Shape and dimensions of structure; and
- d) Position of inlets/outlets; and
- e) Stabilisation of the structure; and
- f) Compliance with the Waikato Regional Council document titled "*Erosion and Sediment Control Guidelines for Soil Disturbing Activities January 2009*" (Technical Report No. 2009/02); and
- g) Compliance with any relevant conditions of this consent.

Advice Note: An example template and the information required for the As Built Certification Statements can be found on the Waikato Regional Council website www.waikatoregion.govt.nz/earthworks.

- 15. The consent holder shall ensure that all sediment laden run-off from the site is treated by sediment retention structures. These structures are to be fully operational before bulk earthworks commence and shall be maintained to perform at least at 80% of their full operational capacity.
- 16. The consent holder shall ensure that all clean water run-off from stabilised surfaces including catchment areas above and around the site shall be diverted away from the earthworks area

via a stabilised diversion system.

17. The consent holder shall ensure that all runoff diversion systems are designed and installed to convey flows from contributing catchment areas up to the 20% AEP rainfall event without overtopping and shall also ensure that these systems incorporate adequate protection against erosion.
18. The consent holder shall ensure that all erosion and sediment controls are inspected and in good working order prior to, and immediately after rain events. The consent holder shall further ensure that all erosion and sediment controls are maintained such that optimal sediment capture efficiency is achieved at all times.
19. The erosion and sediment controls specified in the Erosion and Sediment Control Plan, shall not be disestablished without the prior written approval of the Waikato Regional Council, acting in a technical certification capacity.

Flocculation

20. Prior to bulk earthworks commencing, the consent holder shall undertake flocculant bench testing to determine the reactivity of soils to flocculant treatment. Should the bench testing confirm the site soils as reacting positively to flocculant treatment for enhancing water quality the consent holder shall implement a flocculant treatment system for the proposed sediment control measures unless otherwise agreed with the Waikato Regional Council
21. Prior to the commissioning of any flocculation treatment system, the consent holder shall provide the Waikato Regional Council with a Flocculation Management Plan (FMP), for the written approval of the Waikato Regional Council. The FMP shall include as a minimum:
 - a) Specific design details for the flocculation system;
 - b) Monitoring, maintenance (including posts-storm) and including a record system;
 - c) Details of optimum dosage (including assumptions);
 - d) Results of any initial flocculation trial;
 - e) A spill contingency plan; and
 - f) Contact details of the persons responsible for the operation and maintenance of the flocculation treatment system and the organisational structure to which this person shall report.
22. The FMP required by condition 21 shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing.
23. Any changes proposed to the FMP required by condition 21 shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.

Machinery

24. All earthmoving machinery, pumps and generators shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out

away from any surface water such that any spillage can be contained and does not enter any surface water.

25. Prior to entering the site all machinery shall be appropriately cleaned and inspected to minimise any 'containment and/or 'eradication' plant pest species being introduced to the site.

Advice Note: For the purposes of this condition, 'containment' and 'eradication' plant pest species are those species that are listed as such in the Environment Waikato Regional Pest Management Strategy 2002 - 2007, or any subsequent version of that publication that is published after the granting of this resource consent.

Monitoring and Maintenance

26. The consent holder shall ensure that the erosion and sediment controls at the site are inspected a minimum of once per week and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls.
27. The consent holder shall carry out monitoring and maintenance of erosion and sediment controls in accordance with the conditions of this consent and shall maintain records detailing;
- a) The date, time and results of the monitoring undertaken; and
 - b) The erosion and sediment controls that required maintenance; and
 - c) The time when the maintenance was undertaken; and
 - d) The type of maintenance carried out.

These records shall be provided to the Waikato Regional Council on request.

Sampling

28. If requested in writing by the Waikato Regional Council the consent holder shall take samples of the discharges from all sediment retention ponds on the site a minimum of once per month and after all rainfall events greater than 20 millimetres in the preceding 24 hours, excepting times when there are no discharges. The consent holder shall take the samples within four hours of becoming aware of a rainfall event greater than 20 millimetres in the preceding 24 hours.

Advice Note: The purpose of this condition is to provide an opportunity for pond discharge sampling to be required if either flocculants are being used due to potential overdosing pH/Al issues, or where the discharge from a pond is not acceptable and actions are required (potentially including the use of flocculants) to resolve that situation.

29. Within one working day of taking any samples required, the consent holder shall have those samples analysed for suspended solids and turbidity and (if flocculants are being used to treat any sediment retention pond) pH, and soluble aluminium. The results of the analysis shall be forwarded to the Waikato Regional Council within 7 days of analysis.
30. The consent holder shall ensure that the soluble aluminium concentration of any discharge from a sediment retention pond flocculated in accordance with a Flocculation Management Plan approved in accordance with condition 21, shall not exceed 0.2 grams per cubic metre.
31. The consent holder shall ensure that the pH of any discharge from a sediment retention pond flocculated in accordance with a Flocculation Management Plan approved in accordance with condition 21, shall not be less than 5.5 or greater than 8.5 pH units.

32. Any sampling required by this resource consent, the frequency of sampling, analyses and reporting may be altered or reduced with the written agreement of the Waikato Regional Council.

Dust

33. All earthworks activities carried out on site shall be conducted and managed in such a manner as to ensure that all dust and particulate emissions are kept to a practical minimum to the extent that there are no dust discharges beyond the boundary of the site that cause an objectionable effect
34. All earthworks activities carried out on site shall be conducted and managed in accordance with the Dust Management Plan prepared by Harrison Grierson Consultants Limited dated 8 August, 2016 unless otherwise required through the conditions of this resource consent.
35. The consent holder shall ensure that an adequate supply of water for dust control (sufficient to apply a minimum of 5 mm/day to all exposed areas of the site and an effective means for applying that quantity of water, is available at all times during construction, and until such time as the site is fully stabilised.
36. The consent holder shall ensure that, at all times, the soil moisture of exposed areas is maintained at sufficient levels, under prevailing wind conditions, to prevent dust generated by normal earthmoving operations from remaining airborne beyond the boundary of the work site.
37. The consent holder shall ensure that, outside of normal working hours, staff are available on-call at all times to operate the water application system for dust suppression.
38. If so required by the Waikato Regional Council, the consent holder shall carry out immediate sealing of any problematic dust generating surfaces within the site using hydro-seed/hydro-mulch, polymer soil stabilisers or a similar dust control product to provide instant remediation of dust effects to the satisfaction of the Waikato Regional Council.

Archaeology

39. The consent holder shall ensure that the exercise of this resource consent does not disturb any sites of archaeological value or of cultural significance to Tangata Whenua. In the event of any archaeological artefacts being discovered the works shall, in the vicinity of the discovery, cease immediately and the Waikato Regional Council, Heritage New Zealand and representatives of local iwi (where artefacts are of maori origin) shall be notified within 24 hours. Works may recommence on the written approval of the Waikato Regional Council after considering:
- a) Tangata Whenua interests and values;
 - b) Protocols agreed upon by Tangata Whenua and the consent holder;
 - c) The consent holders interests;
 - d) Any Historical Places Trust authorisations; and
 - e) Any archaeological or scientific evidence.

