

Proposed Consent Conditions – Western Bay of Plenty

~~District~~District Council – 12 August 2025 WBOPDC draft

General conditions

1. The activity must be carried out in general accordance with the following plans and reports, except where modified by conditions of this resource consent:

Document Title	Author	Reference / Version	Date
Glen Isla Protection Society, Glen Isla Dune Waihi Beach Coastal Protection Project Application and Assessment of Environmental Effects	Mitchell Daysh Limited	Revision 0	11 October 2024
Construction Methodology Statement	Davis Coastal Consultants	Revision C	October 2024
Engineering Design Report	Davis Coastal Consultants	Revision B	November 2024
Other relevant documents TBC			

Location

2. The activities authorised by this resource consent must be located:
 - a. On the WBOPDC Recreation and Esplanade Reserves at Lot 18 DPS 22035 and Lot 19 DPS 22035 and Lot 12 DPS 22035 (12 Glen Isla Place, Waihi Beach;
 - b. Within the foreshore adjacent to the Reserves described in (a);
 - c. As shown on Consent Plan [XXX] – Location
 - d. As shown on Consent Plans [XXX] and [XXX] – Earthworks and Structure extent.

Notification of Works

3. No less than five (5) working days prior to the overall start of works under this consent the consent holder must request (in writing) a site meeting with the WBOPDC Compliance and Monitoring Team and Reserves and Facilities Manager or nominee (See Advice Note 2). This request shall include details of who is to be responsible for site management and compliance with consent conditions (See Advice Note 3 – Notification to Council).
4. No less than five (5) working days prior to the completion of vegetation clearance and earthworks under this consent, the consent holder must notify and request

(in writing) a site meeting with the WBOPDC Compliance and Monitoring Team and Reserves and Facilities Manager or nominee.

WBOPDC Reserves Agreement

5. A formal agreement in writing between the ~~consent holder~~ landowners (9, 11-16 Glen Isla Place) and the WBOPDC (Reserves and Facilities) must be finalised and in place prior to any construction or earthworks activities commencing. A copy of the agreement shall be provided to WBOPDC upon request. The agreement must specify:
 - a. Responsibility for ongoing maintenance and repair of the coastal protection structure;
 - b. The payment of any reasonable costs of maintaining the coastal protection structure;
 - c. The payment of any repair costs of significant damage due to severe storm events;
 - d. That the resource consent will be assigned to WBOPDC (Reserves and Facilities) upon request by such after completion of the works; and
 - e. The term of the agreement.

(NOTE: the applicant agrees to this condition on an Augier basis)

Structure Design

6. No less than 20 working days prior to the commencement of construction, the consent holder must submit to the WBOPDC a set of final detailed engineering drawings and specifications for the coastal protection structure. The final design must be:
 - a. Prepared, signed, and dated by a Chartered Professional Engineer (CPEng) with relevant experience in coastal engineering; and
 - b. In general accordance with the design drawings and specifications approved under Condition 1.
7. All works must be carried out in general accordance with the final detailed design drawings.

As-Built Drawings and Certification

8. Within 20 working days of completion of construction of the ~~entire~~entire structure, the consent holder must provide:
 - a. A complete set of as-built drawings certified by the supervising CPEng;

- b. A statement from the engineer confirming that the structure has been constructed in accordance with the approved detailed design and is structurally ~~sound~~;~~sound~~.
- c. A location plan showing the structure's position relative to cadastral boundaries.

Works

- 9. No less than 20 working days prior to commencing any vegetation clearance and / or earthworks, the consent holder must submit a Works Management Plan (WMP) prepared by a suitably qualified and experienced person to the WBOPDC for written certification. Certification is for the purpose of confirming the WMP meets the requirements of **Condition 13**.
- 10. The purpose of WMP is to detail the methods to be implemented during construction works to meet the conditions of this consent.
- 11. Work must not start until written certification of the WMP has been received.
- 12. Any updates to the WMP must be submitted to the WBOPDC for certification prior to implementation of any changes.
- 13. The WMP required by **Condition 9** must include, but is not limited to:

- a. Roles and responsibilities for managing construction activities and personnel contact details.
- ~~b.—An erosion and sediment control plan for the vegetation clearance and earthworks that meets the requirements of the Bay of Plenty Regional Council 'Erosion and Sediment Control Guidelines for Land Disturbing Activities—Guideline 2010/01'. This plan must identify the location and type of all erosion and sediment controls, along with the duration these measures will be in place and their maintenance. This plan must include, but is not limited to:~~
 - ~~i.—Wind fencing of the disturbed dune area;~~
 - ~~ii.—Clean water diversions; and~~
 - ~~iii.—Progressive stabilisation of the works area;~~
- e.b. A monitoring and maintenance regime that addresses the potential risk of damage during storm events and potential interference by the public;
- c. A plan delineating the full extent of the vegetation clearance and earthworks 'Works Footprint';

Commented [AP1]: Retain as relates to WBOPDC reserve management

Commented [AP2]: Have taken some out, but others remain as they impact Council's Reserve Management requirements

d. The extent of the Works Footprint must be clearly marked and visible to all workers and the public before and throughout the works period.

e. Timing and duration of vegetation clearance, earthworks and construction, including work hours and days (in accordance with **Conditions 51744 - 82047**), and considering the tides;

e.f. Methodology and sequencing for vegetation clearance and earthworks associated with progressive wall construction;

f.g. The methods to avoid effects on avifauna as described in the avifauna management plan certified in accordance with Condition 13328, if such a plan is required;

~~a. The methods to identify, relocate and report on indigenous lizards and katipo as required by Condition 25, if such action is required;~~

g.h. The methods to avoid effects on protected dune vegetation as shown on **[Consent Plan XXX]**.

h.i. Details on equipment storage and refuelling activities associated with the works; and

i.j. A contingency plan for the vegetation clearance and earthworks that details methods for implementing emergency measures to reduce potential environmental impacts during unplanned events, such as extreme weather or tidal events.

Commented [AP3]: Could be deleted to be confirmed by Willie as same as BOPRC condition

2. Unless otherwise agreed in writing by the WBOPDC in accordance with **Condition 315**, all vegetation clearance and earthworks must be completed within 183 calendar days of commencement.

3. The timeframe specified in **Condition 214** may be extended by the WBOPDC if work is delayed due to a force majeure event or law or regulation restrictions (including pandemic restrictions) that are beyond the control of the consent holder and delay work from occurring.

4. Where strong onshore weather conditions, storms or extreme tides are forecast that could inundate the Works Footprint during construction, the works site must be made safe, and works must cease in accordance with the requirements of the WMP required by **Condition 9**.

Timing of works

5. Works authorised by this consent and associated heavy vehicle movements shall occur:

a. Monday to Friday; and

b. Between 7:30 am and 6 pm.

6. On no more than three days per two-week period, the consent holder may extend working hours to include:

a. Between 6 pm and 8 pm from Monday to Friday; and/or

b. Between 7:30 am and 6 pm on a Saturday.

7. No works shall occur during Sundays, public holidays or school holidays.

8. Works must not be undertaken at night or once, in the opinion of the site manager, daylight becomes unsuitable.

9. A record of all days and times when construction work has taken place outside of 7:30 am and 6 pm, Monday to Friday (Condition 547) must be kept by the consent holder and provided to WBOPDC on request.

Visual Effects Management

4-10. The consent holder must, as far as reasonably practicable, manage deliveries to site on an “as required” basis to minimise stockpiling of rock and sand. Any temporarily stockpiles of rock and/or sand must be:

- a. Within the locations identified in [Consent Plan XXX];
- b. Moved into the Works Footprint by the end of each working day;
- c. Placed on heavy gauge geotextile and not be placed on top of any vegetation; and
- d. Placed or stored outside of the Coastal Marine Area.

Commented [AP4]: This can remain 22-25 as reflect the ONLF

5-11. The consent holder must restore the sand dunes to replicate a natural form immediately upon completion of the construction works authorised by this consent, to ensure the sand placement results in a dune that is well integrated into the natural landform and the adjacent coastal protection works.

6-12. The consent holder must provide certification from a suitably qualified and experienced landscape architect or coastal engineer, or another suitably qualified or experienced professional (agreed in writing by the WBOPDC) that the requirements of Condition 112318 have been met. Certification must be submitted to the WBOPDC within five (5) working days of completing vegetation clearance and earthworks.

