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Condition No.	Condition Content		Reason for Change
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DRAFT TRC REGIONAL RESOURCE CONSENT CONDITIONS – ~~11 July~~ – Updated 6 August 2018 – changes highlighted yellow

Ref.	Resource Consent Condition		
General conditions applying to all consents			
General Conditions and Administration			
GEN.1	<p>(a) Except as modified by the conditions below, the Project shall be undertaken in general accordance with the information provided by the Consent Holder in the application dated December 2017, <u>the Drawing Set provided at the Hearing, and the management plans dated Julyinsert 2018, and the management plans [dated May 2018] and design plans [dated XX 2018].</u></p> <p>(b) Except for the Ecological and Landscape Management Plan (ELMP) and the Pest Management Plan (PMP) in conditions 29,23 – 28(a), none of the conditions apply to the on-going operation or maintenance of SH3 once construction is complete and the new road is operational.</p> <p>(c) <u>(b)</u> Where there is conflict between the documents listed in (a) above and these conditions, these conditions shall prevail. Where there is an inconsistency between the information and plans lodged with the application and information provided subsequently, the most recent plans and information shall prevail.</p>		<u>Change to reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</u>
GEN.2	Pursuant to section 125(1) of the Act, the consents referenced [to insert – TRC reference numbers] shall lapse 10 years from the date of commencement of the consents in accordance with section 116 of the Act.		
GEN.3	Pursuant to section 123(c) of the Act, the consents referenced [to insert – TRC references] shall expire 35 years from the date of commencement in accordance with section 116 of the Act.		<u>As noted in opening submissions for TRC land use consents an unlimited term is sought.</u>
GEN.4	In accordance with section 128 and section 129 of the Resource Management Act 1991, the Taranaki Regional Council may serve notice of its intention to review, amend, delete or add to the conditions of these resource consents by giving notice of review during the month of June annually, for the purpose of ensuring that the conditions are adequate to deal with any <u>more than minor</u> adverse effects on the environment arising from the exercise of this resource consent, which were either not foreseen at the time the application was considered or which it was not appropriate to deal with at the time.		Condition moved to the general conditions <u>and applies to all of the TRC resource consents</u>
Cultural protocols			
GEN.5	<p><u>At least three months prior to the Commencement of Construction, the Consent Holder shall invite mandated representatives of Ngāti Tama to participate in a Kaitiaki Forum Group (KFG).</u></p> <p><u>(a) The KFG shall comprise up to 3 members who have been determined by Te Runanga o Ngāti Tama (TRoNT). From time to time, as appropriate, TRoNT may change the KFG membership and may also invite other iwi, iwi representatives or other Ngāti Tama members to attend KFG meetings. TRoNT may appoint a chairperson to the KFG who would be responsible for confirming any advice from the KFG to the Consent Holder and who will oversee the implementation of KFG activities.</u></p>		<u>New condition to reflect cultural mitigation proposed by the Transport Agency.</u>

	<p><u>(b) The purpose of the KFG is to facilitate engagement between the Consent Holder and Ngāti Tama to enable Ngāti Tama to provide kaitiaki inputs to the design and construction of the Project.</u></p> <p><u>(c) The KFG will be invited to hold regular meetings (monthly) throughout the construction period. The KFG shall continue until six months after Completion of Construction.</u></p> <p><u>(d) The Consent Holder shall record the main points arising from each meeting of the KFG, and shall provide a copy of that record to the meeting invitees within a reasonable time following the meeting.</u></p> <p><u>The Consent Holder shall, on receipt of an itemised invoice, be responsible for paying all reasonable costs associated with the resourcing of the KFG to provide the kaitiaki inputs described in Condition GEN.5 and Condition GEN.5(a).</u></p>		
<p>GEN.54(a)</p>	<p><u>The KFG shall be invited by the Consent Holder to provided opportunities participate in the following (amongst other things):</u></p> <p><u>(a) The development of the Project designs to incorporate cultural values into elements such as (but not limited to):</u></p> <p><u>(i) Cultural expression in artwork on road corridor features such as the tunnel, bridge and in landscape works and plantings.</u></p> <p><u>(ii) Water management principles.</u></p> <p><u>(iii) Biodiversity offset and ecological mitigation proposals implemented as part of the ELMP required by Condition GEN.22.</u></p> <p><u>(iv) Signage of local features.</u></p> <p><u>(v) Naming of the new highway.</u></p> <p><u>(b) Review of the Accidental Discovery Protocol (as required by the NPDC Designation Condition 34) and any updates to this Protocol.</u></p> <p><u>(c) The development and implementation of agreed cultural protocols / tikanga appropriate to stages of the works or activities (for example: blessings, accidental discoveries, vegetation clearance, relocation of animals).</u></p> <p><u>(d) The development of cultural indicators covering matters such as (but not limited to) traditional association, mahinga kai and cultural stream health measures. The Consent Holder shall have regard to any cultural indicators provided in the preparation of the Cultural Monitoring Plan required under Condition GEN.4(a)(e).</u></p> <p><u>(e) The development and implementation of a Cultural Monitoring Plan. The purpose of the Cultural Monitoring Plan is to set out the agreed cultural monitoring requirements and measures to be implemented during construction activities, to acknowledge the historic and living cultural values of the area to Ngāti Tama and to minimise potential adverse effects on these values. The Plan shall on receipt of an itemised invoice be prepared by a person endorsed by the KFG and the Consent Holder. Where the provisions of the Plan are not agreed by the Consent Holder reasons for the disagreement will be provided in writing to Ngati Tama and added to the agenda at the next KFG Forum in accordance with Condition 4.</u></p>		<p><u>New condition to reflect cultural mitigation proposed by the Transport Agency.</u></p> <p><u>Highlighted changes made to reflect Commissioner's concerns as to vires.</u></p>

	<u>The Consent Holder shall have regard to any cultural indicators provided in the preparation of the Cultural Monitoring Plan required under Condition GEN.4(a) to (e).</u>		
	<u>Community Liaison Person</u>		
GEN.65	<p><u>(a) The Consent Holder shall appoint a Community Liaison Person for the duration of the construction phase of the Project to be the main and readily accessible point of contact for persons affected by Construction Works. If the liaison person will not be available for any reason, an alternative contact shall be provided, to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.</u></p> <p><u>(b) No less than one month prior to the commencement of Works, the Consent Holder shall advise all key project stakeholders listed in the CEMP of the liaison person's name and contact details.</u></p> <p>(a)<u>(c) The Consent Holder shall keep stakeholders and the wider public informed of the construction works, progress and timing and shall carry out communications in general accordance with the CEMP.</u></p> <p>(b)<u>(d) Recreational users (in particular hunters) shall be added to the list of 'Key Project Stakeholders' in Section 6.2 of the CEMP, prior to certification of the CEMP.</u></p>		
	<u>Complaints</u>		
GEN.76	<p>(a) At all times during implementation of the consents, the Consent Holder shall maintain a register of any complaints received alleging adverse effects from, or related to, the exercise of the consents. The record shall include:</p> <ul style="list-style-type: none"> (i) the name and address (where this has been provided) of the complainant; (ii) identification of the nature of the complaint; (iii) location, date and time of the complaint and of the alleged event; (iv) weather conditions at the time of the complaint (as far as practicable), including wind direction and approximate wind speed if the complaint relates to air discharges; (v) the outcome of the Consent Holder's investigation into the complaint; (vi) measures taken to respond to the complaint; and (vii) any other activities in the area, unrelated to the Project, which may have contributed to the complaint (such as non-Project construction, fires, or unusually dusty conditions generally). <p>(b) The Consent Holder shall:</p> <ul style="list-style-type: none"> (i) acknowledge the complaint within 2 working days; (ii) promptly investigate, identify the level of urgency in respect of the complaint and communicate that to the complainant; and 		