Stabilisation/Rehabilitation

40. All construction entranceways to the site shall be stabilised with aggregate or similar non-erosive

cover in accordance with Harrison Grierson Drawing 139056-231, Rev B and to the satisfaction of the Waikato Regional Council.

41. The site shall be stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished over various areas of the site. The consent holder shall monitor and maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any watercourse.
42. The consent holder shall progressively stabilise all works within 14 days of completion, unless otherwise agreed with the Waikato Regional Council.
43. The discharge of untreated surface runoff from any area where soil has been disturbed as a result of the exercise of this resource consent shall only occur after consultation and the prior written approval of the Waikato Regional Council acting in a technical certification capacity. In this regard, the main issues that will be considered by the Waikato Regional Council include:
 - a) The quality of the stabilisation and/or covering vegetation;
 - b) The quality of the water discharged from the rehabilitated land; and
 - c) The quality of the receiving water.
44. If so required by the Waikato Regional Council, the consent holder shall carry out immediate stabilisation of any required area of exposed earthworks surfaces on site using straw mulching, pinned geotextile or similar instant stabilisation techniques to the satisfaction of the Waikato Regional Council.

Administrative

45. The consent holder shall pay the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act (1991), or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act (1991).

In terms of s116 of the Resource Management Act 1991, this consent commences on 24 February 2017

Advice notes

- Discharge of stormwater from proposed park development surfaces (e.g access roads/carpark areas) and associated drainage systems may be subject to resource consent authorisation from the Waikato Regional Council. This aspect should be confirmed with the Waikato Regional Council prior to development of these areas.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

44
**RESOURCE CONSENT
CERTIFICATE**

Resource Consent: AUTH137143.02.01

File Number: 61 67 83A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

(hereinafter referred to as the Consent Holder)

Consent Type: Water Permit

Consent Subtype: Diversion

Activity authorised: To divert surface water through construction of a stream channel diversion and infilling of a floodplain in association with the development of the sports park complex, Munro Road, Pokeno.

Location: Munro Road, Pokeno

Map reference: NZTM 1778275 E 5876356 N

Consent duration: This consent will commence on the date of decision notification and expire on 1 February 2052.

Subject to the conditions overleaf:

CONDITIONS

General

1. The diversion activities authorised by this resource consent shall be undertaken in general accordance with the application for this resource consent, and supporting documentation titled '*Pokeno Sports Park Regional Resource Consent Application*' dated August, 2016 and all supporting information except where otherwise required in the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions then the conditions below shall prevail.
2. The consent holder shall appoint a representative prior to commencement of any works authorised by this resource consent, who shall be the Waikato Regional Council's principal contact person in regard to matters relating to this resource consent. The consent holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted prior to this resource consent being exercised and any time after when this representative changes.
3. The consent holder shall inform the Waikato Regional Council in writing, prior to any work commencing, of the start date of the works authorised by this resource consent.
4. The consent holder shall be responsible for all contracted operations related to the exercise of this resource consent, and must ensure contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.
5. A copy of this resource consent shall be kept onsite at all times that the works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.
6. The consent holder shall be responsible for the structural integrity, operation and maintenance of the surface water diversion system. No alterations shall be made to the system (other than to meet the requirements of this resource consent) without prior written permission from the Waikato Regional Council.

Erosion and Sediment Control

7. Erosion and sediment control measures shall be implemented on site over the course of the proposed stream diversion activities. All erosion and sediment control measures shall be established and maintained in accordance with the Erosion and Sediment Control Plan approved by the Waikato Regional Council in condition 11 under resource consent **AUTH137143.01.01**.

Erosion

8. The surface water diversion system shall not cause any conspicuous scouring or erosion effects within the new stream channel section or at the point of discharge to downstream waters. In the event that effects do occur they shall be remedied without undue delay.

Advice Note: *A separate resource consent may be required as a result of the need to undertake erosion control works. Any such consent shall be obtained by the consent holder at their sole expense prior to any works being undertaken. Furthermore, the consent application documents have specified that the proposed rock revetment structure outlined on the application drawings will be constructed in accordance with Waikato Regional Plan permitted activity rules. Any deviation from the specified design*

should be assessed against the Waikato Regional Plan to determine any potential additional consent requirements.

9. Any future protection and/or erosion control works or associated maintenance that becomes necessary as a result of the exercise of this consent shall be the responsibility of the consent holder and shall be carried out to the satisfaction of the Waikato Regional Council.

Fish Management

10. The consent holder shall prepare a **Fish Management Plan** which outlines proposed methods for capture and transfer of any fish from the existing stream channel section to be diverted, prior to (where appropriate) and during the stream infilling activities.

The Fish Management Plan shall be submitted to the Waikato Regional Council for approval at least 20 working days prior to the commencement of the activities authorised by this consent and shall be implemented prior to and during the stream diversion/filling activities.

Stream Channel Design

11. A finalised Stream Channel Design Plan shall be prepared for the new stream diversion stream channel section. This plan shall be in general accordance with the stream channel design plans submitted through the consent process being drawing numbers 139056-110 Rev C, 139056-111 Rev A, 139056-200 Rev B and 139056-201 Rev B. This plan shall include but not be limited to:

- a) Finalised stream channel alignment;
- b) Stream channel cross sections at regular intervals along the channel alignment;
- c) Design details for proposed channel erosion control measures (initial and permanent) to be incorporated into the channel design;
- d) Locations and extent (length/width/depth) of proposed run and pool channel sections; and
- e) Location, extent and type of proposed in stream woody debris habitat refuges and methods to secure these measures within the channel.

The Stream Channel Design Plan shall be submitted to the Waikato Regional Council for approval at least 20 working days prior to the commencement of the proposed stream diversion construction activities commencing.

12. The approved Stream Channel Design Plan shall be implemented and shall be approved in writing by the Waikato Regional Council prior to the diversion of stream flows through the new stream channel section.
13. Livening of the new stream channel section shall only be undertaken during a period of low flow conditions, within a forecast fine weather window and following stabilisation of the new channel section in accordance with the approved Stream Channel Design Plan required by condition 11 and following the written approval of the Waikato Regional Council.

