

Our Reference: A1415827

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants to:

Name: Port Otago Limited
Address: 15 Beach Street, Port Chalmers, Dunedin

To occupy of the common marine and coastal area with three rock groyne structures, a boardwalk and appurtenant structures; to disturb the foreshore and seabed while undertaking groyne construction and on-going beach renourishment works; to deposit sand onto the foreshore and seabed while undertaking on-going beach renourishment works; and to discharge water and sand into water while undertaking on-going beach renourishment works for the purpose of restoring Te Rauone Beach

For a term expiring **XX** December 2040

Location: Te Rauone Beach, approximately 400 metres north of the intersection of Harrington Point Road and Pakihau Road, Dunedin

Legal description: Common Marine and Coastal Area, Lot 1 DP 6468, Lot 2 DP 375006, Lot 2 DP 18598

Map reference of centre point: NZTM2000 1423242E 4926381N

Conditions Specific

1. The activity authorised by this consent must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as application number RM19.441:
 - a) Resource Consent Application prepared by GHD dated April 2020 including appendices;
 - b) Response to request for further information dated 3 April 2020; and
 - c) *"Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation"*, prepared by NIWA, dated October 2020.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. The activity authorised by this consent must only be exercised in conjunction with Coastal Permit RM19.441.02.
3. This consent must not be exercised until an Archaeological Authority is in place from Heritage New Zealand Pouhere Taonga.

4. This consent must not be exercised until a Department of Conservation Wildlife Authority is in place for the management of lizards.
5. The Consent Holder must notify the Consent Authority and the Otago Harbourmaster in writing of the commencement date of the initial groyne construction and beach renourishment stage, and any subsequent beach renourishment works, no less than 10 working days prior to the commencement of these works.
6. a) The Consent Holder must notify the Consent Authority in writing of the completion of the initial groyne construction and beach renourishment stage, and any subsequent beach renourishment works, and provide photographs of the area/s where work has been undertaken, no less than 10 working days following the completion of works.
b) Photographs must be in JPEG form.

Environmental Management Plan

7. a) The Consent Holder must ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction before they begin working on-site.
b) The Consent Holder must maintain a register of all those who have attended an Environmental Site Induction and make this register available to the Consent Authority upon request.
c) The Consent Holder must ensure that all personnel working on the site have access at all times to the contents of this consent document and the Environmental Management Plan.
8. a) The consent holder must provide the Consent Authority with a finalised Environmental Management Plan for review and acceptance at least 15 working days prior to the exercise of this resource consent. The Consent Authority's review and acceptance is for the purpose of checking compliance with the conditions of this consent.
b) The finalised Environmental Management Plan must be prepared with guidance from a suitably qualified and experienced person.
c) The objectives of the Environmental Management Plan must be to incorporate industry best practice, guide environmental management for the duration of the consented activities, and to establish measures to avoid, remedy or mitigate any adverse environmental effects associated with the consented activities, including (but not limited to) adverse effects of on marine wildlife, lizards and seagrass beds.
d) The Environmental Management Plan must be based on the draft Environmental Management Plan dated **XX November 2020** and include, but not be limited to:
 - i) A list of key personnel and points of contact during the project;
 - ii) A description of how stakeholders will be kept informed and involved during the project and how complaints will be managed;
 - iii) A copy of the Construction Management Plan, which must include a description of the staging for the project identifying the likely duration of each stage, plus a description of the construction methodology;
 - iv) A monitoring plan that describes the scale and intensity of monitoring of actual and potential adverse effects on seagrass beds, marine wildlife, public access, lizards, and noise;

- v) A description of what actions will be taken to adaptively manage the actual and potential effects of the works authorised by this consent (including those in relation to seagrass beds, marine wildlife, public access, lizards, and noise) to satisfy consent conditions.
- e) This consent must be exercised in accordance with the Environmental Management Plan at all times.