	<p>(iii) take reasonable steps to remedy or mitigate the matters giving rise to the complaint, if there are reasonable grounds for the complaint, within 10 working days of receiving the complaint or such sooner time as may be reasonably necessary in the circumstances.</p> <p>(c) The Consent Holder shall also maintain a record of its responses and any remedial actions undertaken.</p> <p><u>(d)</u> This record shall be maintained on site and shall be made available to the ManagerChief Executive, TRC upon request. The Consent Holder shall provide the ManagerChief Executive, TRC with a copy of the complaints register every month.</p> <p><i>Advice Note: where for (b) and (c) there are a number of complaints relating to the same incident(s) the Consent Holder may bundle those complaints together and provide one response in accordance with those conditions</i></p>		
	Incidents		
GEN.87	<p>The Consent Holder shall prepare procedures for incident management that outline how the Consent Holder will manage <u>the incident</u> and notify the ManagerChief Executive, TRC of:</p> <p>(a) discharges from non-stabilised areas that are not treated by erosion and sediment control measures as required by the Construction Water Management Plan; and / or</p> <p>(b) failure of any erosion and sediment control measures; and / or</p> <p>(c) discharge of a hazardous substances, including cement, to a water body; and / or</p> <p>(d) failure of any temporary stream diversion; and / or</p> <p>(e) any other incident which either directly or indirectly causes, or is likely to cause more than minor adverse ecological effects in any water body that is not authorised by a resource consent held by the Consent Holder<u>event that occurs in contradiction to a current management plan.</u></p> <p>The Consent Holder shall provide the<u>The</u> procedures <u>shall be incorporated into the Management Plans required under Condition GEN.9 and provided</u> to the ManagerChief Executive, TRC on request, and keep a copy of the procedures onsite at all times during Works.</p>		<u>Change to condition to reflect finalised management plans</u>
	Management Plans - General		
GEN.98	<p>All Works shall be carried out in general accordance with the plan set [Volume 2 of the application documentation]<u>Condition GEN. 1-</u> and the management plans required<u>authorised</u> by the<u>these</u> resource consent conditions <u>and dated [insert] -and attached as appendices to, which are</u> the Construction Environmental Management Plan, which are (CEMP) [dated May/July 2018]<u>and the plans attached as appendices to the CEMP:</u></p> <p>(a) Contaminated Land Management Plan (CLMP);</p> <p>(b) Ecology and Landscape Management Plan (ELMP) <u>(those parts described under regional consent condition GEN 22 and 23);</u></p> <p>(c) Pest Management Plan (PMP);</p>		<u>Change to reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</u>

	<p>(d)(c) <u>Construction Dust Management Plan (DMP/CDMP); and</u></p> <p><u>(d) Construction Water Management Plan (CWMP), including Specific Construction Water Management Plans (SCWMPs);</u></p> <p><u>(e) Control of a Spill Procedure; and</u></p> <p><u>(f) Incident Reporting and Investigation.</u></p> <p><i>Advice note:</i></p> <p><i>In addition to the abovementioned plans, the CEMP also includes copies of the management plans and relevant documents required under the designation conditions, being: the entire Ecology and Landscape Management Plan, the Pest Management Plan, the Construction Noise Management Plan (CNMP), Construction Traffic Management Plan (CTMP), Accidental Discovery Protocol and the Landscape and Environmental Design Framework (LEDf); and the Contaminated Land Management Plan (CLMP) required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations, 2011 (NES Soil).</i></p> <p><i>Requirements for these additional plans shall be determined in accordance with the relevant designation condition(s) and the NES Soil conditions in relation to the CLMP.</i></p>		
GEN.109	<p>The Consent Holder shall, in accordance with conditions 9, 10 and 11, provide to the Manager/Chief Executive, TRC all of the management plans required under Condition GEN.9 at least 5 working days prior to commencement of the relevant Works. The management plans:</p> <p>(a) provide the overarching principles, methodologies and procedures for managing the effects of construction of the Project to achieve the environmental outcomes and performance standards required by these conditions; and</p> <p>(b) shall be finalised, maintained and implemented <u>by the Consent Holder during Construction Works,</u> in general accordance with the draft management plans included with the documents and information provided in support of the resource consent applications.</p>		<p><u>Deletions to reflect Commissioner's comments as to certainty - if approved the plans are done and are attached to the decision (therefore do not need to be provided again).</u></p>
GEN.1011	<p>No earthworks, except those that comply with the standards and conditions in Rule 25 or 26 of the Taranaki Freshwater Plan, shall commence on site unless a Specific Construction Water Management Plan (SCWMP) is in place for that specific area of works <u>and has been approved by the TRC.</u> Such a SCWMP can be based on a geographic area or based on a specific activity type.</p> <p><i>Advice Note: The geographic basis for a SCWMP may be based on a specific chainage location along the alignment. The activity basis for a SCWMP may be based on having a SCWMP for a particular activity, such as shoulder widening, anywhere along the alignment.</i></p>		
GEN.1112	<p>(a) The Consent Holder shall provide the final SCWMP to the Manager/Chief Executive, TRC at least 5 working days before the commencement of Works to which the SCWMP applies, where that SCWMP was provided at the hearing.</p>		<p><u>10 days is proposed for certification as the SCWMPs as the documents are relatively small and generally well understood</u></p>

	<p>(a) With the exception of the three SCWMPs provided at the Hearing (being SCWMPs for: Fill Disposal Site 4; Construction Yard; Crossing at CH570) listed below, tThe Consent Holder shall provide all <u>any</u> SCWMPs that was [not provided at the hearing] to the Manager<u>Chief Executive, TRC</u>, for certification at least 10 working days before the commencement of Works to which the SCWMP will apply.</p> <p>(b) The Consent Holder shall consider any comments received from the Manager<u>Chief Executive, TRC</u> when finalising the SCWMP. If the Consent Holder has not received comments from the Manager<u>Chief Executive, TRC</u> within 10 working days of providing the SCWMP, the Consent Holder may finalise the SCWMP and implement it accordingly.</p>		
<p>GEN.12<u>GEN.13</u></p>	<p>The Consent Holder may make <u>minor</u> reasonable amendments to the finalised management plans described in Condition GEN.8 at any time. Reasonable <u>A minor</u> amendment is any amendment where the adverse environmental effect arising from the amendment is the same or less than the effect that would result in the absence of the amendment anticipated in the final management plan provided under conditions 9, 10 or 11. In addition, any changes to the management plans shall remain consistent with the overall intent of the originally <u>finalised</u> management plan. The Consent Holder shall provide the Manager<u>Chief Executive, TRC</u> with a copy of any amendment as soon as practicable and before any Works associated with that amendment are implemented.</p> <p><i>Advice note: reasonable means minor</i></p>		
<p>GEN.14<u>GEN.13</u></p>	<p>(a) The Consent Holder may <u>make</u> material amendment<u>amendments</u> to the finalised management plans at any time, subject to the certification of the Manager<u>Chief Executive, TRC</u>. A Mmaterial amendment is <u>any</u> amendment that is in general accordance with condition GEN.1 but is not a minor amendment in accordance with condition GEN.13. would result in environmental effects that are permitted by these resource consents, but that are not anticipated in the management plan without the amendment, where there is an adverse (beyond de minimis) environmental effect above that anticipated in the final management plan provided under conditions 9, 10 or 11.</p> <p>(b) Any material changes <u>amendments</u> to the management plans shall be consistent with the overall intent of the originally <u>finalised</u> management plan.</p> <p>(c) In the event of <u>an</u> material amendment to a management plan <u>under condition GEN.14(a)</u>, the Consent Holder must submit the amendment to the Manager<u>Chief Executive, TRC</u> for certification 20 working days before the commencement of the relevant Works.</p> <p><u>Works unaffected by the amendment may continue.</u></p> <p><i>Advice note:</i></p> <p><i>The Chief Executive, TRC will carry out best endeavors to consider the management plans within <u>120</u> working days, noting that expert input may be required from the Transport Agency before certification can be provided. TRC shall, within a reasonable timeframe either confirm in writing to the Consent Holder that the material amendment is certified, declined, or request that the Consent Holder incorporate changes suggested by the Council. Where the Consent Holder and TRC are unable to agree on the finalisation of material amendments to</i></p>		<p><u>Date changed to reflect timing as identified by the Commissioner - if plan to be provided 20 WD before works commence having a 20 WD timeframe for comment does not work.</u></p>