~~7.13.~~ The consent holder must remove any waste from within the work site if unearthed during works. These materials must be disposed of at a facility authorised to accept such material.

Vegetation Clearance and Earthworks Disturbance Extent

~~8.~~ Disturbance from vegetation clearance and earthworks authorised under this consent is limited to the area of the Works Footprint as specified in the Works Footprint plan required by **Condition 13**.

~~9.1.~~ The extent of the Works Footprint must be clearly marked and visible to all workers and the public before and throughout the works period.

~~10.~~ Machinery to be kept on site overnight must be stored within the Works Footprint, except when inclement weather occurs or is forecast to occur, during which time the machinery may be kept in the Western Bay of Plenty Reserve at 91 Seaforth Road.

~~11.~~ Refuelling must occur outside of the coastal marine area in a dedicated laydown area.

Ecology

~~12.~~ The consent holder must ensure that a suitably qualified and experienced ecologist is present at the start and throughout the duration of vegetation clearance and woody material removal to inspect the area for indigenous lizards or Katipo.

~~13.~~ If indigenous lizards or Katipo are found within the vegetation clearance and earthworks area, they must be relocated outside of the works site (see **Advice Note 8**).

~~14.~~ The consent holder must provide a report prepared by a suitably qualified and experienced ecologist to the WBOPDC within 20 working days of any relocation occurring, detailing the date, numbers of each species found and relocated.

~~15.~~ If the vegetation clearance and earthworks are to be undertaken between 1 August and 31 March (inclusive of both dates), the consent holder must submit an Avifauna Management Plan (AMP) to the WBOPDC for certification ten (10) working days prior to commencement of any works between 1 August and 31 March (inclusive of both dates). Certification is for the purpose of confirming the requirements of **Condition 29** are met.

Commented [AP5]: Deleted as per recommendation from Chair, noting however concerns from submitters around effects on dotteral

~~16. The AMP must be prepared by a suitably qualified and experienced ecologist and must include as a minimum:~~

- ~~a. The results of a pre-work Threatened and At Risk bird nest inspection of the works site and, to the extent deemed necessary by the ecologist, the surrounding area;~~
- ~~b. Measures to be implemented to avoid adverse effects on Threatened and At Risk nesting birds, including:~~
 - ~~i. Measures to protect any nest sites until eggs have hatched;~~
 - ~~ii. Measures to protect any hatchlings until they have fledged and left the site, including measures to protect mobile but non-flying juveniles;~~

~~17. The consent holder must implement the most recent AMP certified in accordance with Condition 28 prior to conducting vegetation clearance and earthworks between 1 August and 31 March.~~

Commented [AP6]: This is added here in response to Willies concerns (not in BOPRC condition) Applicant commits to providing for this

Remediation Planting and Maintenance

~~18.14.~~ Prior to the replanting of the Reinstatement Area, the consent holder must fill any wind erosion holes and sink holes greater than 0.5 metres in depth by moving sand from the surrounding area to achieve the requirements of **Condition 112318**.

~~19.15.~~ The consent holder must carry out planting within the first planting season following the completion of remediation earthworks. Planting must be carried out in accordance with the Remediation Planting Plan certified in accordance with **Condition 173934**.

~~20.16.~~ At least 20 working days prior to the commencement of planting, the consent holder must submit a Remediation Planting Plan ("RPP") to the WBOPDC for written certification. The purpose of the RPP is to preserve the ecological values and functioning of indigenous dune vegetation and to ensure that a naturalised appearance of new planting is achieved at the site by:

- a. Reinstatement of disturbed or destroyed vegetation within the Reinstatement Area and the Landscape Area, following the initial planting works;
- b. The replanting of new plants within the Reinstatement Area that die off; and
- c. Ensuring plants are arranged in naturalised groupings, avoiding the appearance of bands or lines of particular species.

Commented [AP7]: Council recommends keeping these conditions as it relates to natural character and landscape effects as well as ecology. This is in particular Council's ONLF s24. Council will also want to approve any planting within the Council reserve.