Planting Mitigation

14. A **Planting Management Plan** shall be prepared for the design and implementation of the riparian planting areas on the Tanitewhiora Stream and its tributary as indicated on the plan titled 'Ecological Mitigation Plan' being drawing number 139056-110 Rev C prepared by Harrison Grierson dated 20 December, 2016 . This plan shall include but not be limited to:

- a) Detailed planting plans as a minimum for the following area:
 - i) Riparian planting along 522m long new stream diversion channel to a width of 10m on both sides;
 - ii) Riparian planting along a 878m section of the Tanitewhiora Stream channel to a width of 10m on the southern side;
- a. The plans shall include as a minimum:
 - i) Site plantings including species to be planted, size of plants, and where they are to be planted, density of planting, sourcing of plants and fertilising;
 - ii) Site preparation for planting including weed and pest control;
 - iii) Timeline for planting;
 - iv) Ongoing weed and pest control;
 - v) Supplementary/replacement planting plans specifications; and
 - vi) Timing of monitoring maintenance inspections;

The Planting Management Plan shall be submitted to the Waikato Regional Council for approval within one month of the commencement of works on site and shall be implemented on site within the first planting season following completion of the diversion works unless otherwise agreed with the Waikato Regional Council.

Cultural

- 15. The consent holder shall ensure that the exercise of this resource consent does not disturb sites of cultural significance to Tangata Whenua. In the event of any archaeological artefacts being discovered the works shall, in the vicinity of the discovery, cease immediately and the Waikato Regional Council, Heritage New Zealand and representatives of local iwi shall be notified within 24 hours. Works may recommence on the written approval of the Waikato Regional Council after considering:
 - a) Tangata Whenua interests and values;
 - b) Protocols agreed upon by Tangata Whenua and the consent holder;
 - c) The consent holders interests;
 - d) Any Heritage New Zealand authorisations; and
 - e) Any archaeological or scientific evidence.

Review

- 16. The Waikato Regional Council may at any time within the first 6 months of this consent being exercised, and every two years thereafter for the duration of this consent, serve notice on the consent holder under section 128(1) of the Resource Management Amendment Act (1991), of its intention to review the conditions of this resource consent for the following purposes:
 - a) Require the consent holder to adopt the best practical option to remove or reduce any adverse effect on the environment, or
 - b) To deal with any other adverse effect on the environment that the exercise of this consent may have an influence, or
 - c) To review monitoring requirements to determine any actual or potential adverse effect on the environment.

Advice Note: Costs associated with any review of the conditions of this resource consent will be

recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administrative

17. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.

In terms of s116 of the Resource Management Act 1991, this consent commences on 24 February 2017

Advice notes

- In accordance with section 125 RMA, this consent shall lapse five (5) years after the date on which it was granted unless it has been given effect to before the end of that period.
- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

Your Ref 1120-139056-01 In reply please quote LUC0055/17 If calling, please ask for Bloxam Burnett & Olliver - Richard Duirs

24 February 2017

Jarrold Colbert
Harrison Grierson Consultants Ltd - Manukau
PO Box 276089
Manukau City
Auckland 2241

Postal Address

Private Bag 544
Ngaruawahia, 3742
New Zealand

0800 492 452
www.waikatodistrict.govt.nz

Dear Sir

APPLICATION BY WAIKATO DISTRICT COUNCIL FOR LAND USE CONSENT AT MUNRO ROAD POKENO

You are advised that your application has now been determined and has been granted. Please find enclosed a copy of the Decision and the Consent.

A Lapsing of Consents

Your attention is drawn to section 125 of the Resource Management Act 1991. A summary of that section is that a resource consent lapses on the expiry of five years after the date of commencement of the consent, or after the expiry of such shorter or longer period as is expressly provided for in the consent, unless

- (a) The consent is given effect to, before the end of that period; or
- (b) An application which meets the criteria specified in section 125 is made to the Council.

B Compliance with Conditions

Please note that unless a specific time limit is stated in the conditions imposed by the Council when granting this consent, all conditions must be complied with before the use to which the consent relates is established.

C Changes to Conditions

Your attention is drawn to section 127 of the Resource Management Act 1991 which enables an application to be made at any time to Council to change or cancel any condition of this consent. Any such application should be accompanied by a deposit of \$1,300.00 for Land Use and Subdivision consents

D Review of Decision on non-notified application

Your attention is drawn to section 357 of the Resource Management Act 1991. This section provides that there is a right of objection to Council in respect of this decision. Section 357(5) requires:

Any such objection shall be made by notice in writing to the Council, setting out the reasons for the objection and should be accompanied by a deposit of \$1,300.00. This objection should be made within 15 working days after the decision or requirement being notified to that person, or within such further time as may in any case be allowed by the consent of the Council.

E Right of Appeal

Your attention is drawn to the Resource Management Act 1991 sections 120 and 121 and also the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153, Regulations 16 – 19. Some key provisions to note are as follows:

- (i) You may appeal against the decision of the Council by lodging a Notice of Appeal in the prescribed form with the Registrar of the Environment Court and with the Council within 15 working days of the receipt by you, or the person who filed the application on your behalf, of the Council's decision. The address of the Environment Court is as follows:

The Registrar	Specialist Court and Tribunal Centre
Environment Court	Level 2
P O Box 7147	41 Federal Street (Cnr Wyndham and Federal Streets)
Wellesley Street	AUCKLAND CITY
AUCKLAND	Telephone: 09 916 9091
	Fax: 09 916 9090

- (ii) The appeal must be in the form prescribed by the Resource Management (Forms, Fees, and Procedure) Regulations 2003/153 or to like effect. The regulations may be purchased from Bennetts Government Bookshop, or they (and the RMA itself) are accessible on-line at www.legislation.govt.nz. The form is identified as Form 34 in the regulations.
- (iii) A filing fee of \$511.11 GST inclusive must accompany every document by which appeal proceedings are commenced.
- (iv) Section 121 of the Resource Management Act 1991 sets out important information as to the persons upon whom the appeal must be served and the time when service must take place. It is essential that these provisions be adhered to. Failure to do so may result in your appeal being struck out.

If you are in any doubt as to the procedures to be followed it is strongly recommended that you consult a lawyer.

Yours faithfully



Beryl McCauley
CONSENTS ADMINISTRATION

Cc: Richard Clark
Waikato District Council
Private Bag 544
Ngaruawahia 3742

Resource Consent

(Resource Management Act 1991)



www.waikatodistrict.govt.nz

DECISION ON APPLICATION: LUC0055/17

Pursuant to Sections 34A(1), Section 104, 104C and 108 of the Resource Management Act 1991 and Section 9 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, the Waikato District Council, under delegated authority, grants Land Use Consent for a restricted discretionary activity to:

Activity: Undertake bulk earthworks in association with the development of the Pokeno Sports Park

Applicant: Waikato District Council

Location Address: Munro Rd POKENO

Legal Description: Lot 1 DP 189825 and NA 18B/462

This consent is subject to the conditions detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.

A handwritten signature in black ink, appearing to read "K. Jones", written over a horizontal line.