	<i>management plans, the resolution process stipulated under Condition GEN.17 shall be followed. To avoid any doubt, condition GEN.17 applies to this condition.</i>		
GEN.154	<p>Preparatory Works, and all Works that are a Permitted Activity in the Taranaki Regional Plans, can commence prior to the finalisation of the management plans, except for vegetation clearance which shall be carried out in accordance with the relevant management plans.</p> <p><u>(a) Preparatory Works that are a Permitted Activity in the Taranaki Regional Plans can be carried out at any time, provided the Permitted Activity standards are met.</u></p> <p>(b) <u>(b) At least 5 days prior to the commencement of any Preparatory Works under this Condition, the Consent Holder shall notify the Chief Executive, TRC that it intends undertaking the Preparatory Works, and shall confirm that all measures required by the management plans described in Condition GEN. 9 will be implemented over the duration of the Works.</u></p>		
GEN.165	All personnel involved with the construction of the Project shall be made aware of, and have access to, all conditions and management plans applicable to the construction of the Project. Copies shall be kept on site at all times.		
GEN.167	<p>(a) In the event of any dispute, disagreement or inaction arising about the <u>technical content or implementation of the management plans in accordance with the conditions or the provisions of the management plans</u>, matters shall be referred in the first instance to the Manager <u>Chief Executive, TRC</u>, and to the Consent Holder's Construction Manager (as described in the CEMP), to determine a process of resolution.</p> <p>(b) If a resolution cannot be agreed under (a) within 15 working days, the matter shall be referred within 10 working days to an independent appropriately qualified expert <u>person</u>, acceptable to both parties (<u>'mediator'</u>), setting out the details of the matter to be referred for determination and the reasons the parties do not agree.</p> <p>(c) The mediator expert shall, as soon as possible, issue a decision on the matter.</p> <p>(d) The decision of the expert mediator on the implementation of the management plan is binding and shall be implemented by the Consent Holder.</p> <p>The dispute resolution process above will be applied before any formal enforcement action is taken by TRC, except in urgent situations.</p>	<p><u>The Commissioner raised a question about the vires of the 'mediator' which will be addressed in legal submissions.</u></p> <p><u>(e) is deleted to ensure certainty that the Council's prosecution role is not compromised.</u></p>	
GEN.178	<p>The Consent Holder shall undertake an annual review of all management plans that takes into account (this is not an exclusive list):</p> <p>(a) Compliance with the Project consent and designation conditions, the CEMP and management plans.</p> <p>(b) Any significant changes to construction activities or methods and/or unanticipated more than minor adverse effects resulting from the Construction Works</p>		

	<ul style="list-style-type: none"> (c) Key changes to roles and responsibilities within the Project team. (d) Results of inspections, monitoring and reporting procedures associated with the management of adverse effects during construction. (e) Comments or recommendations from TRC regarding the CEMP and management plans. (f) Comments or recommendations from TRCthe KFG or DOC regarding the ELMP and PMPCWMP. (g) Unresolved complaints and any response to complaints and remedial action taken to address the complaint. <p>The outcome of this review shall be provided to the ManagerChief Executive, TRC. Where recommendations are not accepted by the Consent Holder reasons shall be provided. <u>Material changes to any management plan(s) resulting from the review shall be subject to certification under Condition GEN.14.</u></p> <p><u>Annual review of the management plans shall cease following Completion of Construction Works.</u></p> <p><i>Advice note: comments or recommendations regarding the CEMP and management plans may also be received from NPDC under the designation conditions.</i></p>		
Construction Environmental Management Plan			
GEN.189	<p>The Consent Holder shall finalisehave in place until the Completion of Construction Works a Construction Environmental Management Plan (CEMP) to provides an overarching framework to ensure that the Project remains within the limits and standards required by these conditions and that Works appropriately avoid, remedy, mitigate or offset more than minoradverse effects on the environment. The CEMP shall remain in place until the Completion of Construction Works.</p>		<p>Changes reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</p>
GEN.1920	<p>The CEMP shall includes, but need not be limited to, details of:</p> <ul style="list-style-type: none"> (a) key staff and contractors'responsibilities and contact details, including emergency contacts; (b) training requirements for employees, sub-contractors and visitors; (c) environmental incident and emergency management (including the procedures required under regional consent condition 6GEN.87); (d) communication and interface procedures; (e) environmental complaints management (required under condition 5GEN.76); (f) compliance monitoring; (g) environmental reporting; (h) corrective action; (i) environmental auditing; 		<p><u>Change to reflect amendments to the designation conditions</u></p> <p>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved.</p>

	<ul style="list-style-type: none"> (j) construction lighting; (k) rehabilitation of construction yards; (l) the methods to engage with stakeholders, including: <ul style="list-style-type: none"> (i) how the community will be kept informed of progress with Works, including proposed hours of operation outside normal working hours and Project construction personnel contact details; (ii) how the Consent Holder will engage with the community in order to foster good relationships and to provide opportunities for learning about the Project; (iii) providing early information on key Project milestones; (iv) identifying stakeholders such as landowners, road users, local community, iwi, regulatory authorities, industry, network utility operators, road maintenance contractors, emergency services; and (v) responding to queries and complaints (in accordance with condition 5GEN.6); and <p>(m) CEMP review (in accordance with condition 19GEN.17);</p> <p>(n) Construction methodologies and construction timeframes, including staging.-</p>		
GEN.21 0	<u>The Consent Holder shall appoint a representative(s) who shall be the TRC's principal contact person(s) in regard to matters relating to the resource consents for the Project. The Consent Holder shall inform the Council of the representative's name and how they can be contacted, prior to the commencement of construction. Should that person(s) change during the construction of the Project, the Consent Holder shall immediately inform TRC and provide confirmation of the new representative's name and contact details.</u>		New condition following consideration of the TRC Section 42A Report
	Ecology and Landscape Management Plan		
GEN.22 1	The Consent Holder shall finalise the have in place and implement an Ecology and Landscape Management Plan (ELMP) dated [insert] to identify how the Project will avoid, remedy, mitigate, and offset and compensate potential adverse effects on the ecological values, landscape and biodiversity values of the land (including the beds of rivers, lakes and streams) within the Project Area and its surrounds; as well as pre and post Works monitoring.		<u>Changes reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</u>
GEN.23 2	The ELMP shall address how the Project will avoid, remedy, mitigate, and offset, and compensate effects on ecological, landscape and biodiversity values, including: <ul style="list-style-type: none"> (a) vegetation / habitat (including wetlands); (b) herpetofauna (lizards); (c) bats; (d) avifauna; 		<u>Change to reflect discussions with TRC</u> <u>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved.</u>

	<p>peripatus;</p> <p>(e)(b) fish, kōura and kākahi; and</p> <p>(c) streams; and</p> <p>(f)(d) rehabilitation and restoration planting.</p>		
<p>GEN.234</p>	<p>The ELMP Consent Holder shall include the following undertake ecological mitigation and ecological biodiversity offset measures in accordance with the ELMP including: to achieve:</p> <p>Pest management measures described in the Pest Management Plan referred to in condition 29.:</p> <p>(a) Vegetation</p> <p>(i) The retention, where possible, of the high value ecological areas identified in Figures 4.1 and 4.2 of the ELMP.</p> <p>(ii) Prior to vegetation removal, the appropriate delineation of vegetation to be cleared.</p> <p>(iii) Vegetation will be cleared only prior to Works beginning in the Project Area in order to reduce habitat effects and reduce the potential for erosion and sediment generation.</p> <p>(iv) The relocation or cultivation of threatened plants found within the Project Area.</p> <p>(v) The staging of restoration planting and landscape treatments in relation to the construction programme to reduce the potential for erosion and sediment generation.</p> <p>(vi) Supervision of vegetation clearance by a suitably qualified person.</p> <p>(vii) Restoration planting of:</p> <p>(1) At least 6ha of kahikatea swamp forest; and</p> <p>(2) At least 8.389ha of dryland planting using an appropriate mix of plant seedlings.</p> <p>(3) Planting of at least 200 seedlings of the same species for each significant tree that is felled, as identified in the LEDF.</p> <p>(4) Riparian planting and exclusion from livestock of at least 8.62745km of existing stream, or if culvert or stream diversion lengths are reduced in the detailed design, the length of existing stream that is calculated by the Stream Ecological Valuation method. Riparian margins of an average of 10m each side of the stream will be created and planted.</p> <p>(4a) Following the completion of stream works and vegetation clearance, the Consent Holder shall measure the extent of stream works and vegetation clearance and shall reassess the extent of restoration planting required using the methodology set out in the ELMP. The Consent Holder shall prepare and provide a report to the Chief Executive, TRC confirming the extent of the restoration planting required. If more restoration is required and provide the report to the Chief Executive, TRC, for shall certification that the calculation</p>		<p>Change to reflect discussions with TRC and amendments to the designation conditions</p> <p>Changes in response to questions from the Commissioner and Councils.</p>