~~24-17.~~ The RPP must be prepared by a suitably qualified and experienced ecologist, and as a minimum, include the following:

- a. Identification of who will oversee the replanting and the plant maintenance activities.
- b. A detailed planting plan showing:
 - i. The Reinstatement Area and the Landscape Area to be planted;
 - ii. The locations, species and density of planting;
 - iii. The size of plants at the time of planting.
- c. Planting in general accordance with the recommendations outlined in [Consent Plan XXX], including the 'Revegetation Planting Mix';
- d. Details of site preparation, timing of planting and planting methods that are suitable for coastal dune conditions and seasons;
- e. A description of how the consent holder will Manage and Maintain the Reinstatement Area to ensure successful establishment of plantings, including monitoring, watering, wind fencing, dune stabilisation measures and weed control strategies; and
- f. A description of how the consent holder will Manage and Maintain vegetation lost after storm events, or vegetation that dies off for the duration of the Maintenance Period.

~~22-18.~~ Certification is for the purpose of confirming the RPP meets the requirements of Condition 173934.

~~23-19.~~ Notwithstanding Condition 153732, planting must not commence until written certification of the RPP has been received.

~~24-20.~~ Any updates to the RPP, including timing of the planting, must be submitted for certification prior to implementation of any changes.

~~25-21.~~ The consent holder must Manage and Maintain plants in the Reinstatement Area for the duration of the Maintenance Period. All planting maintenance and weed control must be undertaken in accordance with the RPP certified in accordance with Condition 173934.

~~26-22.~~ Should a storm event wash away or damage plants in the Reinstatement Area during the Maintenance Period, the consent holder must Manage and Maintain the affected area as soon as practicable in accordance with the RPP. ~~The requirement to Manage and Maintain due to storm events occurring during the Maintenance Period applies where plants are washed away as a result of no more than two events.~~

Commented [AP8]: Deleted as per recommendation from Council expert

~~27-23.~~ The consent holder must Manage and Maintain any plants that die or are damaged in the Reinstatement Area within the Maintenance Period in accordance with the RPP.

~~28-24.~~ Where practicable, plants shall be sourced from the same ecological district as the site.

~~29-25.~~ At least 10 working days before the end of the Maintenance Period, the consent holder must provide evidence from a suitably qualified ecologist confirming compliance with **Condition 26.d.i.40.d.ii.43.d.ii.**

~~30-26.~~ The following definitions apply to **Conditions 143631, 163833-254742 and 44:**

- a. Reinstatement Area, is the area within the Works Footprint and is the targeted replanting area to preserve and enhance the values and ecological functioning of the IBDA-B;
- b. Landscape Area, is the area outside the Reinstatement Area. The purpose of this landscape planting is to provide for the naturalised appearance of the dune environment following the completion of the works and this area is not subject to ongoing management beyond the initial planting activity;
- c. Manage and Maintain means, during the Maintenance Period:
 - i. Managing pest plants and weeds within the Reinstatement Area;
 - ii. Where plants within the Reinstatement Area have died off or been lost due to a maximum of two storm events, replanting at 1 metre spacings or less as soon as reasonably practicable when suitable plants are available for planting, and provided relevant substrate (i.e., sand) is available to plant into;
 - iii. Provision, as necessary, of any water supply requirement; and
 - iv. Installation and maintenance of wind fencing where required in the opinion of the ecologist for the purpose of minimising windblown sand, to protect plants while they are establishing, and to protect the dune from erosion prior to planting;
- d. Maintenance Period means ~~the earlier of:~~
 - ~~i. The date two years after the completion of planting; or~~
 - i. In the opinion of the suitably qualified and experienced ecologist, the date the Reinstatement Area achieves 80% coverage of indigenous species.

~~Adjacent Reserve to the south~~

Commented [AP9]: Deleted as per recommendation from Council expert

Commented [AP10]: These conditions are retained as Council Expert recommendations. Applicant's expert does not agree

~~31-27.~~ THAT the applicant shall instigate and maintain a spinifex planting programme for a minimum of 100m southwards of the new structure if it is subject to any indication of increased rates of erosion relative to the new structure.

Sand and Vegetation Management Plan

Commented [AP11]: These conditions are retained as Council Expert recommendations. Applicant's expert does not agree

28. THAT at least 10 working days prior to construction the consent holder shall submit a Sand and Vegetation Management Plan (SVMP) prepared by a suitably experienced and qualified person (in dune management, including dune planting and vegetation) to Western Bay of Plenty District Council for written certification.