CONSENTS TEAM LEADER

Dated: 24/02/17

Schedule I

Conditions of Consent

Resource Consent No: LUC0055/17

General Conditions

- 1 The proposal shall proceed in general accordance with the information and plans submitted by the consent holder in support of application number LUC0055/17 and officially received by Council on 11 August, 2016 except as amended by the conditions below. Copies of the approved plans are attached:
 - Ecological Mitigation Plan (Drawing Number 139056-110 Rev C dated 20/12/16);
 - Ecological Mitigation Plan Details Sheet I (Drawing Number 139056-111 Rev A dated 23/12/16);
 - Earthworks Design Finished Contours Plan (Drawing Number 139056-200 Rev B dated 20/12/16);
 - Proposed Stream Diversion Typical Cross Sections (Drawing Number 139056-201 Rev B dated 20/12/16);
 - Cut and Fill Contours Plan (Drawing Number 139056-220 Rev B dated 20/12/16);
 - Erosion and Sediment Control Plan (Drawing Number 139056-230 Rev B dated 20/12/16);

- 2 Pursuant to Section 36 of the Resource Management Act 1991 the consent holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.

- 3 All construction work on the site shall be designed and conducted to ensure that construction noise from the site does not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 *Acoustics – Construction Noise*.

Time	Weekdays (dBA)		Saturdays (dBA)		Sundays (dBA)	
	L _{eq}	L _{max}	L _{eq}	L _{max}	L _{eq}	L _{max}
0700 - 0730	55	75	45	75	45	75
0730 - 1800	70	85	70	85	55	85

- 4 Hours of operation (including start up of machinery) is restricted to the following:
- Monday to Saturday: 7am to 6pm
 - Sunday: 8:30am to 6pm
 - and at no time on Public Holidays
- 5 Construction works undertaken on a Sunday shall be limited to a single tractor disking fill material for drying purposes only and in all instances, shall comply with the noise standards and hours of operation specified in conditions 3 and 4.

Prior to Works

- 6 Prior to commencing any detailed engineering design or construction works, the Consent Holder shall appoint appropriately qualified and competent **Developer's Representative/s**, acceptable to Waikato District Council, to provide all detailed designs, supervision, certification and final signoff, in accordance with the requirements of the Hamilton Infrastructure Technical Specifications (ITS).

Advice Note:

The ITS can be found under the following link: <http://www.hamilton.govt.nz/our-council/council-publications/manuals/Pages/Proposed-Infrastructure-Technical-Specifications.aspx>

It is recommended that the Consent Holder and Developer's Representative/s read and understand the ITS prior to commencement of engineering design or physical works.

- 7 The consent holder shall notify Waikato District Council's Team Leader-Monitoring, in writing, of their intention to begin works, a minimum of 10 working days prior to commencing works. Such notification shall include the following details:
- (a) Name/s and telephone number/s of the accepted **Developer's Representative/s**.
 - (b) Site address to which the consent relates.
 - (c) Works intended to be undertaken.
 - (d) Expected duration of works.
- 8 Geotechnical investigations, completion and site stability/suitability reports shall be prepared and signed by a **Geo-professional**, who shall be a person as is defined in NZS4404:2010 and who carries suitable professional indemnity insurance cover for the works being investigated, supervised and certified.
- 9 Prior to undertaking any soil disturbing activities, the Consent Holder shall install erosion and sediment control measures in accordance with the Waikato Regional Council's Erosion and Sediment Control Guidelines for Soil Disturbing Activities: January 2009. Once the earthworks are complete, the Consent Holder shall ensure that, as soon as possible, and within a maximum of 1 month, the areas where soil disturbing activities were undertaken are revegetated (or by other approved means) to achieve a minimum 80% coverage.

Erosion and sediment controls shall be maintained and remain in place until (at least) the minimum required cover is achieved, and may only be removed once the Waikato District Council's Team Leader-Monitoring is satisfied that the risk from erosion and instability has been reduced to a less than minor risk and has provided approval in writing.

- 10 Prior to undertaking any earthworks, the consent holder shall establish and maintain a "Stabilised Construction Entrance", generally in accordance with Harrison and Grierson Drawing I39056-230 Rev B and I39056-231 Rev B. The finalised location and layout of the site entrances shall be approved by the Waikato District Council's Senior Development Engineer prior to the commencement of works.

During Works

- 11 All soil removed from site shall be disposed of to a licensed landfill facility. The consent holder shall make the receipts from the landfill facility available to the Waikato District Council's Contaminated Land Specialist upon request.
- 12 All earthworks activities carried out on site shall be conducted and managed in accordance with the Dust Management Plan and the Environmental Management Plan prepared by Harrison Grierson Consultants Limited dated 8 August, 2016 unless otherwise required through the conditions of this resource consent.
- 13 All earthworks activities carried out on site shall be conducted and managed in such a manner as to ensure that all dust and particulate emissions are kept to a practical minimum to the extent that there are no dust discharges beyond the boundary of the site that cause an objectionable effect.
- 14 The consent holder shall ensure that an adequate supply of water for dust control (sufficient to apply a minimum of 5 mm/day to all exposed areas of the site), and an effective means for applying that quantity of water, is available at all times during construction, and until such time as the site is fully stabilised.
- 15 The consent holder shall ensure that, at all times, the soil moisture of exposed areas is maintained at sufficient levels, under prevailing wind conditions, to prevent dust generated by normal earthmoving operations from remaining airborne beyond the boundary of the work site.
- 16 The consent holder shall ensure that, outside of normal working hours, staff are available on-call at all times to operate the water application system for dust suppression.
- 17 If so required by the Waikato District Council, the consent holder carry out immediate sealing of any problematic dust generating surfaces within the site using hydro-seed/hydro-mulch (or similar paper maché based product), polymer soil stabilisers or a similar dust control product to provide instant remediation of dust effects to the satisfaction of the Waikato District Council.
- 18 Management of the Earthworks shall be in general accordance with the application document and appendices provided, unless otherwise agreed, in writing with Waikato District Council's Team Leader-Monitoring.
- 19 The consent holder shall take all practical measures to ensure that any debris tracking/ spillage onto any public roads as a result of the exercise of this consent

shall be removed as soon as practical, and within a maximum of 24 hours after the occurrence, or as otherwise directed by the Waikato District Council's Roding Area Engineer, to the satisfaction of the Waikato District Council's Team Leader-Monitoring.

The consent holder, upon becoming aware of the need to clean up the roadway, shall advise Waikato District Council's Roding Area Engineer of the need for the road to be cleaned up, and what actions are being taken to do so.

The cost of the cleanup of the roadway and associated drainage facilities, together with all temporary traffic control, shall be the responsibility of the consent holder.