	<p><u>of the additional planting is in accordance with the ELMP prior to the commencement of restoration planting. If the recalculation results in lesser restoration planting the minimum provisions in (1) to (4) shall be provided.</u></p> <p><u>(5) Landscaping design and treatments (landform and planting), including rehabilitation of all areas used for temporary work and construction yards.</u></p> <p><u>(6) All new plantings shall be eco-sourced from the North Taranaki Ecological District</u></p> <p><u>(7) Where the restoration planting is to occur on land not owned by the Consent Holder, the Consent Holder shall secure the necessary rights to carry out the planting.</u></p> <p><u>(8) (a) The Consent Holder shall complete restoration planting within three planting seasons of the Completion of Construction Works, unless natural conditions during Construction Works result in poor seed production or poor seed condition and adversely limits seedling propagation for indigenous plant species, in which case completion would be delayed to reflect the availability of suitable seedlings.</u></p> <p><u>(b) Should there be a delay in the completion of restoration planting due to the availability of suitable seedlings as described in (a) above, the Consent Holder shall provide the Chief Executive, TRC with an amended timeframe and complete the planting as soon as reasonably possible within that timeframe, informing the Chief Executive, TRC when planting is complete.</u></p> <p><u>(b) Fish, kōura and kākahi:</u></p> <p><u>(i) The recovery of fish, kōura and kākahi prior to instream works.</u></p> <p><u>(ii) The rescue of fish, kōura and kākahi from any spoil.</u></p> <p><u>(iii) The relocation of fish, kōura and kākahi.</u></p> <p><u>(iv) The design of fish passage provisions for culverts shall be informed by the NZ Transport Agency's "Fish passage guidance for state highways" (August 2013) guidelines.</u></p> <p><u>(c) Streams</u></p> <p><u>(i) The design and construction of reinstated and diverted streams in accordance with the Stream Ecological Design Principles attached to the LEDF.</u></p>		
GEN.254	<p>(a) The ELMP <u>shall describes:</u></p> <p>(i) The physical mechanisms (e.g. fences) to protect the restoration and riparian planting described in this condition from clearance and / or livestock, on an ongoing basis.</p>		<p><u>Changes reflect comments from the Commissioner as to certainty of wording should the designation be approved.</u></p>

	<ul style="list-style-type: none"> (ii) The legal mechanisms to protect the restoration and riparian planting described in this condition on an ongoing basis. (iii) The measures proposed for biosecurity management, including the management of risk associated with myrtle rust, and the management of pest plants and pest animals. <p>(b) The ELMP shall include maps showing:</p> <ul style="list-style-type: none"> (i) existing vegetation types for all areas of proposed mitigation plantings, to determine if these will result in habitat gain; and (ii) the location and extent of the stream reaches proposed for restoration works. 		
GEN.253(a)	<p><u>The Consent Holder will seek to achieve the following performance targets, in accordance with the ELMP</u></p> <p><u>(a) For the restoration planting required under condition 29(a)(vii)(1) and (2), 80% canopy cover 6 years following planting, in the areas where trees and shrubs are planted. If 80% canopy cover has not been achieved within 6 years following planting, any necessary replacement planting and planting maintenance shall continue beyond year 6 until 80% canopy cover is achieved.</u></p> <p><u>(b) For each significant tree felled, 90% survival of the 200 planted trees required by Condition 29(a)(vii)(3), within 6 years following planting. If 90% plant survival has not been achieved within 6 years following planting, any necessary replacement planting and planting maintenance shall continue beyond year 6 until 90% survival is achieved.</u></p>		Change to reflect discussions with TRC and amendments to the designation conditions
GEN.246	<p>The ELMP <u>Consent Holder shall undertake</u> monitoring in accordance with the ELMP as follows:</p> <p><u>(a) Pre-construction vegetation monitoring to provide more detailed baseline information on forest condition, including the composition and abundance of palatable vegetation, and the condition of the forest canopy.</u></p> <p><u>(b) Pre-construction survey of wetland vegetation composition and structure to assist planning for the swamp forest restoration planting.</u></p> <p><u>(c) Survey of actual vegetation loss resulting from Construction Works, in accordance with Condition GEN. 24 (a)(vii)(4a).</u></p> <p><u>(c) Pre-construction and construction water quality monitoring, as described in the Construction Water Discharges Monitoring Program in the CWMP.</u></p> <p><u>(d) Macroinvertebrate monitoring.</u></p> <p><u>(e) Fish monitoring, including the monitoring of fish passage at selected culverts.</u></p>		Change to reflect amendments to the designation conditions (following consideration of the NPDC Section 42A Report)
GEN.257	<p><u>(a) The Consent Holder shall prepare an annual report describing the findings of all monitoring undertaken in the previous 12 months. This report shall include an assessment of the effectiveness of the management plans in achieving compliance with the Conditions-. The Consent Holder shall provide</u></p>		

	<p><u>a copy of the annual report to the KFG and DOC. The report shall be submitted to the Chief Executive, TRC.</u></p> <p><u>(a)(b) Annual reporting shall cease one year following Completion of Construction Works.</u></p>		
	<p>Consent for Discharge of Dust to Air (TRC s42A Report Ref Sec 16.10)</p> <ul style="list-style-type: none"> • 10656-1.0 – To discharge contaminants (dust) to air from earthworks associated with the establishment of the Mt Messenger Bypass 		
AIR.1	<p>The Consent Holder shall finalise have in place until the Completion of Construction Works a <u>Construction</u> Dust Management Plan (DMP<u>CDMP</u>) <u>dated [insert] to establish identifies and details</u> methods to be used to manage, mitigate and monitor dust emissions during the Works. <u>The CDMP shall remain in place until the Completion of Construction Works.</u></p>		<p><u>Changes reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</u></p>
AIR.2	<p>The DMP<u>CDMP shall</u> includes, but need not be limited to:</p> <ul style="list-style-type: none"> (a) identification of potential sources of dust taking into account construction activities and the construction programme; (b) identification of sensitive receptors likely to be adversely affected by emissions of dust; (c) methods for managing and mitigating adverse dust effects that may arise from construction activities, particularly in proximity to sensitive receptors. Where appropriate, these methods may include: <ul style="list-style-type: none"> (i) the use of water carts or sprinklers to apply water to areas generating dust; (ii) reducing vehicle speeds on unsealed surfaces; and (iii) the use of commercial dust suppressants; (d) an outline of the methods for managing the effects of dust on the dwelling at 2397 Mokau Road; and (e) the methods of monitoring for potential dust generation, including assessment of weather conditions, soil conditions and visual dust assessments. 		<p><u>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved.</u></p>
AIR.3	<p>The exercise of this consent shall not cause any noxious, dangerous, offensive or objectionable dust beyond the site boundary.</p>		<p>New condition following consideration of the TRC Section 42A Report</p>
	<p>Discharge Stormwater and Sediment (TRC s42A Report Ref Sec 16.9)</p> <ul style="list-style-type: none"> • 10655-1.0 – To discharge stormwater and sediment onto and into land and into the Mangapepeke Stream and Mimi River and their tributaries from earthworks associated with the construction of the Mt Messenger Bypass 		
	<p>Sediment and Stormwater General</p>		
SED.1	<p>This consent authorises the discharge of stormwater from land where earthworks is being undertaken for the purpose of constructing the Mt Messenger Bypass ('The Project').</p>		

	Construction Water Management Plan		
SED.2	<p>The Consent Holder shall finalise<u>have in place until the Completion of Construction Works a</u> Construction Water Management Plan (CWMP) <u>dated [insert]</u>that identifies how all Works shall be undertaken and addresses:</p> <ul style="list-style-type: none"> (a) The procedures for determining staging and sequencing of earthworks. (b) Identification of a suite of appropriate structural and non-structural erosion and sediment control measures to be installed prior to and during all Works. (c) The design specifications for all erosion and sediment controls to be implemented. (d) A procedure to establish and define minor on the ground changes to erosion and sediment control, in accordance with the intent of the CWMP. (e) The procedures for decommissioning the erosion and sediment control measures. <u>(f)</u> Methods for amending and updating the CWMP as required. <p><u>The CWMP shall remain in place until the Completion of Construction Works.</u></p> <p><i>Advice note: The CEMP provides additional management details on personnel, training, emergency response, complaints management, construction activities, reporting and review procedures</i></p> <ul style="list-style-type: none"> — Contact details of personnel responsible for the management, operation and maintenance of all key erosion and sediment control structures. — A description of the training and education programme that is proposed for on-site personnel; — Details of emergency contacts who have authority to authorise immediate response actions; — Methods for recording and responding to queries and complaints; — A schedule of construction activities including sequencing; — The location of the major cut and fill operations; — Maintenance, monitoring and reporting procedures; — The location of on-site rain gauge(s) and procedures for monitoring these; (f)(g) Procedures and timing for review and/or amendment to the site specific erosion and sediment control measures. 		<p><u>Changes reflect comments from the Commissioner as to certainty of wording should the designation be approved. Commissioner to include date.</u></p>
SED.3	<p>The CWMP <u>shall includes</u>, but need not be limited to:</p> <ul style="list-style-type: none"> (a) construction activities to be undertaken; (b) area and volume of the earthworks and / or streamworks proposed; (c) location of the earthworks and / or streamworks with particular consideration of the downstream receiving environment; 		<p><u>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved.</u></p>