29. With reference to condition (XX above XX) the SVMP shall be prepared to address the management of sand and vegetation in the following areas:

- a) Foredune face seaward of the structure.
- b) Sand vegetation cover on the seaward side and over the proposed rock revetment structure.
- c) Sand cover and vegetation inland of the proposed rock revetment structure.
- d) Dune vegetation management in the adjacent reserve to the south, within 100m south of the southern extent of the proposed rock revetment structure.
- e) The above areas should be mapped so that it is clear which areas are within the scope of the Sand and Vegetation Management Plan.

30. With reference to condition (XX above i.e. that the SVMP be submitted) the SVMP shall address the following:

- a) sand management, and replenishment as required, to ensure that the structure remains covered
- b) vegetation management to ensure that a comprehensive cover of spinifex is maintained on the foredune.
- c) Vegetation management to ensure that a cover of appropriate indigenous species is maintained on the balance of the project site.
- d) Vegetation management in a strip 100m to the south of the structure, to ensure that spinifex remains dominant on the foredune coastal margin.
- e) Performance targets for indigenous vegetation cover
 - i) The foredune (80% cover of spinifex)
 - ii) The remainder of the project site (e.g. 90% cover of indigenous-dominant vegetation)
- f) Measures to avoid or minimise pedestrian traffic on the dunes, especially the foredune, to avoid or minimise pedestrian damage of dune vegetation.

Timing of works

~~32.1. Works authorised by this consent shall occur:~~

- ~~a. Monday to Friday, and~~
- ~~b. Between 7:30 am and 6 pm.~~

~~33.1. On no more than three days per fortnight, the consent holder may extend working hours to include:~~

~~a. Between 6 pm and 6 pm from Monday to Friday, and/or~~

~~b. a. Between 7:30 am and 6 pm on a Saturday.~~

~~34.1. No works shall occur during Sundays, public holidays or school holidays.~~

~~35.1. Works must not be undertaken at night or once, in the opinion of the site manager, daylight becomes unsuitable.~~

~~36.1. A record of all days and times when construction work has taken place outside of 7:30 am and 6 pm, Monday to Friday (Condition 44) must be kept by the consent holder and provided to WBOPDC on request.~~

Field Code Changed

Erosion and Sediment Controls and Dust Management

~~37. The consent holder must:~~

- ~~a. Ensure that erosion and sediment controls are designed and constructed in accordance with the WMP certified in accordance with Condition 13;~~
- ~~b. Ensure that the erosion and sediment controls are installed before works start, and maintained in an effective capacity and good working order at all times during works and until the site is stabilised;~~
- ~~c. Divert uncontaminated catchment runoff away from the area of vegetation clearance and earthworks; and~~
- ~~d. Ensure that any necessary maintenance of erosion and sediment controls identified by inspection under conditions of this consent or by the WBOPDC staff is completed within 24 hours or as soon as is safely practicable.~~

~~38. The consent holder must maintain records of:~~

- ~~a. The date and time of every inspection of erosion and sediment controls on the site; and~~
- ~~b. The date, time and description of any maintenance work conducted.~~

~~39. The consent holder must send a copy of records required by Condition 50 to the WBOPDC within 48 hours of their request.~~

~~40. The consent holder must:~~

- ~~a. Adopt a proactive strategy for dust control, specifically by complying with the principles of dust management as set out in the Bay of Plenty~~

~~Regional Council Guideline No. 2010/01 – "Erosion and Sediment Control Guidelines for Land Disturbing Activities" or its successor, so as to prevent a dust nuisance from occurring beyond the property boundary;~~
~~b. – Ensure that, outside of normal working hours, staff are available on-call to operate dust suppression measures; and~~
~~c. – In the event that wind conditions make dust control impracticable, ensure that any machinery generating airborne dust stops operating until effective dust control is re-established.~~

Noise and Vibration

~~41:~~31. The consent holder must submit a Construction Noise and Vibration Management Plan (CNVMP) to the WBOPDC for certification no less than ten (10) working days prior to commencement of the construction works authorised by this consent. The objectives of the CNVMP are to identify and adopt the best practicable option to ensure that the authorised noise and vibration limits (Conditions 376359 and 06466) are complied with.