Maintenance and Operation Plan

- 9. a) A Maintenance and Operation Plan must be prepared based on the *Outline Maintenance and Operation Plan* provided within the BECA Detailed Design Report dated 12 March 2020. This Maintenance and Operation Plan must be submitted to the Consent Authority within 2 months following the completion of the initial beach renourishment stage. The Maintenance and Operation Plan must include the following:
 - i) Details of beach and bathymetric surveys to be undertaken, which must be at the frequency set out in Condition 10. This must include the method of survey to enable assessment of changes in vertical level;
 - ii) Details of the survey area for beach and nearshore surveys, which must extend 150m north and south of the project site. The survey area for the nearshore surveys must extend 50m seaward of the seaward end of the groynes;
 - iii) An outline of beach nourishment maintenance and actions post significant storm events, and an outline of methodologies associated with these;
 - iv) Details of inspections of rock structures, markers and signs to be undertaken, which must be at the frequency set out in Condition 10;
 - v) An outline of rock structure maintenance and actions post significant storm events, and an outline of methodologies associated with these;
 - vi) Mechanisms for gathering community feedback in regard to groyne and beach conditions with reporting of this feedback provided in line with the beach survey frequency outlined in Condition 10 below.
 - b) This consent must be exercised in accordance with the Maintenance and Operation Plan at all times.
10. Post construction monitoring must be included in the Maintenance and Operation Plan and must be undertaken at no less than the following frequencies:
- a) Post-storm inspections of the groynes and renourishment following significant storm events (events with 10% or less AEP) throughout the duration of this consent;
 - b) Quarterly beach and nearshore surveys for the first year following completion of the initial construction stage;
 - c) Annual beach and nearshore surveys to be undertaken at 2 and 3 years following completion of the initial construction stage. Any subsequent surveys must be carried out as detailed in a report prepared by a suitably qualified and experienced person. This report must assess and provide recommendations for monitoring frequency going forward, and be provided to the Consent Authority and Te Rūnanga o Ōtākou within 6 months of the 3-year beach and nearshore survey;
 - d) A bathymetric survey within one month following completion of the initial construction stage, and then at six months and twelve months after completion

of the initial construction stage. Any subsequent surveys must be carried out as detailed in a report prepared by a suitably qualified and experienced person. This report must assess and provide recommendations for monitoring frequency going forward, and be provided to the Consent Authority and Te Rūnanga o Ōtākou within 6 months of the 12-month bathymetric survey;

- e) Annual inspections of the rock groynes, markers and signs for the first three years following completion of the initial construction stage. Any subsequent inspection must be carried out as detailed in a report prepared by a suitably qualified and experienced person. This report must assess and provide recommendations for monitoring frequency going forward, and be provided to the Consent Authority and Te Rūnanga o Ōtākou within 6 months of the 3-year inspection;
 - f) Annual surveys of water depths at Wellers Rock jetty for the first three years following completion of the initial construction stage. Any subsequent surveys must be carried out as detailed in a report prepared by a suitably qualified and experienced person. This report must assess and provide recommendations for monitoring frequency going forward, and be provided to the Consent Authority and Te Rūnanga o Ōtākou within 6 months of the 3-year depth survey.
 - g) Results of each monitoring event must be submitted to the Consent Authority within three months of the monitoring being undertaken. Monitoring results must also be forwarded to Te Rūnanga o Ōtākou, Department of Conservation and TRBCCC.
11. a) The Maintenance and Operation Plan must be updated as required based on the post-construction monitoring for the maintenance requirements, actions and methodologies (including top up and recycling methods).
- b) Following the completion of any update, a copy of the updated Maintenance and Operation Plan must be submitted to the Consent Authority and Te Rūnanga o Ōtākou within 5 working days for information.

Seagrass Monitoring and Adaptive Management

12. Seagrass baseline and ongoing monitoring must be carried out by a suitably qualified ecologist for Te Rauone and Omate Beaches in accordance with the report entitled *Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation*, prepared by NIWA, dated October 2020 to monitor and assess the effects of the construction and beach renourishment works on seagrass beds and to indicate when management thresholds are reached, as follows:
- a) Seagrass baseline monitoring must be undertaken prior to the first exercise of this consent.
 - b) Aerial imaging monitoring of Te Rauone and Omate Beaches must be carried out during construction activities at a minimum of once per month, unless additional monitoring is required as part of the management interventions as outlined in Condition 12c) below.
 - c) Where any of the management thresholds are reached, increased monitoring in accordance with the report entitled *“Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation”* prepared by NIWA, dated October 2020.