- 20 Any fill areas shall be undertaken in accordance with NZS4431:1989 (Code of Practice for Earthfill for Residential Development) or in accordance with any alternative specifications developed by a suitably qualified Geo-professional and approved by the Waikato District Council's Senior Development Engineer approved by the Waikato District Council's Senior Land Development Engineer. Any fill areas shall be certified by a Geo-professional as meeting the approved standard prior to any further development in those areas.
- 21 Any underfill drainage systems shall be designed by, and their installation supervised by, a suitably qualified and experienced Chartered Professional Engineer (CPEng) and their position recorded by a Registered Surveyor.
- 22 The site shall be stabilised against erosion as soon as practicable and in a progressive manner as earthworks are finished over various areas of the site. Appropriate methods of site stabilisation may include re-spreading of topsoil and grassing, hay mulching or placement of aggregate surfaces (roads/building platforms). The consent holder shall monitor and maintain the site until stabilisation is achieved to such an extent that it prevents erosion and prevents sediment from entering any watercourse.
- 23 In the event of any archaeological artefacts being discovered the works shall, in the vicinity of the discovery, cease immediately and the Waikato District Council, Heritage New Zealand and representatives of local iwi (where artefacts are of maori origin) shall be notified within 24 hours. Works may recommence on the written approval of the Waikato District Council after considering:
 - a) Tangata Whenua interests and values;
 - b) Protocols agreed upon by Tangata Whenua and the consent holder;
 - c) The consent holders interests;
 - d) Any Historical Places Trust authorisations; and
 - e) Any archaeological or scientific evidence.

Complaints

- 24 If any complaints are received by the consent holder regarding the activities authorised by this consent, the consent holder shall notify the Waikato District Council's Team Leader-Monitoring of those complaints as soon as practicable and no longer than one working day. When/if complaints are received; the consent holder shall record the following details in a Complaints Log:
- i. Time and type of complaint, including details of the incident, e.g. duration, any effects noted;
 - ii. Name, address and contact phone number of the complainant (if provided);
 - iii. Location from which the complaint arose;
 - iv. The weather conditions and wind direction at the time of any dust or noise complaint;
 - v. The likely cause of the complaint;
 - vi. The response made by the consent holder including any corrective action undertaken by the consent holder in response to the complaint; and
 - vii. Future actions proposed as a result of the complaint.

The register shall be available to the Waikato District Council at all reasonable times. Complaints received by the consent holder that may indicate non-compliance with the conditions of this resource consent shall be forwarded to the Waikato District Council's Team Leader-Monitoring in writing within 24 hours of the complaint being received.

Post Works

- 25 After completion of the earthworks, and prior to undertaking any building works, the consent holder is to provide a "Statement of Professional Opinion as to Suitability of Completed Earthworks" completed and signed by a Geo-professional (who carries appropriate professional indemnity insurance for the works being supervised/certified) to certify that the site is suitable for:

- (a) the intended Sports Park use including any areas of future building development within the site, and;
- (b) Provide details of any specific foundation design considerations/limitations necessary for the construction of any future buildings on the site.

The format for the "Statement of Professional Opinion as to Suitability of Completed Earthworks" shall be as per Volume 4, Part 2 checklist 2.2 of the Hamilton City Council Development Manual.

The Statement is to be accompanied by the following:

- (a) A schedule with dates/results etc of all supervision and testing undertaken to certify the areas of cut/fill, and
- (b) An as-built plan of the earthworks, clearly showing the areas/depths of cut and fill, and defining areas of fill which have been engineered, and those areas of fill which have not been engineered.

The above is to be submitted to, and gain the approval of, the Waikato District Council's Team Leader-Monitoring prior to undertaking any building works on site.

26 Pursuant to Sections 128 to 131 of the Resource Management Act (1991), the Council may serve notice on the consent holder of its intention to review the conditions of this consent at any time within the first 6 months of this consent being exercised, and 6 monthly thereafter for a period of up to five (5) years if necessary, for the purpose of:

- (a) To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent (in particular the potential adverse environmental effects in relation to dust and noise), and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;

The Council will undertake the review in consultation with the Consent Holder and the Consent Holder shall pay the actual and reasonable costs of the review. Ten working days notice of the review shall be provided to the Consent Holder.

Advisory Notes

ANI The consent holder's attention is drawn to the requirement to obtain any necessary consents from the Waikato Regional Council.