~~42:~~32. The CNVMP must include the details of all work undertaken between 7:30 am and 8 pm, Monday to Saturday, and provide specific details of the mitigation measures that will be adopted to ensure that the project construction noise and vibration limits are complied with at these times.

~~43:~~33. The CNVMP must be prepared with reference to Annex E of NZS 6803:1999 Acoustics – Construction Noise and by a suitably qualified and experienced person.

~~44:~~34. The CNVMP must set out methods and procedures requiring vibration monitoring to demonstrate compliance with the limits set out in this consent.

~~45:~~35. All construction work and subsequent maintenance work must be conducted in accordance with the certified CNVMP.

~~46:~~36. The consent holder must advise the occupants of all buildings within 100 m of the site boundary of the construction and maintenance works at least five (5) working days before the construction work or maintenance begins. The advice must be provided in writing and include the following information:

- a. A general description of the construction or maintenance works including the duration of the project and the working hours on site.
- b. The approximate dates and durations of the activities that will generate the highest levels of construction noise and vibration.

c. A contact name and phone number to advise of any sensitive times for high noise levels and for any questions or complaints regarding noise and vibration throughout the project.

e. A copy of this letter and a list of the properties advised shall be provided to Council prior to work commencing (monitoring@westernbay.govt.nz).

47:37. Construction noise must comply with the following noise limits at any occupied building that is not part of the application site or where written approval to the application was not provided:

- a. 7:30 am to 6 pm – 70 dB LAeq and 85 dB L_{Amax} Monday to Saturday; or
- b. 6 pm to 8 pm – 65 dB LAeq and 80 dB L_{Amax} Monday to Friday.

Construction noise must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise.

48:38. Construction vibration must comply with the guideline values set out in the German Industrial Standard DIN 4150-3:2016: *Vibrations in buildings – Part 3: Effects on structures* at all times when measured in accordance with that Standard on any structure not on the same site and where written approval to the works have not been provided.

Commented [AP12]: New condition to come from James and Jon on vibration limits

49:39. Vibration monitoring must be undertaken by a suitably qualified and experienced person during the first two weeks of heavy machinery being used on the site. The results must be used to assess compliance with the project vibration limits for avoiding building damage and reported in writing to WBPDC within two weeks of the measurements being undertaken. If non-compliance with the relevant limits is identified, the work responsible must stop and not resume until a report has been provided to, and verified by, WBPDC to set out the measures and methodology that will be adopted to ensure ongoing compliance. In the event of any non-compliance, building condition surveys must also be undertaken at the affected buildings by a suitably qualified person before the construction work continues. Further vibration monitoring must be undertaken once the construction work resumes for a period of at least one week to determine compliance with the project limits.

Public Access

50:40. Except when vehicles or machinery are moving within this area as authorised by RM24-0537-LC.01, public access to the beach along the northern side of Okawe Stream (Three Mile Creek), and along the beach and foreshore seaward of the works site must be maintained at all times.

Commented [AP13]: Retain this due to Reserve Management issues

~~54-41.~~ Public access along the southern side of Okawe Stream to the beach must be maintained, to the extent practicable and safe, during any ~~construction~~ and maintenance works authorised by this consent.

Transportation

~~52-42.~~ No heavy vehicles will be permitted to access the site between the hours of 8 pm and 6 am, except to undertake emergency work if required.

~~53-43.~~ The consent holder must submit a Construction Traffic Management Plan (CTMP) to the WBOPDC for certification ten (10) working days prior to the commencement of the construction works authorised by this consent. The CTMP must detail the procedures, requirements and standards necessary for managing traffic effects during construction of the project so that safe, adequate and convenient movements for all the transport modes are maintained through the construction period.

Advice note: In the event that it is required, the CTMP shall be submitted with a Corridor Access Request (CAR).

~~54-44.~~ The CTMP must address, but not be limited to, the following:

- a. The construction program and associated traffic volumes estimated for each construction phase.
- b. Driver protocols aimed at ensuring safe driving practices and full compliance with the law including speed limits, appropriate following distances, and affording priority to private residents and public traffic.
- c. The details of the intended traffic arrangements and provision for the delivery of heavy vehicle loads to the site.
- d. Appropriate temporary traffic management measures to be installed at the site access, and trigger levels for construction traffic which may need to alter the CTMP (i.e., for some aspects of the construction or days when higher than indicated movements are expected).
- e. The timing of construction traffic to minimise disruption to, and any potential safety effects on, users of the local transport network.
- f. Requirements for the monitoring of construction traffic; and
- g. Specific items for consideration in the Glen Isla Coastal Protection structure may include:
 - i. Temporary Speed Limit on Seaforth Road of 30 km/h.
 - ii. Temporary no parking signage on Seaforth Road to allow for turning vehicles.