	<p>(d) methods for managing construction water effects;</p> <p>(i) duration of the earthworks and / or streamworks;</p> <p>(ii) time of the year that the streamworks are to be undertaken, and where applicable, the measures to be implemented to respond to any heightened risks at that time;</p> <p>(iii) stabilisation and timing to reduce the open area of high risk locations to assist with a reduction in sediment generation;</p> <p>(iv) framework for the chemical treatment (flocculation) of sediment retention ponds <u>and decanting earth bunds receiving catchments larger than 500m²</u>; and</p> <p>(e) construction water related monitoring programme in accordance with condition <u>SED.114+</u>, including the procedures for adapting the controls to appropriately respond to the monitoring findings.</p>		
	Specific Construction Water Management Plans		
SED.4	<p>Specific Construction Water Management Plans (SCWMP) shall be prepared for all earthworks in accordance with the CWMP and shall otherwise be consistent with the CWMP, <u>including a specific risk assessment for works within the period from 1 May to 30 September inclusive.</u></p> <p><u>The SCWMPs shall be provided to the Chief Executive, TRC in accordance with Condition GEN.12.</u></p> <p><i>Advice Note: These SCWMPs will be developed within the context of the principles and practices of the CWMP and the Construction Water Assessment Report and will allow for innovation, flexibility and practicality of approach to effects of construction on water (including, erosion and sediment control). The SCWMPs will also enable ongoing adaption to changing conditions throughout the Project lifetime.</i></p>		
SED.4(A)	<p>For all <u>earthworks to be</u> carried out within the period from 1 May to 30 September inclusive, <u>the relevant SCWMP</u> shall include a specific risk assessment for <u>the</u> works, which shall <u>address</u>:</p> <p>(a) scope and nature of the proposed works and associated risk;</p> <p>(b) structural controls required to minimise risk;</p> <p>(c) non-structural controls required to minimise risk; and</p> <p><u>(d) maintenance considerations.</u></p> <p><u><i>Advice Note: The relevant SCWMP may be newly prepared or a revision to an existing SCWMP, and will be provided to the Chief Executive, TRC in accordance with Condition GEN.12</i></u></p>		
SED.5	<p>Where applicable to a site or activity, SCWMPs shall include, the:</p> <p><u>(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, including site plans showing the location of all devices;</u></p>		<u>Change to condition following consideration of the TRC Section 42A Report</u>

	<p><u>(b) The design criteria and dimensions of all key erosion and sediment control structures;</u></p> <p><u>(c) A summary of construction methodologies for the following aspects, where relevant to the given stage or activity covered by the SCWMP:</u></p> <p><u>(ii) Staging of earthworks;</u></p> <p><u>(iii) Cut and fill operations;</u></p> <p><u>(iv) Disposal of surplus or unsuitable cut; and</u></p> <p><u>(v) Dewatering.</u></p> <p><u>(d) A site plan/s of a suitable scale to identify:</u></p> <p><u>(i) The locations of waterways;</u></p> <p><u>(ii) The extent of soil disturbance and vegetation removal;</u></p> <p><u>(iii) Any “no go” and/or buffer areas to be maintained undisturbed adjacent to watercourses, including specific identification of sensitive ecological areas where threatened species and /or habitats are to be protected;</u></p> <p><u>(iv) Areas of cut and fill;</u></p> <p><u>(v) Locations of topsoil (and fill) stockpiles;</u></p> <p><u>(vi) All key erosion and sediment control structures;</u></p> <p><u>(vii) The boundaries and area of catchments contributing to all erosion and sediment control devices;</u></p> <p><u>(viii) The locations of all specific points of discharge to the environment; and</u></p> <p><u>(ix) Any other relevant site information.</u></p> <p><u>(e) Timing of erosion and sediment control works and the bulk earthworks proposed;</u></p> <p><u>(f) Timetable and nature of progressive site rehabilitation, stabilisation and re-vegetation proposed as relevant to the works; and</u></p> <p><u>(g) Details of the chemical treatment (flocculation) of sediment retention ponds and decanting earth bunds in accordance with condition SED.6.</u></p> <p><u>Each stage or activity of earthworks shall be implemented in accordance with the corresponding certified SCWMP. detailed information specified in the CWMP (referred to in condition 33); and</u></p> <p>details of the chemical treatment (flocculation) of sediment retention ponds in accordance with condition 36.</p>		
<p>SED.6</p>	<p>In each SCWMP that specifies chemical treatment (flocculation) of sediment retention ponds and decanting earth bunds, the Consent Holder shall include:</p> <p>(a) specific design details of the chemical treatment system;</p>		

	<ul style="list-style-type: none"> (b) monitoring maintenance (including post-storm) and contingency programme; (c) details of optimum dosage (including catchment specific soil analysis and assumptions, and consideration of any environmental effects); (d) where it is considered necessary, procedures for carrying out an initial treatment trial; and (e) details of the person or bodies that will hold responsibility for the maintenance of the chemical treatment system and the organisational structure which will support the system <u>(which shall be described in the CEMP).</u> 		
	Erosion and Sediment Control Device requirements		
SED.7	<p>The Consent Holder shall design, construct and maintain all erosion and sediment control measures <u>in general accordance with to meet</u> the Transport Agency's Erosion and Sediment Control Guidelines for State Highway Infrastructure - Construction Stormwater Management 2014, <u>unless the departure is provided for in the final CWMP or SCWMP that applies to the relevant Works.</u>, <u>including:</u></p> <ul style="list-style-type: none"> <u>a) Directing of all sediment laden runoff and groundwater during Construction Works shall be to Sediment Retention Ponds (SRPs), Decanting Earth Bunds (DEBs), or temporary sediment retention devices such as container impoundment systems;</u> <u>b) All DEBs and SRPs that serve a catchment area greater than 500 m² shall be treated using a liquid flocculant and a rainfall activated dosing system. Flocculation shall be undertaken and managed in accordance with the certified SCWMP.</u> <u>c) All SRPs and DEBs shall be fitted with floating decants that are designed to discharge at a rate of 3 litres per second per ha of contributing catchment;</u> <u>d) All SRPs shall contain measures to cease discharge (e.g. decant pulley systems) and a forebay with a minimum volume of 10% of the pond volume.</u> <p><i>Advice note: Any modifications to the above shall be subject to certification in accordance with Condition GEN.12.</i></p>		
	Stabilisation		
SED.8	The Consent Holder shall stabilise areas of earthworks not actively worked for more than a 14 day period, <u>as detailed in the CWMP,</u> unless specified in a final SCWMP for that earthworks area.		
	As built certification audit		
SED.9	<ul style="list-style-type: none"> (a) <u>An 'As-built' audit of the</u> erosion and sediment <u>devices control plans shall be undertaken signed</u> by an appropriately qualified and experienced erosion and sediment control practitioner. <u>The audit</u> shall be provided to the <u>Manager Chief Executive, TRC</u> as confirmation that the erosion and sediment control measures for that location / activity to which the SCWMP applies have been constructed in accordance with the SCWMP. 		

	(b) Bulk earthworks within each location to which a SCWMP applies shall not commence until the 'as-built' plans <u>audit</u> confirming compliance with the SCWMP has <u>has</u> been provided to the Manager <u>Chief Executive, TRC</u> .		
SED.10	No erosion and sediment control measures shall be removed or decommissioned from the earthworks location to which those measures apply, before that location is stabilised, unless the Manager <u>Chief Executive, TRC</u> has been informed not less than 2 working days prior to such removal and decommissioning, and it is in accordance with: <ul style="list-style-type: none"> (a) the CWMP; (b) a SCWMP; and / or (c) approved by a suitably qualified and experienced erosion and sediment practitioner. 		
Construction Water related Discharges Monitoring Programme			
SED.11	The Consent Holder shall prepare <u>undertake</u> monitoring programme for of construction water related discharges <u>in accordance with the Construction Water Discharges Monitoring Programme (set out as an Appendix C to the CWMP). The Construction Water Discharges Monitoring Programme shall include:</u> <ul style="list-style-type: none"> (i) Baseline <u>water quality</u> monitoring to be undertaken prior to the commencement of Works; (ii) <u>monitoring to be</u> undertaken during the construction period including both qualitative and quantitative monitoring; (iii) <u>(iii) real-time continuous telemetered monitoring turbidity (NTU) monitoring undertaken at a single location in the Mimi River and in the Mangapepeke Stream at a point upstream and downstream of the works. and this telemetered Provision shall be made in the Programme for data to information shall be directly made available to the Chief Executive, Taranaki Regional Council on request.</u> (iii) <u>(iv) monitoring response</u> triggers and <u>to the methods for assessing</u> effects on the receiving downstream environment; (iv) <u>(v) chemical treatment</u> monitoring requirements; (v) <u>(vi) procedures for responds to the spillage or accidental</u> discharge of sediment or contaminants to an aquatic environment; <u>and</u> (vi) <u>(vii) reporting requirements.</u> 		
	Surface Water Take Consents (TRC s42A Report Sec Ref 16.1) <ul style="list-style-type: none"> • 10601-1.0 – To take water from the Mimi River for dust suppression and other construction activities associated with the construction of the Mt Messenger Bypass. • 10602-1.0 – To take water from the Mangapepeke Stream for dust suppression and other construction activities associated with the construction of the Mt Messenger Bypass 		