- d) Post completion of the initial groyne construction initial and beach renourishment stage, monitoring frequency may be reduced to three monthly for one year. The need for ongoing monitoring beyond this must be re-assessed within the reporting required by Condition 13.
13. A short report summarising the results of the seagrass monitoring required by Condition 12 must be prepared by a suitably qualified ecologist(s) and submitted to the Consent Authority and Te Rūnanga o Ōtākou within two weeks of monitoring occurring. The report must analyse each new set of results (in isolation and in the context of previous results), report on how to apply the management interventions described in the report entitled *Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation*, prepared by NIWA, dated October 2020, report on differences between impact and control sites, discuss any trends between successive surveys and review overall effects. The report must also review the suitability of the 10%, 30% and 50% management thresholds for the adaptive management process and advise on any adjustments for future monitoring to ensure that adverse effects are appropriately managed.
 14. Where the management thresholds are reached, management interventions must commence in accordance with the report entitled *Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation*, prepared by NIWA, dated October 2020.
 15. Groyne construction and/or beach replenishment activities must not re-start until the seagrass beds have recovered to a suitable level as detailed in the report entitled *Managing and mitigating impacts to seagrass beds – Te Rauone erosion remediation*, prepared by NIWA, dated October 2020.

Marine Mammals and Wildlife

16. The consent holder must take all reasonable efforts to minimise harm to marine mammals, wildlife and lizards whilst undertaking construction, monitoring and maintenance activities associated with the exercise of this consent. This includes, but is not limited the following measures:
 - a) No works are to be undertaken in the Coastal Marine Area during mid-December to early February each year to avoid the sea lion breeding season.
 - b) Contractors must be trained by a suitability qualified expert on how to identify, record and respond to marine mammals and wildlife that may frequent pre-determined monitoring zones.
 - c) In the event that marine mammals are sighted within the pre-determined monitoring zone, the following actions must be taken:
 - i) No vehicles may come within 50m of a sea lion or other marine mammal.
 - ii) Contractors must withdraw to at least 50m of an approaching sea lion (or to a greater distance if 50m allows human/sea lion interaction).
 - iii) If required, Department of Conservation must be called for assistance and no attempts may be made to interact/move/scare any marine mammal/bird from the project area without guidance from the Department of Conservation.
 - iv) If a sea lion or other marine mammal is spotted in the harbour/on land within the pre-determined monitoring zone, all construction activities must be

stopped until the location of the sea lion/marine mammal is ascertained and/or has been confirmed to have moved away.

- d) If any marine mammals or wildlife are found in a distressed state, the Department of Conservation must be contacted in the first instance to assess the animal/bird and undertake necessary action. An appropriate wildlife facility can be contacted if the Department of Conservation is unavailable.
- e) Sightings and any management actions undertaken must be recorded, including the species, the type of interaction(s) with the works (if any) and other relevant details required by the Environmental Management Plan. This record must be submitted to the Consent Authority, the Department of Conservation, Te Rūnanga o Ōtākou and TRBCCC by 1st of April each year during the exercise of this consent.

Beach Renourishment

- 17. a) The volume of sand deposited as part of the initial beach renourishment stage must be in accordance with the application titled "Port Otago Ltd, Te Rauone Beach Rock Groynes and Sand Re-nourishment Resource Consent Application, dated April 2020. This must be deposited generally as illustrated on drawing number 3331121-CA-103 Rev G prepared by Beca, dated 06.03.20, attached as Appendix 1.
 - b) An updated survey prior to construction works must be undertaken to determine the final amount of sand required and that volume provided to the Consent Authority no less than 5 working days prior to the start of initial beach renourishment stage.
18. Sand deposited onto Te Rauone Beach must only be derived from dredging material sourced from the Port Otago Harington Bend claim area as authorised by the Regional Plan: Coast for Otago or by Resource Consent 2010.193.
19. Sand with an average grain size of no less than 0.2mm and with less than 2% fines must be used for beach renourishment.
20. Within one month following the completion of the initial beach renourishment stage, a final as-built survey must be completed to determine an estimation of the actual volume of sand imported with this being provided to the Consent Authority.
21. After reasonable mixing, the discharge authorised by this consent must not give rise to all or any of the following effects in the receiving water:
- a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - b) Any conspicuous change in the colour or visual clarity; or
 - c) Any emission of objectionable odour; or
 - d) Any significant adverse effects on aquatic life.

Groynes

- 22. The occupation of the Common Marine Area and Coastal Marine Area must be restricted to the area occupied by the groynes and their appurtenant component and accessory structures as illustrated on the plans provided with the Resource Consent Application dated April 2020.