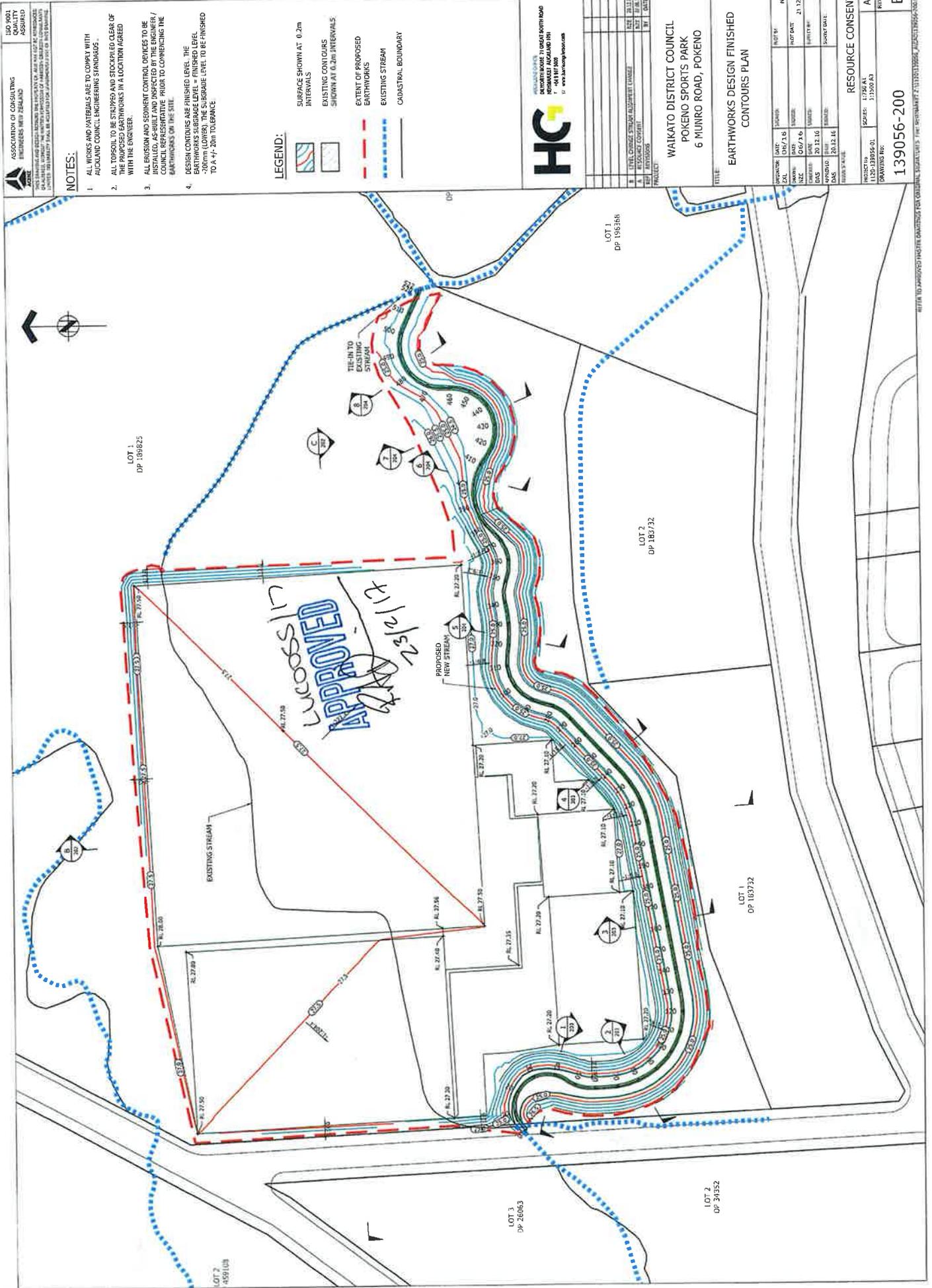


Schedule 2

Reasons for Decision

Resource Consent No: LUC0055/17

1. Appropriate Environmental Management Plans have been submitted with the application and adherence to these plans will ensure adverse effects are mitigated appropriately.
2. The proposed earthworks will provide for the future development of the site into a Sports Park, as is anticipated by the Pokeno Structure Plan and Waikato District Plan.
3. The proposal is considered to be a restricted discretionary activity under the Waikato District Plan (Franklin Section). The proposal will have acceptable adverse effects on the environment and is consistent with the relevant objectives and policies of the District Plan.
4. Erosion and sediment control works will be implemented throughout the duration of the works, and will mitigate any adverse effects on the downstream environment (e.g. the Tanitewhiora Stream).
5. The earthworks will not create any adverse noise or dust effects that cannot be suitably mitigated via methods of construction outlined in the proposal, or via conditions that have been imposed on the consent.
6. Conditions have been recommended to ensure that construction methods, techniques and monitoring procedures are undertaken in accordance with best geotechnical practice.
7. Conditions have been recommended to ensure that the areas of potentially contaminated soil are managed in accordance with the NES – Soil Contamination.
8. There are no parties that are considered to be adversely affected by the proposed activities.
9. The necessary Regional Council Consents have been applied for by the applicant and are expected to be approved in the near future.
10. Overall the proposal meets the purpose (section 5) and principles (sections 6-8) of the Resource Management Act (1991).



ASSOCIATION OF CONSULTING ENGINEERS NEW ZEALAND
 ISO 9001 QUALITY ASSURED

- NOTES:**
1. ALL WORKS AND MATERIALS ARE TO COMPLY WITH AUCKLAND COUNCIL ENGINEERING STANDARDS.
 2. ALL TOPSOIL TO BE STRIPPED AND STOCKPILED CLEAR OF THE PROPOSED EARTHWORKS IN A LOCATION AGREED WITH THE ENGINEER.
 3. ALL EROSION AND SEDIMENT CONTROL DEVICES TO BE INSTALLED, AS-BUILT AND INSPECTED BY THE ENGINEER / COUNCIL REPRESENTATIVE PRIOR TO COMMENCING THE EARTHWORKS ON THE SITE.
 4. DESIGN CONTOURS ARE FINISHED LEVEL. THE EARTHWORKS SUBGRADE LEVEL = FINISHED LEVEL -200mm (LOWER). THE SUBGRADE LEVEL TO BE FINISHED TO A +/- 20mm TOLERANCE.

- LEGEND:**
- SURFACE SHOWN AT 0.2m INTERVALS
 - EXISTING CONTOURS SHOWN AT 0.2m INTERVALS
 - STREET OF PROPOSED EARTHWORKS
 - EXISTING STREAM
 - CADASTRAL BOUNDARY



WAIKATO DISTRICT COUNCIL
 POKENO SPORTS PARK
 6 MUNRO ROAD, POKENO

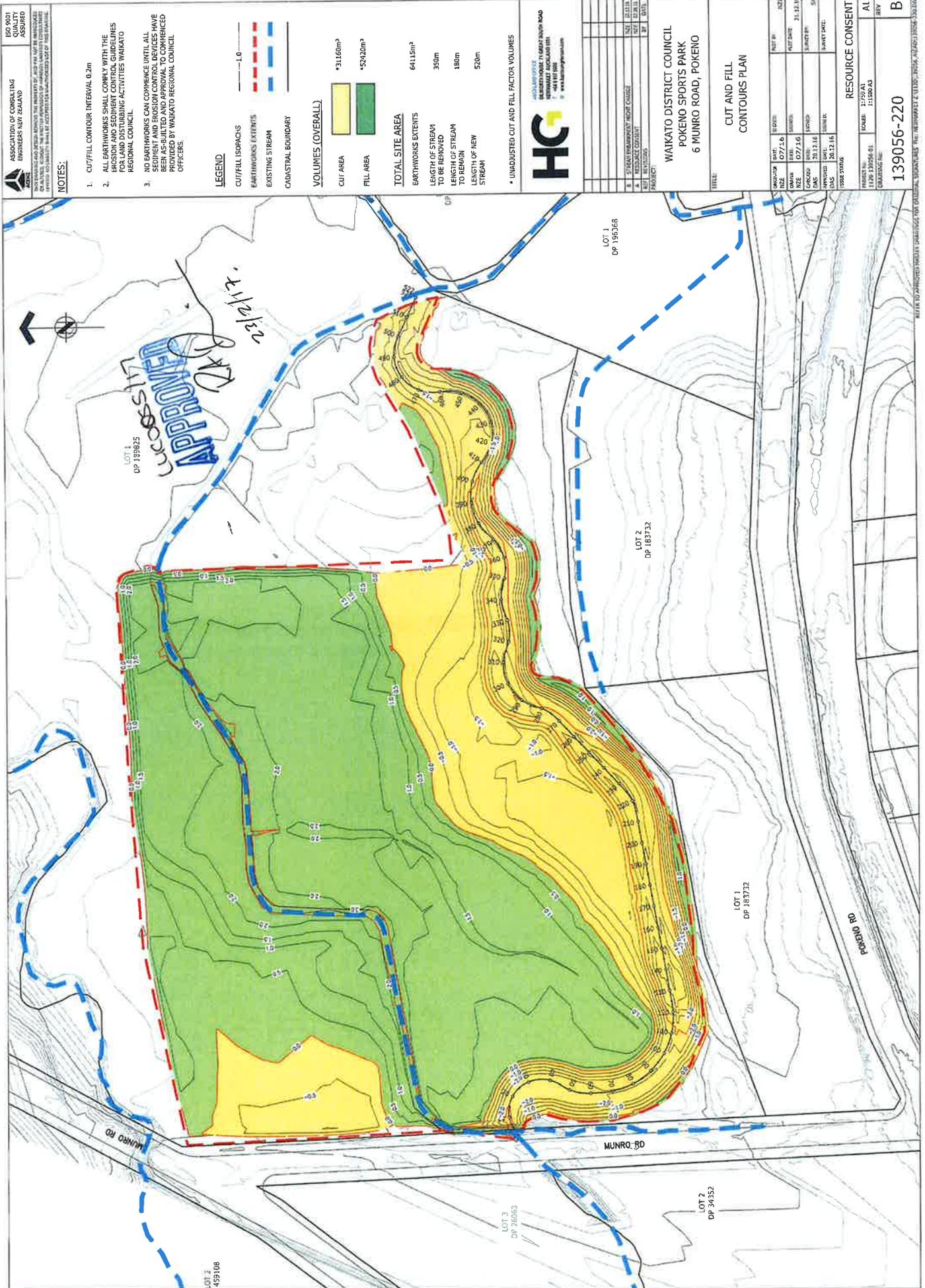
EARTHWORKS DESIGN FINISHED CONTOURS PLAN

