

Michelle van Straalen

From: Michelle van Straalen
Sent: Friday, 14 February 2020 12:10
To: [REDACTED]
Cc: official information
Subject: LGOIMA 20011 - Hamilton City Council's stream work undertaken within Sanford Park.
Attachments: MSCG Letter to HCC re Sandford stream works 21Jan2020.pdf

Dear [REDACTED]

Further to your information request of 21 January 2020 in respect Hamilton City Council's stream work undertaken within Sandford Park in 2019, I am now able to provide Hamilton City Council's response.

You requested:

What were the specific objectives of the work undertaken?

Please provide a copy of the specific RMA rule, consent or permitted activity applicable which legally authorise this work.

What measures were taken to avoid or mitigate ecological damage to this stream?

What best practice measures were implemented to reduce effects and sediment input downstream?

What monitoring of work was carried out during the works?

What actions have been/will be taken to remedy the damage caused?

Who in the council approved this work and what is the total budget/cost of this work?

Our response:

1. What were the specific objectives of the work undertaken?

- Construction of erosion protection in the stream ahead of planned extensive riparian planting/ecological enhancement along this tributary.

2. Please provide a copy of the specific RMA rule, consent or permitted activity applicable which legally authorise this work.

Waikato Regional Plan rules (appended):

- 4.2.15.1 Permitted Activity Rule – Erosion Control Structures.
- 4.2.20.2 Permitted Activity Rule – Removal or Demolition of Structures.

Both reports are attached below for your reference.

3. What measures were taken to avoid or mitigate ecological damage to this stream?

- Works were undertaken during the summer period to minimise sediment release during stream works.
- Potential bat habitat trees were left untouched and standing.
- Retention of native plant species on stream banks where possible.
- Interim stabilisation of disturbed ground using coconut mat and geotextile.
- Riparian planting scheduled to be completed prior to 30 June 2020.
- Contractor's plant pre-checked for fuel or oil leaks.
- No refuelling of plant near stream.
- Oil spill kit kept on site during work hours.

4. What best practice measures were implemented to reduce effects and sediment input downstream?

- Fallen trees in the stream were cut and lifted from the stream channel, not uprooted or dragged out.
- Hand placement of rock protection where possible on-stream banks to minimise soil disturbance.
- Interim stabilisation of disturbed ground using coconut mat and geotextile.

5. What monitoring of work was carried out during the works?

- Our contractor, Morphem Environmental Ltd, was engaged to provide technical oversight and monitoring of works during December 2019. The consultant visited the site on 2, 9, 11, 12 December 2019 during construction.
- A Hamilton City Council's project engineer supervised completion of erosion protection works commencing 1 February 2020.

6. What actions have been/will be taken to remedy the damage caused?

- Erosion protection works, including bank protection and riffles now completed.
- Stabilisation of areas of disturbed ground completed.
- Consider practical and appropriate options for enhancement of native fish habitat.
- Continuing pest plant control and proposed stream bank planting with appropriate native species.
- Planting of permanently wet disturbed areas to be done following completion of stream works.
- Remaining planting to be undertaken during Autumn 2020.

7. Who in the council approved this work and what is the total budget/cost of this work?

- Design was finalised in consultation with subject matter experts and Waikato Regional Council staff. The scope of contract works was approved by a City Waters Asset Engineer and Contracts and Procurement Senior Contracts Engineer.
- The work is part of Hamilton City Council's approved stormwater network improvement programme as funded in the 2018-2028 Long Term Plan.
- The project is funded from the 2019/20 Mangakotukutuku catchment erosion protection budget \$884,850.
- This contract estimated cost of works is \$125,000.

Please feel free to contact me if you have any queries regarding your response.

Kind regards,

Michelle van Straalen

Official Information Advisor | Legal Services

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Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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Attachment referred to in the body of the response

4.2.15.1 Permitted Activity Rule – Erosion Control Structures

Unless controlled by Rule 4.2.5.1 the use, erection, reconstruction, placement, alteration or extension of a:

1. revetment or erosion control structure, and
2. associated bed disturbance, and
3. necessary deposition of construction material, and
4. any discharge of sediment associated with construction activities in, on or over the bed of a lake or river, for the purposes of erosion control are permitted activities subject to the following conditions:
 - a. The structure and the floodway in the immediate vicinity of the structure shall be maintained clear of debris.
 - b. The structure shall not decrease the cross-sectional area of the river.
 - c. For any stretch of river or lake bank measuring up to one bank kilometre in length, the combined length or erosion control structures shall not exceed 50 metres in length.
 - d. The structure shall not be constructed of, or contain, vehicle bodies or demolition rubble other than clean concrete, placed such that there is no visible steel in the finished work.
 - e. The construction works shall comply with the suspended solids discharge standards as set out in Section 4.2.21.
 - f. All construction materials and equipment shall be removed from the river or lake bed and the floodplain on the completion of that activity.
 - g. No contaminants (including, but not limited to, oil, hydraulic fluids, petrol, diesel, other fuels, paint or solvents, but excluding sediment) shall be discharged to water from the activity.
 - h. Where the weight of the structure is insufficient to keep it in place it shall be anchored to the bed and bank of the river.
 - i. The structure shall be maintained in a structurally sound condition at all times.
 - j. The owner of the structure shall inform the Waikato Regional Council in writing of the location of the structure at least 10 works days prior to work commencing.
 - k. The structure shall not be located in a water body identified as a Natural State water body in the Water Management Class Maps.
 - l. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.
 - m. In the event of any waahi tapu that is not subject to condition l) being identified by the Waikato Regional Council to the person undertaking the use, erection, reconstruction, placement, extension or alteration, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.
 - n. Any erosion occurring as a result of the structure shall be remedied as soon as practicable.
 - o. This rule shall not apply to activities located in, on, under or over the bed of a river or lake that is a Significant Geothermal Feature.
 - p. The structure shall provide for the safe passage of fish both upstream and downstream.
 - q. The structure shall be constructed against the eroding stream or lake bank and be physically attached to it.