- iii. All temporary traffic control and site works entrances follows COPTTM (or NZGTTM, whichever is operative at the time).

~~55:45.~~ Any damage to the public road or reserve which can be directly attributed to the traffic movements associated with the activity on the site will be repaired or made good within 4 weeks of being identified for remediation. Repairs (temporary and permanent) will need to be completed to a standard that is accepted by WBOPDC.

~~56:46.~~ Any significant ~~road~~ maintenance works that are required to be undertaken ~~on the structure~~ will need to prepare a separate CTMP in accordance with ~~Conditions 437065 and 447166~~ above (see ~~Advice Note 109~~).

Signage

~~57:47.~~ Before the commencement of any works authorised by this consent, the consent holder must erect a prominent sign(s) adjacent to the works site in a location visible to the public. The sign(s) must be maintained throughout the construction period.

~~58:48.~~ The sign(s) must clearly display the following information:

- b. The consent holder;
- c. The main site contractor;
- d. A 24-hour contact telephone number for the consent holder or appointed agent; and
- e. A clear explanation that the contact telephone number is for the purpose of receiving complaints and / or information from the public about activities resulting from the exercise of this consent.

~~59:49.~~ Any signs installed on site must meet the performance standards of Rule 4D.5 of the Operative District Plan and continue to comply on an enduring basis.

~~Accidental~~Accidental Discovery Protocol

~~60:1.~~ In the event of an urupā, taonga (significant artifacts), kōiwi (human remains) or archaeological sites (whether recorded or unrecorded) being disturbed and/or discovered during activities authorised by this consent, the consent holder must immediately cease further works, secure the area in a way that ensures any remains or artefacts are untouched, and contact Heritage New Zealand Pouhere Taonga and all relevant iwi/hapū for advice (see ~~Advice Note 7~~).

Commented [AP14]: Moved to advice note

Field Code Changed

General Maintenance

~~61-50.~~ In accordance with any agreement provided under **Condition 5**, the consent holder must maintain the coastal protection structure in a structurally sound and effective condition at all times.

~~62-51.~~ Maintenance activities shall include, but not be limited to:

- a. Replacement of damaged, displaced, or eroded structural elements;
- b. If necessary, supplementing or strengthening elements that are not performing correctly.

~~63-52.~~ The consent holder must undertake a visual inspection of any visible parts of the structure at least once every 12 months, and within one month of any significant storm event (defined as a coastal storm with predicted waves or surge above a 5-year average return interval).

~~64-53.~~ A record of each inspection, including any maintenance works where they occur, must be maintained, including:

- a. Date of inspection and/or maintenance works;
- b. Condition of the structure and surrounding area;
- c. Any maintenance works undertaken or required;
- d. Photographic evidence of condition.

~~65-54.~~ The consent holder must provide the following to WBOPDC upon request:

- a. The record of inspections and maintenance required by **Condition 7653**; and
- b. An assessment by a suitably qualified person (if applicable) confirming that the structure remains structurally sound and fit for purpose.

Commented [AP15]: Applicant's preference for these conditions, until ability to review

Term of Consent

~~55. This consent shall expire on XXXXX 2050-55 (25-30 year term).~~

Commented [AP16]: Applicant doesn't support a term

Remediation of site

~~56. At least 1 year prior to either the expiry of the consent or the notice to surrender the consent, the consent holder shall provide details to the Council's~~

Compliance and Monitoring that set out the consent holder's intention with regards to:

- a) Whether a reconsenting process will be commenced to provide for the retention of the structure;
- b) If a reconsenting process is not proposed, the consenting process and/or proposed works which will be undertaken to decommission the structure approved under this consent and rehabilitate the site,
- c) If a reconsenting process is not proposed, rehabilitation of the site should align with the rehabilitation planting plan conditions (14-26) above.