NO.	DATE	BY	CHKD BY	REV
1	20.12.16			
2	20.12.16			
3	20.12.16			
4	20.12.16			
5	20.12.16			

NO.	DATE	BY	CHKD BY	REV
1	20.12.16			
2	20.12.16			
3	20.12.16			
4	20.12.16			
5	20.12.16			

NO.	DATE	BY	CHKD BY	REV
1	20.12.16			
2	20.12.16			
3	20.12.16			
4	20.12.16			
5	20.12.16			

RETURN TO APPROVED PROJECT CONSULTANTS FOR CONSULTING SERVICES. For registration call 0800 555 555 or visit www.hc.co.nz



ISO 9001
ENGINEERING BOARD
QUALITY ASSURED

NOTES:

1. CUT/FILL CONTOUR INTERVAL 0.2m
2. ALL EARTHWORKS SHALL COMPLY WITH THE EROSION AND SEDIMENT CONTROL GUIDELINES FOR LAND DISTURBING ACTIVITIES WAIKATO REGIONAL COUNCIL.
3. NO EARTHWORKS CAN COMMENCE UNTIL ALL SEDIMENT AND EROSION CONTROL DEVICES HAVE BEEN AS-BUILT AND APPROVAL TO COMMENCED PROVIDED BY WAIKATO REGIONAL COUNCIL OFFICERS.

LEGEND

- CUT/FILL ISOPACHS
- EARTHWORKS EXTENTS
- EXISTING STREAM
- CADASTRAL BOUNDARY

VOLUMES (OVERALL)

- CUT AREA *31160m³
- FILL AREA *52420m³

TOTAL SITE AREA

- EARTHWORKS EXTENTS 64115m²
- LENGTH OF STREAM TO BE REMOVED 350m
- LENGTH OF STREAM TO BE BUILT 180m
- LENGTH OF NEW STREAM 520m

* UNADJUSTED CUT AND FILL VOLUMES



WAIKATO DISTRICT COUNCIL
POKENO SPORTS PARK
6 MUNRO ROAD, POKENO

CUT AND FILL
CONTOURS PLAN

NO.	DATE	BY	REVISION
1	07/16
2	07/16
3	20/12/16
4	20/12/16

RESOURCE CONSENT	
FRANCHISE NO.	139056-220
ISSUE DATE	11/09/2016
EXPIRES	11/09/2018
APPROVAL	AL
REVISION	B

THIS PLAN IS VALID FOR THE PURPOSES OF THE RESOURCE CONSENT ONLY. IT IS NOT VALID FOR ANY OTHER PURPOSES.

Open Meeting

To	Pokeno Community Committee
From	Gavin Ion Chief Executive
Date	11 March 2020
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV0516
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of the Pokeno Community Committee meeting held on Monday, 10 February 2020.

2. RECOMMENDATION

THAT the minutes of the meeting of the Pokeno Community Committee held on Monday, 10 February 2020 be confirmed.

3. ATTACHMENTS

PCC Minutes – 10 February 2020



POKENO COMMUNITY COMMITTEE

MINUTES of the monthly Pokeno Community Committee meeting held in the Pokeno Hall, Pokeno, on Monday 10th February 2020 commencing at 7.00pm.

Committee Members Present: Ric Odom, Helen Clotworthy, JamesMcRobbie. Lance Straker, Doug Rowe, Brenda Roberts, Kris Hines ,Allan Grainger,Peter Koizumi, Helen Johnson,Todd Miller,

Guests in Attendance: Clive Morgan, WDC Jim Ebenhoh Acting GM Community Growth WDC

Councillors in Attendance: Mayor A Sanson
Cr J Church

Community Members Attending: Community Members attended.

1. APOLOGIES.

Apologies were received from Cr S Henderson.
Subha Narasimhan resignation was tendered due to her circumstances changing and accepted by the PCC

Moved that the apologies be accepted: Ric Odom
Seconded: Doug Rowe

2. CONFIRMATION OF THE STATUS OF THE AGENDA.

Chair Ric Odom, welcomed Team members from Counties Power and Yashili along with members of the public.

Ric Odom proposed that "Correspondence" was added into the REPORTS section of the meeting agenda.

Moved ,Ric Odom
Seconded Doug Rowe

3. DISCLOSURE OF INTEREST



There was no disclosure of interest. All Committee members were reminded of the need to complete and submit a Declaration Form.

4. PUBLIC FORUM

Counties Power ,Judy Nicholl ,Chief Executive, introduced her team responsible for the installation and programming of the new Pokeno Substation. By mid-2020 the new \$20 Million substation (including underground cabling to the Pokeno Main street) will be completed with supply to the Pokeno area. The result will be a more reliable power supply and less reliance on the current Tuakau substation.

Yashili team was represented by Dieter Krietinger and Executive Assistant Li Huang. Dieter explained that they are an Infant formula producer using cow, sheep and goat milk reconstituted into Baby infant formula destined for sale Worldwide with China as the dominant market. He explained that Yashili is very cognisant of responsible production and practices that they do not use Chlorine/Bleach for sanitising etc that they in fact use a NZ first 'Ozone' natural occurring water purification system.

Dieter has invited the Pokeno Community to an Open Day on the 29th March. This is part of Yashili's determination to be more involved with the Pokeno community.

There were no further questions from the public in attendance.

5. CONFIRMATION OF PREVIOUS MINUTES

Meeting Held Monday 7th December 2019 at Pokeno Community hall.

Moved that the minutes be accepted: Allan Grainger

Seconded Lance Straker

Carried.

6. REPORTS

6.1. Pokeno Works and Issues Report January 2020.

Clive Morgan introduced Jim Ebenhoh Acting GM Community Growth WDC.