	Mimi River		
SWT.1	The Consent Holder shall ensure that the maximum volume of water abstracted from the Mimi River does not exceed 150 cubic metres per day at a rate of less than 5L/s; and/or, result in more than a 20% change in water depth, measured on a staff gauge located in a run and measured at a time when unaffected by take.		
	Mangapepeke Stream		
SWT.2	The Consent Holder shall ensure that the maximum volume of water abstracted from the Mangapepeke Stream does not: exceed 300 cubic metres per day at a rate of less than 5L/s; and/or, result in more than a 20% change in water depth, measured on a staff gauge located in a run and measured at a time when unaffected by take.		
	Intake Structure		
SWT.3	The Consent Holder shall: (a) install, operate and maintain water intake structures, screens and any associated equipment to minimise the catching or capture of fish; and (b) ensure that the intake structure, screen and associated equipment does not exceed: (i) maximum water velocity into the entry point of the intake structure of 0.12 metres per second; and (ii) intake screen mesh spacing's in any one dimension of 3 millimetres.		
	General		
SWT.4	At all times the Consent Holder shall adopt the best practicable option to prevent or minimise any actual or likely adverse effect on the environment associated with the abstraction of water, including, but not limited to, the efficient and conservative use of water.		The Commissioner questioned the inclusion of this provision. Mr Roan stated that he thought any BPO already applied as the bare minimum of water required was being taken.
	Water Meter Installation and Maintenance		
	The Consent Holder shall install and maintain a water meter at each abstraction point on the Mimi River and the Mangapepeke Stream to the commencement of the take and for the duration of each abstraction from the point of take. (a) — The water meter shall:		Conditions not required as the take is now less than the threshold of the Resource Management (Measuring and Reporting of Water Takes) Regulations 2010

	<p>(i) — measure both cumulative water abstraction and the instantaneous rate of take;</p> <p>(ii) — be calibrated to within an accuracy of +/- 5%; and</p> <p>(b) — be installed and maintained in accordance with manufacturer's specifications.</p> <p><i>Advice note: Where surface water take exceeds 5 litres / second, the Consent Holder shall comply with the Resource Management (Measuring and Reporting of Water Takes) Regulations 2010.</i></p>		
	<p>Groundwater Take Consents (TRC s42A Sec Ref 16.2)</p> <ul style="list-style-type: none"> • 10603-1.0 – To take groundwater encountered during tunnel activities and ongoing operation of the tunnel associated with the Mt Messenger Bypass route; and • 10604-1.0 – To take groundwater encountered during cut excavations associated with the Mt Messenger Bypass route 		
GWT.1	<u>The only water taken shall be groundwater encountered at cut faces and in the tunnel, as necessary for construction and operation of the Project.</u>		New condition following consideration of the TRC Section 42A Report
	<p>Damming Consents (TRC s42A Sec Ref 16.3)</p> <ul style="list-style-type: none"> • 10659-1.0 – To dam water in the Mimi River with a weir. • 10660-1.0 – To dam water in the Mangapepeke Stream with a weir. 		
DAM.1	<p><u>The weirs shall be located at or about the following locations:</u></p> <p><u>(a) Mimi River, at location near to the Project's southern tie-in point to SH3.</u></p> <p>(a)<u>(b) Mangapepeke Stream, at location near to the Project's northern tie-in point to SH3.</u></p>		New condition following consideration of the TRC Section 42A Report
DAM.2	<u>The height of the weir shall not exceed 1 metre above the existing bed.</u>		New condition following consideration of the TRC Section 42A Report
DAM.3	<u>The Consent Holder shall notify the Chief Executive, TRC, in writing at least 5 working days prior to commencing construction of the weir. Notification shall include the consent number and a brief description of the activity consented and be emailed to work.notification@trc.govt.nz. Final location co-ordinates shall be provided to the TRC at this time.</u>		New condition following consideration of the TRC Section 42A Report
DAM.4	Installation and removal of the weirs shall be undertaken in accordance with the relevant SCWMP.		New condition following consideration of the TRC Section 42A Report
DAM.5	The weir shall be temporary and shall be removed when no longer required, and no later than 6 months after the Completion of Construction Works.		New condition following consideration of the TRC Section 42A Report

DAM.6	Upon removal of the weir, the Consent Holder shall remove all introduced material from the bed of the stream, and reinstate the bed, as far as practicable, to its original condition.		New condition following consideration of the TRC Section 42A Report
	<p>Stream Diversions (TRC s42A Sec Ref 16.4)</p> <ul style="list-style-type: none"> • 10606-1.0 – To realign (#2) approximately 90m of an unnamed tributary of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation. • 10607-1.0 – To realign (#3) approximately 900m of an unnamed tributary of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation. • 10608-1.0 – To realign (#4) approximately 200m of an unnamed tributary of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation. • 10609-1.0 – To realign (#5) approximately 220m of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation generally. • 10610-1.0 – To realign (#6) approximately 100m of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation. • 10611-1.0 – To realign (#7) approximately 350m of the Mangapepeke Stream through a newly constructed channel, including associated streambed disturbance and reclamation. • 10612-1.0 – To realign (#8) approximately 300m of an unnamed tributary of the Mimi River through a newly constructed channel, including associated streambed disturbance and reclamation. • 10613-1.0 – To realign (#9) approximately 230m of an unnamed tributary of the Mimi River through a newly constructed channel, including associated streambed disturbance and reclamation. • 10614-1.0 – To realign (#10) approximately 75m of an unnamed tributary of the Mimi River through a newly constructed channel, including associated streambed disturbance and reclamation. 		
DIV.1	<p>The permanent diversion of the full stream flow through a reconstructed channel, and reclamation of stream bed at the locations detailed in Table 1 below shall be generally in accordance with the information provided in the application for consentCondition GEN.1.</p> <p>{Table 1 deleted}</p>		New condition following consideration of the TRC Section 42A Report
DIV.2	The diversions shall be designed and constructed to replicate <u>as far as practicable</u> the flow capacity and aquatic habitat values of the upstream and downstream channel sections, <u>in accordance with the provisions set out in the LEDF, as set out in the ELMP.</u>		New condition following consideration of the TRC Section 42A Report <u>Changes to reflect comments from the Commissioner.</u>
DIV.3	The diversions shall provide for <u>appropriate</u> fish passage, in accordance with the <u>provisions set out in the ELMP.</u>		New condition following consideration of the TRC Section 42A Report. <u>Changes to reflect comments</u>