Advisory Note:

- Where a waahi tapu site is identified whilst undertaking the activity, the process that Waikato Regional Council will follow in order to implement condition m) is set out in Section 2.3.4.22 of this Plan.
- Where a structure or activity is to be located in, on, under or over the bed of a water body that is Significant Geothermal Feature, Rules 7.6.6.1 to 7.6.6.3 shall apply. Significant Geothermal Features are defined in the Glossary, and in Development and Limited Development Geothermal Systems, identified on maps in Section 7.10 of this Plan.

4.2.20.2 Permitted Activity Rule – Removal or Demolition of Structures

Exception

This Rule does not apply to:

Plantation forestry activities as from 1 May 2018 these activities are regulated under the National Environmental Standards for Plantation Forestry Regulations 2017.

1. The removal or demolition of any structure or part of any structure, and associated bed disturbance, in, on, under or over the bed of a river or lake, and
2. Any discharge of sediment associated with removal or demolition; are **permitted activities** subject to the following conditions:
 - a. There shall be no use of explosives in the water except by a person who holds a current certificate of competence as a construction blaster, (issued by Occupational Safety and Health, under the Health and Safety Regulations 1995) that would allow demolition of a structure in, on, under or over the bed of a river or lake where the Waikato Regional Council is notified at least 10 days prior to the activity commencing and 24 hours in the case of an emergency.
 - b. The structure, or part thereof, being removed or demolished shall be removed from the river or lake bed, and/or any material or temporary structures required to undertake the activity shall be removed.
 - c. The activity shall not result in the removal of, or damage to, any lawfully established flood protection or erosion control structures, or linear bank protection structures or plantings undertaken for flood or erosion control.
 - d. The activity shall not reduce the ability of the channel to convey flood flows or floating debris.
 - e. The removal or demolition works shall comply with the suspended solids discharge standards as set out in Section 4.2.21.
 - f. This Rule shall not apply to any structure records on the Historic Places register (in accordance with s22 of the Historic Places Act 1993).
 - g. No submerged piles or parts of structures shall be left in the river or lake bed which might catch debris or obstruct navigation.
 - h. The Waikato Regional Council shall be notified in writing of the removal or demolition at least 10 working days prior to commencement of the activity.
 - i. The activity shall not disturb any archaeological site or waahi tapu as identified at the date of notification of this Plan, in any district plan, in the NZ Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.
 - j. In the event of any waahi tapu that is not subject to condition i) being identified by the Waikato Regional Council to the person undertaking the removal or demolition, the activity shall cease insofar as it may affect the waahi tapu. The activity shall not be recommenced without the approval of the Waikato Regional Council.
 - k. This rule shall not apply to activities located in, on, under or over the bed of a river or lake that is a Significant Geothermal Feature.

Advisory Notes:

- The demolition or removal of any structure, or part of any structure, in, on, under or over the bed of a river or lake that does not comply with any of the conditions in Rule 4.2.20.2 is a controlled activity in accordance with Rule 4.2.20.3.
- Where a waahi tapu site is identified whilst undertaking the activity, the process that Waikato Regional Council will follow in order to implement condition j) is set out in Section 2.3.4.22 of this Plan.

Where a structure or activity is to be located in, on, under or over the bed of a water body that is Significant Geothermal Feature, Rules 7.6.6.1 to 7.6.6.3 shall apply. Significant Geothermal Features are defined in the Glossary, and in Development and Limited Development Geothermal Systems, identified on maps in Section 7.10 of th

From: official information

Sent: Wednesday, 29 January 2020 1:11 PM

To: [REDACTED]

Cc: official information <officialinformation@hcc.govt.nz>
Subject: HPE CM: LGOIMA 20011 - Hamilton City Council's stream work undertaken within Sanford Park.

Kia ora

I write to acknowledge your information request of 21 January 2020 in respect of Hamilton City Council's stream work undertaken within Sanford Park.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request. We will respond to you no later than 19 February 2020.

Kind regards,

Michelle van Straalen
Official Information Advisor | Legal Services

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From: "Hamilton City Council" <do.not.reply@hcc.govt.nz>
Sent: Tuesday, 21 January 2020 12:18 PM
To: "info@hcc.govt.nz" <info@hcc.govt.nz>
Subject: HCC Website - General feedback ref: HCC-GF-200121-793U0-13MA

HCC Website - General Feedback

Reference: HCC-GF-200121-793U0-13MA
Feedback type: A complaint
Attachment: attached

Contact name: [REDACTED]
Organisation: [REDACTED]
Preferred contact method: Email
Email address: [REDACTED]
Phone number: [REDACTED]

Feedback message
HCC stream work undertaken within Sanford Park 2019 [REDACTED]