Clive reported in January very little had progressed due to holiday period, however.

Parks, Munro Sports block.

The contract for stream diversion is Scheduled to commence Monday 2nd March, with completion 30th April. The contract is being fast tracked so riparian planting can take place before winter.

Sport Waikato staff in conjunction with Community Projects ,Community Development staff, are working with Community groups ,schools, local sport clubs, Pokeno Community Committee and other stakeholders and is providing a collective voice to the overview of how the Sports Park should serve the various recreational needs of the community.



Wastewater

Pokeno wastewater reticulation scheme which was to commence in January has been rescheduled to commence 10th February (confirmed by Cr Church) with completion still on track for completion end of March 2020.

Toilets

Toilet refurbishment is to be undertaken before June 2020 and completed by ESN construction. Cr Church said there should be minimal disruption to public usage as the Pokeno upgrade was possible just painting and installation of a Modesty barrier ! Cr Church suggested portaloos whilst the upgrade takes place.

When is a Major upgrade of Pokeno Toilets to take place ,is this budgeted for in WDC plans?

Urban Upgrades.

Pokeno Main Street: Clive to give date for review of the preliminary design to the PCC for review

Cemeteries

Whangarata development. Munro sports park stream diversion and planting prioritisation has taken precedent over the Cemetery contract. Clive to advise when the contract will be tendered.

Community Connections.

The Community Connections team has proposed the planting of fruit trees in Pokeno reserves and parks for the benefit of the Community. Clive asked if the PCC 'Facilities' group could look at areas that are suitable and perhaps link this into the Community Garden project and report back to Clive.

The question was raised around pest control (possum, rats, stoats etc) for the garden and fruit tree plantings, who is responsible WDC ,EW ? Clive to advise

Correspondence

The PCC received an email from Leigh Shaw of The Surveying Company advising he had received queries from residents regarding footpaths on Deans Road. Mayor Sanson commented that in this case, it was likely the developers responsibility for constructing the footpath. Helen Clotworthy indicated that the footpaths referred to may not be in the developed area but rather on the already formed road so the email has been referred to WDC for comment

Moved : Ric Odom

Seconded : Doug Rowe

6.2. LTP Update

Clive to advise next meeting the relevant LTP projects for Pokeno



6.3. Chairpersons report.

6.3.1 Pokeno CC schedule

Meetings Schedule:

- 23 March 2020:
 - Colin Botica of Dines Group to be asked to provide an update on Hitchens blocks and Sports field development.
 - Solid Waste Review. Melissa Russo, WDC.
 - Public transport Hamilton to Auckland Spatial Plan.
 - Andrew Bayly, MP

- 4 May 2020:
 - Sgt Mark Fleming, Pokeno Police

6.3.2 Neighbouring Community/Boards – Mercer , Onewhero-Tuakau.

Liam from the Mercer Community Committee introduced himself and would like to submit the occasional question /request to WDC into PCC Works and Issues reports ??? on behalf of Mercer CG based on the fact we are all neighbours and essentially this would help us all strategize for Growth and Development in our districts in the next 10 to 30 years. It is Liam's's intention to attend our meetings and he extended invitation to PCC members to reciprocate.

Chair Ric Odom to invite representative from Onewhero-Tuakau to a future meeting

6.4 Subcommittee reports.

6.4.1 Strategy and Growth , See attached report

6.4.2 Finance : Verbal update of expenses and income given by Helen Clotworthy.

6.4.3 Facilities, See attached report

6.4.1 Events See attached report

6.4.1 Communications, See attached report

6.5 Proposed changes to Meeting Dates

WDC had requested that PCC hold 6 weekly meetings to bring the meeting cycle in line with WDC and other Community boards.

The Chair advised that the PCC meeting dates previously approved by the Committee need to be changed as some dates conflicted with the dates of the Onewhero-Tuakau Community Board meetings which our councillors also attend. The PCC passed this amendment to go to 6 weekly meetings with the following meeting dates.



Meetings Schedule:

- Monday 23rd March 2020
- Monday 4th May 2020
- Monday 15th June 2020
- Monday 27th July 2020
- Monday 7th September 2020
- Monday 19th October 2020
- Monday 30th November 2020

Moved: Ric Odom

Seconded: Lance Straker

Carried

6.6 Year to date Service Reports

Clive unable to add to the tabled report. The report was accepted as written .

Cr Church did reiterate that unless a complaint or call to the WDC service centre was in writing then it was unlikely to receive immediate action.

Report received.

Moved: Ric Odom

Seconded: Kris Hines

Carried

6.7 Councillors report.

Cr Jacqui Church advised the PCC needs to apply quickly for ANZAC funding. The Finance committee of PCC needs to apply for a \$1K grant to Clive Morgan.

Cr Church said the Waterfall amenities at Kowhai Downs are of Historical importance. The upkeep and maintenance responsibility of the surrounds is unknown. Clive Morgan to check if the waterfall is 'invested' with WDC or the developer and report back to PCC.

Cr Church reminded those present that 'berms' and their upkeep were the responsibility of the immediate householder.

Cr Church advised that 3 days are set aside by WDC for the hearings on Growth and Strategy in our region



7. Action list

Allan Grainger informed those present that a planned 'fix it, cleanup' of Pokeno CBD was planned for Monday 17th February.

Everyone welcome if you have some spare time.

Doug Rowe reported that the Meet and Greet is on every second Thursday at the Pokeno Hall. Next meeting 20th February 10am. Doug also reported that the Community Patrol was looking for more volunteers to drive after 3pm.

The Chair advised that future committee papers would include an Action List. This will ensure the Committee keeps a record of actions to be completed and will also serve to keep the Committee accountable to itself and the community.

Chair Ric Odom thanked the visitors and public for their attendance and contribution. There being no **further business the meeting was closed at 9.25pm.**

NEXT MEETING: Monday 23rd March 2020 7PM. at the Pokeno Hall

Minutes of the Communications Sub Committee Monday 10 February 2020

Present: Helen Clotworthy Alan Grainger

Apologies: Peter Koizumi Lance Straker Todd Miller

Meeting opening 615pm

Proposals

Photo of Committee members, to include name and contact number and displayed on a photo board inside the Gt Sth Rd window.

Attach a swivel board inside the Gt Sth Rd window to reduce ad hoc cello taping to window

Bullet point info after each meeting into all Pokeno FB pages:

Pokeno Grapevine

Pokeno Community

Pokeno Residents and Ratepayers

Kowhai Down

Tuakau Grapevine

Tuakau Community

Mercer

Pokeno School Newsletter

Bombay School

Meeting dates displayed permanently on the "Blackboards"

Agenda and Minutes available on Pokeno Community Website

Approach Wesley Stanton to Co-Opt onto our Communications Sub Committee to assist with improving all aspects of our Website

Meeting closed 6.45am