23. The groyne and all their appurtenant component and accessory structures must be maintained in a tidy, safe and structurally sound condition at all times.
24. The assigned coastal permit number plaque (RM19.441.01) must be affixed and clearly displayed on the landward side of each groyne.
25. Unless a replacement consent is applied for and granted, the Consent Holder, at the Consent Holder's expense, must remove the structures and all associated materials from the CMA and provide written confirmation of this to the Consent Authority, within 40 working days of any of the following events occurring:
 - a) The expiry of a resource consent; or
 - b) The consent being surrendered or cancelled; or
 - c) The structures becoming derelict or abandoned.

General

26. Disturbance of the beach surface by vehicle tracks and excavation activities must be limited as far as possible.
27. The general public or any person(s) must not be excluded from the area or any part of the area to which this consent applies, unless necessary for the primary purpose of constructing, maintaining and repairing the structures and beaches, and only to the extent necessary to enable the construction, maintenance and repair works to be undertaken.
28. All work must be undertaken between the hours of 7am to 7pm, Monday to Saturday, excluding public holidays.
29. The Consent Holder must maintain a record of any complaints relating to the exercise of this consent. The register must include, but not be limited to:
 - a) The date, time, location and nature of the complaint;
 - b) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
 - c) Action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.A record of the complaints must be made available for inspection by the Consent Authority upon request.
30. The site must be left in a clean and tidy state on completion of the authorised works. Disestablishment, including removal of temporary accesses, site offices, plant and any surplus materials and reinstatement of the contractor's site area must be completed at the end of the works authorised by this consent. All machinery, fencing, signs, chemicals, rubbish, debris and other materials must be removed upon completion of the works.
31. For the duration of all works authorised by this consent:
 - a) All machinery must be clean, free of contaminants and in good repair, prior to entering the common marine and coastal area;

- b) No construction materials may be left in a position where they could be carried away by storms, floods, waves or other natural events;
- c) The Consent Holder must take all practicable measures to prevent spills of hazardous substances being discharged into the common marine and coastal area. Such measures may include, but not be limited to;
 - i) All practicable measures must be undertaken to prevent oil and fuel leaks from vehicles and machinery;
 - ii) Fuel storage tanks and machinery must be maintained at all times to prevent leakage of oil and other contaminants into the common marine and coastal area;
 - iii) No refuelling of machinery or equipment must occur in the common marine and coastal area;
 - iv) There must be no storage of fuel within 50 metres of the common marine and coastal area;
 - v) A spill kit, that is capable of absorbing the quantity of oil and petroleum products that may leak or be spilt must be kept on-site at all times.
- d) The Consent Holder must inform the Consent Authority immediately and no later than 24 hours of a leak or spill that is greater than 50 litres and must provide the following information;
 - i) The date, time, location and estimated volume of the spill;
 - ii) The cause of the spill;
 - iii) The type of contaminant(s) spilled;
 - iv) Clean up procedures undertaken;
 - v) Details of the steps taken to control and remediate the effects of the spill on the receiving environment;
 - vi) An assessment of any potential effects of the spill; and
 - vii) Measures to be undertaken to prevent a recurrence.
- e) All damage and disturbance to the foreshore and / or seabed caused by vehicle traffic, plant and equipment must be remedied as soon as practicable;
- f) All machinery, equipment, construction materials, surplus spoil, or cut vegetation must be removed from the common marine and coastal area at the completion of each day's work and/or when the incoming tide dictates that work must cease.

32. In the event that an unidentified archaeological site is located during works, the following will apply;

- a) Work must cease immediately at that place and within 20 metres around the site.
- b) All machinery must be shut down, the area must be secured, and the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority must be notified.
- c) If the site is of Maori origin, the Consent Holder must also notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975).
- d) If human remains (koiwi tangata) are uncovered the Consent Holder must advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, the Consent Authority and the appropriate iwi groups or kaitiaki representative and the

above process under (c) will apply. Remains are not to be disturbed or moved until such time as iwi and Heritage New Zealand Pouhere Taonga have responded.

e) Works affecting the archaeological site and any human remains (koiwi tangata) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required.

f) Where iwi so request, any information recorded as the result of the find such as a description of location and content, must be provided for their records.

33. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:

a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment that may arise from the exercise of the consent and is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;

c) Reviewing the frequency of monitoring or reporting required under this consent;

d) Amending the monitoring programme set out in accordance with Conditions 10 and 12.

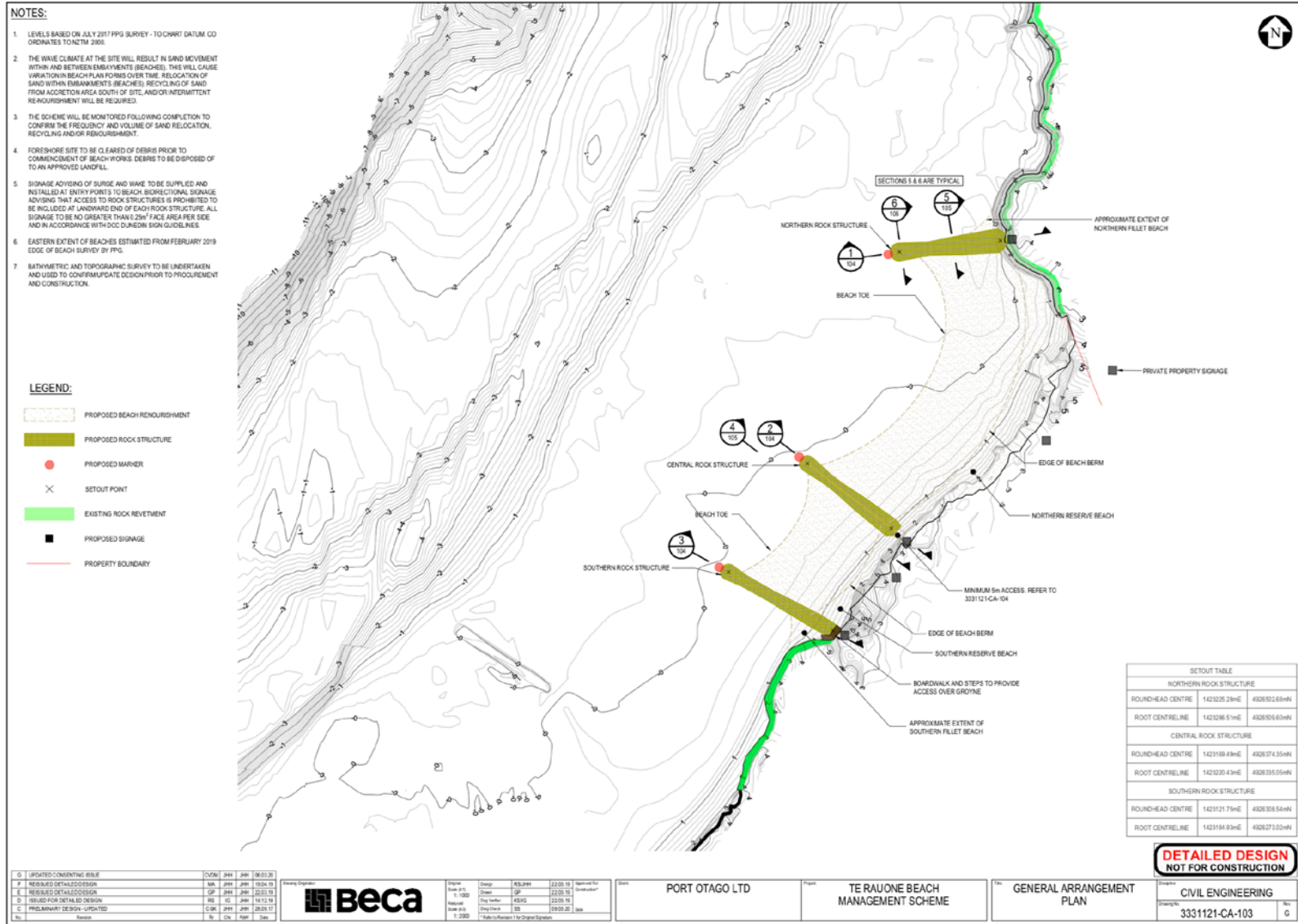
Notes to the Consent Holder

1. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as tuki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/koiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act 1993 or Building Act 1991.*
2. *Under section 125 of the Resource Management Act 1991, this consent lapses 5 years after the date of commencement of the consent unless:*
 - a) *The consent is given effect to; or*
 - b) *The Consent Authority extends the period after which the consent lapses.*
3. *Section 126 of the Resource Management Act 1991 provides that the Consent Authority may cancel this consent by written notice served on the Consent Holder if*

the consent has been exercised in the past but has not been exercised during the preceding five years.