DIV.4	The Consent Holder shall take reasonable steps to recover and relocate fish from the stream prior to the diversion occurring, and relocate any fish uncovered or stranded during the works in accordance with the Fish Recovery and Rescue Protocols in the ELMP.		New condition following consideration of the TRC Section 42A Report
DIV.5	The Consent Holder shall provide <u>final</u> design plans, <u>location details</u> and calculations for each diversion of permanently flowing watercourses to the Chief Executive, TRC, at least 20 working days prior to any works <u>related to that diversion</u> authorised by this consent commencing. The purpose of this condition is to demonstrate compliance with the conditions of this consent.		This condition replaces the 'table of locations' included in the TRC recommended conditions
DIV.6	<p>The Consent Holder shall undertake works in general accordance with the CWMP and relevant SCWMP(s) to minimise sedimentation and increased turbidity of the stream during the construction, implementation and maintenance of the works. <u>The CWMP and SCWMP(s) shall address how:</u></p> <p>(a) <u>All works shall be completed in the minimum time practicable;</u></p> <p>(b) <u>The placement of excavated material in the flowing channel shall be avoided;</u></p> <p>(c) <u>All machinery shall be kept out of the actively flowing channel, as far as practicable; and</u></p> <p>(d) <u>All disturbed areas shall be reinstated as far as practicable.</u></p>		<p>New condition following consideration of the TRC Section 42A Report</p> <p><u>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved and comments from the Commissioner during the hearing.</u></p>
DIV.7	<u>To avoid introduction of unwanted pests, all machinery shall be thoroughly cleaned of soil and plant debris prior to use on the stream diversion works.</u>		
DIV.8	<u>Where there is an existing upstream flow,</u> the Consent Holder shall maintain a continuous flow of water <u>in the stream channel</u> downstream of the work area by ensuring that there are temporary clean water diversions around the active work sites.		New condition following consideration of the TRC Section 42A Report
<p>Temporary Culverts (TRC s42A Sec Ref 16.5)</p> <ul style="list-style-type: none"> • 10616-1.0 – To install and use a temporary culvert (#1) in the Mangapepeke Stream. • 10617-1.0 – To install and use a temporary culvert (#2) in an unnamed tributary of the Mangapepeke Stream. • 10618-1.0 – To install and use a temporary culvert (#3) in the Mangapepeke Stream. • 10619-1.0 – To install and use a temporary culvert (#4) in the Mangapepeke Stream. • 10620-1.0 – To install and use a temporary culvert (#5) in an unnamed tributary of the Mangapepeke Stream. • 10621-1.0 – To install and use a temporary culvert (#6) in an unnamed tributary of the Mangapepeke Stream. • 10622-1.0 – To install and use a temporary culvert (#7) in the Mangapepeke Stream. 			

	<ul style="list-style-type: none"> • 10623-1.0 – To install and use a temporary culvert (#8) in an unnamed tributary of the Mangapepeke Stream. • 10624-1.0 – To install and use a temporary culvert (#9) in an unnamed tributary of the Mangapepeke Stream. • 10625-1.0 – To install and use a temporary culvert (#10) in the Mangapepeke Stream. • 10626-1.0 – To install and use a temporary culvert (#11) in the Mangapepeke Stream. • 10627-1.0 – To install and use a temporary culvert (#12) in an unnamed tributary of the Mangapepeke Stream. • 10628-1.0 – To install and use a temporary culvert (#13) in an unnamed tributary of the Mangapepeke Stream. • 10629-1.0 – To install and use a temporary culvert (#14) in the Mangapepeke Stream. • 10630-1.0 – To install and use a temporary culvert (#15) in an unnamed tributary of the Mangapepeke Stream. • 10631-1.0 – To install and use a temporary culvert (#16) in an unnamed tributary of the Mangapepeke Stream. • 10632-1.0 – To install and use a temporary culvert (#17) in an unnamed tributary of the Mimi River 		
TCV.1	<p>TheAll culverts shall be constructed generally in accordance with the information provided with the applicationCondition GEN.1 and Table 1 below the certified SCWMP(s).</p> <p>[Table 1 deleted]</p>		New condition following consideration of the TRC Section 42A Report
TCV.2	<p>The Consent Holder shall be responsible for the design and structural integrity of all culverts and shall undertake maintenance of the culverts and any erosion control works that become necessary to preserve the integrity and stability of the waterway channel and/or to control erosion as a result of the exercise of this resource consent. All works shall be in accordance with the relevant SCWMP.</p>		New condition following consideration of the TRC Section 42A Report
TCV.3	<p>The Consent Holder shall notify the Chief Executive, TRC, in writing at least 5 working days prior to the exercise of this consent. Notification shall include details on the location and design of the temporary culverts, state the consent number and a brief description of the activity consented and be emailed to worknotification@trc.govt.nz. Final location co-ordinates shall be provided to the TRC at this time.</p>		This condition replaces the table indicating temporary culvert locations
TCV.4	<p>Any work carried out in the river bed shall be in accordance with the CWMP and relevant SCWMP.</p>		New condition following consideration of the TRC Section 42A Report
<u>TCV.5</u>	<p>The consent holder shall ensure that any wet concrete placed in the channel is not exposed to flowing water for a period of 48 hours after it has been placeduntil it has cured.</p>		

TCV.6	Between 1 May and 31 October no work shall be undertaken on any part of the stream bed that is covered by water, unless the work has been approved by the Chief Executive, TRC and all works is in accordance with the CWMP and relevant SCWMP.		
TCV.75	<p>The Consent Holder shall undertake works in accordance with the CWMP and relevant SCWMP to minimise stream bed disturbance, sedimentation and increased turbidity during installation of the culvert. The CWMP and SCWMP shall address how:</p> <p>(a) All works shall be completed in the minimum time practicable;</p> <p>(b) The placement of excavated material in the flowing channel shall be avoided;</p> <p>(c) All machinery shall be kept out of the actively flowing channel, as far as practicable; and</p> <p>(d) All disturbed areas shall be reinstated as far as practicable.</p>		<p>New condition following consideration of the TRC Section 42A Report</p> <p>Change reflects comments from the Commissioner as to certainty of wording should the designation be approved and comments from the Commissioner during the hearing.</p>
TCV.8	To avoid introduction of unwanted pests, all machinery shall be thoroughly cleaned of soil and plant debris prior to use on the stream diversion works.		
TCV.96	Where feasible, the temporary culverts shall allow for fish passage in accordance with the ELMP.		New condition following consideration of the TRC Section 42A Report
TCV.107	The culvert structures authorised by this consent shall be designed, constructed and maintained in such a manner so as to avoid causing any new or exacerbating any existing more than minor adverse flooding effects on adjacent and upstream land.		New condition following consideration of the TRC Section 42A Report
TCV.118	The Consent Holder shall repair any more than minor erosion, scour or instability of the stream bed or banks that the culvert causes and shall maintain the culvert so that it allows the free flow of water.		New condition following consideration of the TRC Section 42A Report
TCV.129	All temporary culverts authorised by this consent shall be removed or decommissioned as soon as practical once they are no longer required, and no later than 6 months after the Completion of Construction Works.		New condition following consideration of the TRC Section 42A Report
	<p>Permanent Culverts (TRC s42A Sec Ref 16.6)</p> <ul style="list-style-type: none"> • 10633-1.0 – To install and use a culvert (#1) in an unnamed tributary of the Mangapepeke Stream. • 10634-1.0 – To install and use a culvert (#2) in an unnamed tributary of the Mangapepeke Stream. • 10635-1.0 – To install and use a culvert (#3) in an unnamed tributary of the Mangapepeke Stream. • 10636-1.0 – To install and use a culvert (#4) in an unnamed tributary of the Mangapepeke Stream. • 10637-1.0 – To install and use a culvert (#5) in an unnamed tributary of the Mangapepeke Stream. • 10638-1.0 – To install and use a culvert (#6) in an unnamed tributary of the Mangapepeke Stream. • 10639-1.0 – To install and use a culvert (#) in an unnamed tributary of the Mangapepeke Stream. • 10640-1.0 – To install and use a culvert (#8) in an unnamed tributary of the Mangapepeke Stream. • 10641-1.0 – To install and use a culvert (#9) in an unnamed tributary of the Mangapepeke Stream. 		

	<ul style="list-style-type: none"> • 10642-1.0 – To install and use a culvert (#10) in an unnamed tributary of the Mangapepeke Stream. • 10643-1.0 – To install and use a culvert (#11) in an unnamed tributary of the Mangapepeke Stream. • 10644-1.0 – To install and use a culvert (#12) in an unnamed tributary of the Mangapepeke Stream. • 10645-1.0 – To install and use a culvert (#13) in an unnamed tributary of the Mangapepeke Stream. • 10646-1.0 – To install and use a culvert (#14) in an unnamed tributary of the Mangapepeke Stream. • 10647-1.0 – To install and use a culvert (#15) in the Mimi River. • 10648-1.0 – To install and use a culvert (#16) in an unnamed tributary of the Mimi River. • 10649-1.0 – To install and use a culvert (#17) in an unnamed tributary of the Mimi River. • 10650-1.0 – To install and use a culvert (#18) in an unnamed tributary of the Mimi River. • 10651-1.0 – To install and use a culvert (#19) in an unnamed tributary of the Mimi River. • 10652-1.0 – To install and use a culvert (#20) in an unnamed tributary of the Mimi River. • 10653-1.0 – To install and use a culvert (#21) in an unnamed tributary of the Mimi River. 		
PCV.1	The culverts shall be constructed generally in accordance with Condition GEN.1 .		New condition following consideration of the TRC Section 42A Report
PCV.2	The Consent Holder shall provide design plans and calculations for each culvert to the Chief Executive, TRC, at least 20 working days prior to any works authorised by this consent commencing. The purpose of this condition is to demonstrate compliance with the conditions of this consent.		This condition replaces the 'table of locations' included in the TRC recommended conditions
PCV.3	The culvert structures authorised by this Consent shall be designed, constructed and maintained in such a manner so as to avoid causing any more than minor new or exacerbating to a more than minor degree any existing more than minor adverse flooding effects on adjacent and upstream land.		New condition following consideration of the TRC Section 42A Report The location of "more than minor" has been changed. The intent is as the condition was written it was absolute – any adverse flooding effects would have been a breach. More than minor has been applied to provide a reasonable buffer as to breach of the condition.
PCV.4	The Consent Holder shall notify the Chief Executive TRC, in writing at least 5 working days prior to the exercise of this consent. Notification shall include the consent number and a brief description of the activity consented and be emailed to worknotification@trc.govt.nz . Final location co-ordinates shall be provided to the TRC at this time.		New condition following consideration of the TRC Section 42A Report