Review of Consent Conditions

~~66~~57. WBOPDC may, on each anniversary of the granting of consent, serve notice on the consent holder under section 128 (1) of the RMA, of its intention to review the conditions of this resource consent for the following purposes:

- a. Review the adequacy of any monitoring requirements and incorporate into the consent any auditing, monitoring or reporting requirements that are necessary to deal with any adverse effects on the environment arising from the exercise of this consent; or
- b. Respond to and address any planting and maintenance issues that may have an effect on the stability of the dune and/or the dune vegetation; or
- c. Deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is more appropriate to deal with at a later stage.

Advice Notes:

- 1 *This consent lapses on the expiry of 5 years after the date of receiving this consent unless the consent is given effect to.*
- 2 *The consent holder must notify the WBOPDC, in writing, of their intention to begin works prior to commencement. Such notification should be sent to WBOPDC's Compliance and Monitoring Team (monitoring@westernbay.govt.nz) and Reserves and Facilities Manager (peter.watson@westernbay.govt.nz) and include the following details:*
 - a. Resource consent reference number (~~RC13360~~RC14513L).
 - b. Name and telephone number of the project manager and site owner.
 - c. Site address to which the consent relates.

- d. Activity to which the consent relates.
- e. Expected duration of works.

Notifying the WBOPDC of the intended start date enables cost effective monitoring to take place. The consent holder is advised that additional site visits and administration required by WBOPDC officers to determine compliance with the consent conditions will be charged to the consent holder on an actual and reasonable basis.

- 3 *Full compliance with the conditions of consent is necessary to conduct the activity to which this consent relates. Your progress towards satisfying the conditions of consent will be monitored by a WBOPDC representative and failure to meet these conditions may result in enforcement action being taken in accordance with WBOPDC's Monitoring Compliance and Enforcement Strategy. This may involve the issuing of an Infringement Notice (instant fine) and/or a monitoring fee. For clarity:*
 - a. *The named consent holder will be responsible for any breach of conditions and compliance costs relating to the consent which occur before the transfer of the consent.*
 - b. *The consent holder is responsible for ensuring that all contractors conducting works under this consent are made aware of the relevant consent conditions, plans and associated documents.*
 - c. *The transfer of the holder's interest in a consent has no effect until written notice of the transfer is given to the WBOPDC.*
- 4 *This consent is granted under the Resource Management Act 1991 and is not an authority under any other act, regulation or bylaw.*
- 5 *The consent holder must pay the WBOPDC any administrative charges, which are fixed in accordance with section 36 of the Resource Management Act 1991.*
- 6 *This consent does not authorise access to enter or perform any activities on private property.*
- 7 *In the event of an urupā, taonga (significant artifacts), kōiwi (human remains) or archaeological sites (whether recorded or unrecorded) being disturbed and/or discovered during activities authorised by this consent, the consent holder must immediately cease further works, secure the area in a way that ensures any remains or artefacts are untouched, and contact Heritage New Zealand Pouhere Taonga and all relevant iwi/hapū for advice. (see Advice Note 7).*
- 78 *If an archaeological site(s) and/or kōiwi are unearthed, the consent holder is advised to immediately stop work in the vicinity of the discovery, and contact Heritage New*

Zealand and all relevant iwi/hapū for advice. Heritage New Zealand contact details: email info@lowernorthern@heritage.org.nz; phone 07 577 4530.

89 Should the presence of indigenous lizard or invertebrates be confirmed by the pre-works survey referred to in **Condition 13025**, the consent holder is advised that a wildlife permit under the Wildlife Act 1953 from the Department of Conservation is required before any land disturbance works at the site. This permit authorises the catching, handling, releasing, and incidental killing of wildlife species, including lizards. The activity must be conducted in accordance with the obtained permit.

910 Any repair works, ~~including roading works~~, may trigger the need for additional consents and approvals which would be sought ahead of any repairs being undertaken.

1011 You may object to this decision, including any conditions of consent, by notifying WBOPDC within 15 working days of receipt of this decision. However, you are advised that you may not commence the activity as authorised by this consent until your appeal is resolved as prescribed by section 116 of the Resource Management Act 1991.

Commented [AP17]: This is different to BOPRC advice note 8. Willie agrees WAA required before any land disturbance