- 4. If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*
- 5. The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
- 6. Where information is required to be provided to the Consent Authority, this must be provided in writing to compliance@orc.govt.nz. The email heading must reference this consent and the condition/s the information relates to.*

Appendix I



Our Reference: A1415827

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants to:

Name: Port Otago Limited

Address: 15 Beach Street, Port Chalmers, Dunedin

To erect three rock groyne structures, a boardwalk and appurtenant structures that are fixed on the foreshore and seabed for the purpose of restoring Te Rauone Beach

For a term expiring **XX** December 2023

Location: Te Rauone Beach, approximately 400 metres north of the intersection of Harrington Point Road and Pakihau Road, Dunedin

Legal description: Common Marine and Coastal Area, Lot 1 DP 6468, Lot 2 DP 375006, Lot 2 DP 18598

Map reference of centre point: NZTM2000 1423242E 4926381N

Conditions Specific

1. The activity authorised by this consent must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as application number RM19.441:
 - a) Resource Consent Application prepared by GHD dated April 2020 including appendices;
 - b) Response to request for further information dated 3 April 2020.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. The activity authorised by this consent must only be exercised in conjunction with Coastal Permit RM19.441.01.
3. This consent must not be exercised until an Archaeological Authority is in place from Heritage New Zealand Pouhere Taonga.
4. This consent shall not be exercised until a Department of Conservation Wildlife Authority is in place for the management of lizards.
5. All rock placed within the coastal marine and common area must, as far as practicable, be free of foreign material prior to placement.

Environmental Management Plan

6. a) The Consent Holder must ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction before they begin working on-site.
b) The Consent Holder must maintain a register of all those who have attended an Environmental Site Induction and make this register available to the Consent Authority upon request.
c) The Consent Holder must ensure that all personnel working on the site have access at all times to the contents of this consent document and the Environmental Management Plan at all times.

7. a) The consent holder must provide the Consent Authority with a finalised Environmental Management Plan for review and acceptance at least 15 working days prior to the exercise of this resource consent. The Consent Authority's review and acceptance is for the purpose of checking consistency with the condition of this consent.
b) The finalised Environmental Management Plan must be prepared with guidance from a suitably qualified and experienced person.
c) The objectives of the Environmental Management Plan must be to incorporate industry best practice, guide environmental management for the duration of consented activities, and to establish measures to avoid, remedy or mitigate any adverse environmental effects associated with the consented activities, including (but not limited to) adverse effects of on marine wildlife, lizards and seagrass beds.
d) The Environmental Management Plan must be based on the draft Environmental Management Plan dated **XX November 2020** and include, but not be limited to:
 - i) A list of key personnel and points of contact during the project;
 - ii) A description of how stakeholders will be kept informed and involved during the project and how complaints will be managed;
 - iii) A copy of the Construction Management Plan, which must include a description of the staging for the project identifying the likely duration of each stage, plus a description of the construction methodology;
 - iv) A monitoring plan that describes the scale and intensity of monitoring of actual and potential adverse effects on seagrass beds, marine wildlife, public access, lizards, and noise;
 - v) A description of what actions will be taken to adaptively manage the actual and potential effects of the works authorised by this consent (including those in relation to seagrass beds, marine wildlife, public access, lizards, and noise) to satisfy consent conditions.
- e) This consent must be exercised in accordance with the Environmental Management Plan at all times.

Marine Mammals and Wildlife

8. The consent holder must take all reasonable efforts to minimise harm to marine mammals, wildlife and lizards whilst exercising this consent. This includes, but is not limited the following measures:
 - a) No works are to be undertaken in the Coastal Marine Area during mid-December to early February each year to avoid the sea lion breeding season.