PCV.5	<p><u>The Consent Holder shall undertake works in accordance with the CWMP and relevant SCWMP to minimise stream bed disturbance, sedimentation and increased turbidity during installation of the culvert. The CWMP and SCWMP shall address how:</u></p> <p><u>(a) All works shall be completed in the minimum time practicable;</u></p> <p><u>(b) The placement of excavated material in the flowing channel shall be avoided;</u></p> <p><u>(c) All machinery shall be kept out of the actively flowing channel, as far as practicable; and</u></p> <p><u>(d) All disturbed areas shall be reinstated as far as practicable.</u></p> <p>Any work carried out in the river bed shall be in accordance with the CWMP and relevant SCWMP.</p>		New condition following consideration of the TRC Section 42A Report
PCV.6	<p>The consent holder shall ensure that any <u>wet</u> concrete placed in the channel is not exposed to flowing water for a period of 48 hours after it has been placed<u>until it is has cured-set.</u></p>		
PCV.7	<p><u>Between 1 May and 31 October no work shall be undertaken on any part of the stream bed that is covered by water, unless the works set out in a SCWMP have been approved by the Chief Executive, TRC.:</u></p>		
PCV.8	<p>To avoid introduction of unwanted pests, all machinery shall be thoroughly cleaned of soil and plant debris prior to use on the stream diversion works.</p>		New condition following consideration of the TRC Section 42A Report
PCV.9	<p><u>Where there is an existing upstream flow,</u> the Consent Holder shall maintain a continuous flow of water <u>in the stream channel immediately</u> downstream of the work area by ensuring that there are temporary clean water diversions around the active work sites.</p>		New condition following consideration of the TRC Section 42A Report
PCV.10	<p><u>With the exception of culverts 2, 10 and 13,</u> the culverts shall provide for fish passage in accordance with the ELMP.</p> <p><u>For those culverts where fish passage is to be specifically provided for, the Consent Holder shall arrange a peer review by a suitably qualified and experienced freshwater ecologist to verify that the detailed design process for these culverts has appropriately addressed effects on fish passage, and shall provide this written confirmation of such verification to the Chief Executive, TRC.</u></p>		New condition following consideration of the TRC Section 42A Report
PCV.11	<p><u>The Consent Holder shall recover and relocate fish from the stream prior to the culvert installation occurring, and relocate any fish uncovered/stranded during the works in accordance with the Fish Recovery and Rescue Protocols in the ELMP.</u></p>		
PCV.12	<p><u>Riparian planting shall be undertaken in accordance with Condition GEN.24.</u></p>		

PCV.13	On completion of works, the banks of the channel upstream and downstream of the culvert shall be no steeper than the existing natural banks. Where the bank consists of fill, the fill must be well compacted with batter slopes no steeper than 2 horizontal to 1 vertical <u>and stable and shall be constructed in accordance with the approved SCWMP.</u>		New condition following consideration of the TRC Section 42A Report
PCV.14	The Consent Holder shall repair any <u>more than minor</u> erosion, scour or instability of the stream bed or banks that the culvert causes and shall maintain the culvert so that it allows the free flow of water.		New condition following consideration of the TRC Section 42A Report
Bridge Consent (TRC s42A Sec Ref 16.7)			
BRG.1	<u>Bridges</u> shall be constructed generally in accordance with <u>Condition GEN.1</u> .		New condition following consideration of the TRC Section 42A Report
BRG.2	The Consent Holder shall notify the Chief Executive TRC, in writing at least 5 working days prior to the exercise of this consent. Notification shall include the consent number and a brief description of the activity consented and be emailed to worknotification@trc.govt.nz .		New condition following consideration of the TRC Section 42A Report
BRG.3	The Consent Holder shall be responsible for the design, structural integrity and maintenance of bridges and for any erosion control works that become necessary to preserve the integrity and stability of the bridge and the underlying wetland and/or to control erosion as a result of the exercise of this resource consent.		New condition following consideration of the TRC Section 42A Report
BRG.4	Works in the wetland beneath the bridge are to be limited to the minimum required to achieve the bridge structure, and any areas that are disturbed are reinstated to their original condition.		New condition following consideration of the TRC Section 42A Report
BRG.5	The Consent Holder shall undertake works in accordance with the CWMP and SCWMP to minimise sedimentation and increased turbidity of the waterway during the construction, implementation and maintenance of the works. <u>The CWMP and SCWMP shall address how:</u> <ul style="list-style-type: none"> <u>(a) All works shall be completed in the minimum time practicable;</u> <u>(b) The placement of excavated material in the flowing channel shall be avoided;</u> <u>(c) All machinery shall be kept out of the actively flowing channel, as far as practicable; and</u> (a)<u>(d) All disturbed areas shall be reinstated as far as practicable.</u> 		New condition following consideration of the TRC Section 42A Report
Consent for Vegetation Removal (TRC s42A Sec Ref 16.8)			
<ul style="list-style-type: none"> • 10657-1.0 – To remove and disturb vegetation associated with constructing the Mt Messenger bypass. 			
VEG.1	The vegetation disturbance and removal authorised by this consent shall be as generally described in the ELMP.		New condition following consideration of the TRC Section 42A Report
VEG.2	To mitigate the effects of the exercise of this consent, the Consent Holder shall undertake restoration planting in accordance with the ELMP and LEDF		New condition following consideration of the TRC Section 42A Report

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VEG.3	The Consent Holder shall ensure that the slash is managed and stored in accordance with the ELMP and CWMP so as to minimise erosion or sediment discharges and/or avoid exacerbating flood risk, <u>including</u> - (a) <u>storing slash away from water ways and the paths of floodwaters;</u> (b) <u>ensuring slash piles are stable and placed away from steep slopes to prevent accelerated soil erosion from debris avalanche.</u>		New condition following consideration of the TRC Section 42A Report
VEG.4	Where practicable, trees shall be felled away from, and not be dragged through, any waterway.		New condition following consideration of the TRC Section 42A Report
	Consent to Plant in Riverbeds (TRC s42A Sec Ref 16.11) <ul style="list-style-type: none"> 10658-1.0 – To undertake riverbed planting for restoration of diverted stream beds associated with the establishment of the Mt Messenger Bypass 		
PLN.1	The planting shall be undertaken generally in accordance with the application for consent <u>and the ELMP.</u>		New condition following consideration of the TRC Section 42A Report
PLN.2	The Consent Holder shall notify the Chief Executive, TRC, in writing at least 5 working days prior to the commencement of planting work. Notification shall include the consent number and a brief description of the activity consented and be emailed to worknotification@trc.govt.nz . <u>Final location co-ordinates shall be provided to the TRC at this time.</u>		New condition following consideration of the TRC Section 42A Report
PLN.3	The Consent Holder shall ensure that the area and volume of stream bed disturbance during planting is, as far as practicable, minimised and any areas that are disturbed are, as far as <u>reasonably</u> practicable, reinstated.		New condition following consideration of the TRC Section 42A Report
PLN.4	<u>The Consent Holder shall undertake works in accordance with the CWMP and SCWMP to minimise sedimentation and increased turbidity of the waterway during the construction, implementation and maintenance of the works. The CWMP and SCWMP shall address how:</u> (a) <u>All works shall be completed in the minimum time practicable;</u> (b) <u>The placement of excavated material in the flowing channel shall be avoided;</u> (c) <u>All machinery shall be kept out of the actively flowing channel, as far as practicable; and</u> (a)(d) <u>All disturbed areas shall be reinstated as far as practicable.</u>		New condition following consideration of the TRC Section 42A Report
PLN.5	The planting shall not <u>materially</u> restrict flow or exacerbate flooding events.		New condition following consideration of the TRC Section 42A Report