- b) Contractors must be trained by a suitability qualified expert on how to identify, record and respond to marine mammals and wildlife that may frequent pre-determined monitoring zones.
- c) In the event that marine mammals are sighted within the pre-determined monitoring zone, the following actions must be taken:
 - i) No vehicles may come within 50m of a sea lion or other marine mammal.
 - ii) Contractors must withdraw to at least 50m of an approaching sea lion (or to a greater distance if 50m allows human/sea lion interaction).
 - iii) If required, Department of Conservation must be called for assistance and no attempts may be made to interact/move/scare any marine mammal/bird from the project area without guidance from the Department of Conservation.
 - iv) If a sea lion or other marine mammal is spotted in the harbour/on land within the pre-determined monitoring zone, all construction activities must be stopped until the location of the sea lion/marine mammal is ascertained and/or has been confirmed to have moved away.
- d) If any marine mammals or wildlife are found in a distressed state, the Department of Conservation must be contacted in the first instance to assess the animal/bird and undertake necessary action. An appropriate wildlife facility can be contacted if the Department of Conservation is unavailable.
- e) Sightings and any management actions undertaken must be recorded, including the species, the type of interaction(s) with the works (if any) and other relevant details required by the Environmental Management Plan. This record must be submitted to the Consent Authority, the Department of Conservation, Te Rūnanga o Ōtākou and TRBCCC by 1st of April each year during the exercise of this consent.

General

- 9. The general public or any person(s) must not be excluded from the area or any part of the area to which this consent applies, unless necessary for the primary purpose of constructing, maintaining and repairing the structures and beaches, and only to the extent necessary to enable the construction, maintenance and repair works to be undertaken.
- 10. All work must be undertaken between the hours of 7am to 7pm, Monday to Saturday, excluding public holidays.
- 11. The Consent Holder must maintain a record of any complaints relating to the exercise of this consent. The register must include, but not be limited to:
 - a) The date, time, location and nature of the complaint;
 - b) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
 - c) Action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.
 A record of the complaints must be made available for inspection by the Consent Authority upon request.
- 12. The site must be left in a clean and tidy state on completion of the authorised works. Disestablishment, including removal of temporary accesses, site offices, plant and any

surplus materials and reinstatement of the contractor's site area must be completed at the end of the works authorised by this consent. All machinery, fencing, signs, chemicals, rubbish, debris and other materials must be removed upon completion of the works.

13. For the duration of all works authorised by this consent:
 - a) All machinery must be clean, free of contaminants and in good repair, prior to entering the Common Marine and Coastal Marine Area (CMA);
 - b) No construction materials may be left in a position where they could be carried away by storms, floods, waves or other natural events;
 - c) The Consent Holder must take all practicable measures to prevent spills of hazardous substances being discharged into the Coastal Marine Area. Such measures may include, but not be limited to;
 - i) All practicable measures must be undertaken to prevent oil and fuel leaks from vehicles and machinery;
 - ii) Fuel storage tanks and machinery must be maintained at all times to prevent leakage of oil and other contaminants into the CMA;
 - iii) No refuelling of machinery or equipment must occur in the CMA;
 - iv) There must be no storage of fuel within 50 metres of the CMA;
 - v) A spill kit, that is capable of absorbing the quantity of oil and petroleum products that may leak or be spilt must be kept on-site at all times.
 - d) The Consent Holder must inform the Consent Authority immediately and no later than 24 hours of a leak or spill that is greater than 50 litres and must provide the following information;
 - i) The date, time, location and estimated volume of the spill;
 - ii) The cause of the spill;
 - iii) The type of contaminant(s) spilled;
 - iv) Clean up procedures undertaken;
 - v) Details of the steps taken to control and remediate the effects of the spill on the receiving environment;
 - vi) An assessment of any potential effects of the spill; and
 - vii) Measures to be undertaken to prevent a recurrence.
 - e) All damage and disturbance to the foreshore and / or seabed caused by vehicle traffic, plant and equipment must be remedied as soon as practicable;
 - f) All machinery, equipment, construction materials, surplus spoil, or cut vegetation must be removed from the Coastal Marine Area at the completion of each day's work and/or when the incoming tide dictates that work must cease.
14. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:
 - a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment that may arise from the exercise of the consent and is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
- c) Reviewing the frequency of monitoring or reporting required under this consent;
- d) Amending the monitoring programme set out in accordance with Condition/s [X].

Notes to the Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*
2. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
3. *Where information is required to be provided to the Consent Authority, this must be provided in writing to compliance@orc.govt.nz. The email heading must reference this consent and the condition/s the information relates to.*