

APPENDIX B: COMPLEX FRESHWATER FISHERIES ACTIVITIES PROPOSED CONDITIONS - MARKED UP WITH DOC'S PROPOSED CHANGES

#	Applicant proposed conditions (Appendix 7)	DOC comments on proposed conditions
57.	The Consent Holder <u>must</u> undertake fish rescue in accordance with the Fish Management Plan (FMP) prepared by Bluegreen Ecology dated 24 October 2025. All fish rescue <u>must</u> be undertaken by a <u>Suitably Qualified and Experienced person with the required permits</u>, such as an ecologist. The consent holder <u>must</u> ensure that: a. fish passage is maintained at all times during and after construction; b. <u>the Taupo Stream culvert and wetlands B and E be</u> any structure is designed, constructed and maintained in accordance with the New Zealand Fish Passage Guidelines (NZFPG) (NIWA and DOC, 2018). <u>A design not in accordance with the NZFPG shall require certification from the Manager based on advice from a SQEP with experience in freshwater ecology.</u>	The Consent Holder <u>must</u> undertake fish rescue in accordance with the Fish Management Plan (FMP) prepared by Bluegreen Ecology dated 24 October 2025. All fish rescue <u>must</u> be undertaken by a <u>Suitably Qualified and Experienced person with the required permits</u>, such as an ecologist. The consent holder <u>must</u> ensure that: a. fish passage is maintained at all times during and after construction; b. <u>be</u> designed, constructed and maintained in accordance with the New Zealand Fish Passage Guidelines (NZFPG) (NIWA and DOC, 2018). <u>A design not in accordance with the NZFPG shall require certification from the Manager;</u>
58.	All instream works relating to Condition 57 <u>must</u> be undertaken <u>in the dry weather</u>, utilising the temporary diversion in accordance with Condition 57, all fish rescue data, including the number, length, and species of each captured fish, is provided to the Manager and Te Rūnanga o Toa Rangatira within 5 working days of completion of dewatering works; and no instream works shall be carried out in any part of the waterbody (bed, banks and flowing water) during the spawning period of native fish present in the catchment (May-June).	No changes proposed

Commented [TM1]: Note Applicant recommended amendments are provided in the left hand column in green text and strikethrough

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Commented [R2]: For Certification by? Consider incorporating/combining with Condition 2 recommended by DOC below.

Commented [TM3R2]: I do not consider that certification is required

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Commented [R4]: Delete or specify what permits the SQEP must have

Commented [TM5R4]: Agree

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Commented [TM6]: Fish only present in these waterways

Commented [R7]: The second clause needs to be deleted as per DOC recommendation

Commented [TM8R7]: Project ecologist recommends that there be a process for Council oversight

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Commented [R9]: Consider rephrasing to reference the FMP as 'in the dry' is open to interpretation

Commented [TM10R9]: Amended for clarity

59.	The Consent Holder must prepare, in consultation with the contractor undertaking the works, a Streamworks Construction Management Plan (SCMP). The SCMP must be submitted to the Manager, Environmental Regulation, Wellington Regional Council for certification at least 20 working days prior to works commencing within a stream. The Consent Holder must prepare, in consultation with the contractor undertaking the works, a Streamworks Construction Management Plan (SCMP). The SCMP must be submitted by the Consent Holder to the Manager, Environmental Regulation, GWRC for certification by GWRC, in accordance with Condition 3, and at least 20 working days prior to works commencing within a stream. The SCMP must be prepared by a SOEP with expertise in earthworks management. The objective of the SCMP is to demonstrate that appropriate procedures and methodologies are in place to manage the effects of works on stream bed habitat, freshwater fish, and stream water quality during construction. The SCMP shall must include but not be limited to: a. A detailed description of all stream works to be undertaken (installation of culvert crossing, installation of subsoil pipes, installation of any erosion protection structures) including a timetable for the works; b. Details of the proposed design of all pipes and erosion protection structures including calculations used to determine sizing/design requirements c. A detailed methodology for all stream works to be undertaken;	The Consent Holder must prepare, in consultation with the contractor undertaking the works, a Streamworks Construction Management Plan (SCMP). The SCMP must be submitted to the Manager, Environmental Regulation, Wellington Regional Council for certification at least 20 working days prior to works commencing within a stream. The SCMP shall include but not be limited to: a. A detailed description of all stream works to be undertaken (installation of culvert crossing, installation of subsoil pipes, installation of any erosion protection structures) including a timetable for the works; b. Details of the proposed design of all pipes and erosion protection structures including calculations used to determine sizing/design requirements c. A detailed methodology for all stream works to be undertaken; d. Details of how the structures will maintain fish passage and prevent erosion and scour; e. Measures to prevent adverse effects on fish and fish passage during the works, including during dewatering and stream diversions; f. A detailed temporary diversion methodology to be used in waterways with an active flow. g. Details of all erosion and sediment controls to minimise increased sedimentation in the tributaries and wetland and meet the conditions of this consent.
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Commented [R11]: Requires an additional condition setting out the process where certification is not provided and circumstances where re-certification is required

Commented [TM12R11]: Covered by general conditions

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Commented [TM13]: Inserted wording consistent with response to Minute 4

	d. Details of how the structures will maintain fish passage and prevent erosion and scour; e. Measures to prevent adverse effects on fish and fish passage during the works, including during dewatering and stream diversions; f. A detailed temporary diversion methodology to be used in waterways with an active flow; and g. Details of all erosion and sediment controls to minimise increased sedimentation in the tributaries and wetland and meet the conditions of this consent.	
60.	Temporary diversions within a stream channel The Consent Holder must ensure the temporary water diversion method is in place prior to the commencement of any instream works (excavation and construction). The temporary diversion shall: a. be implemented, managed and maintained in accordance with the Certified Earthworks and Construction Management Plan and the Certified Stream Works Construction Management Plan; The Consent Holder must ensure temporary water diversion is in place prior to the commencement of any instream works (excavation and construction). The temporary diversion must: a. be implemented, managed and maintained in accordance with the SSECMP and the SCMP; b. separate all construction activities from flowing water; c. remain in place for the full duration of the works; and	No changes proposed.

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Commented [R14]: Provide reference to what temporary water diversion method is e.g reference to the relevant management plans

Commented [TM15R14]: Updated text added below as per response to minute 4

Commented [R16]: Provide cross reference to these management plans e.g refer Condition XX XXX

Commented [TM17R16]: Agree, can add following update of entire condition set

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	d. not be removed and the stream flow reinstated until the works have been completed	
62	Within 20 working days following completion of the installation of any the new culvert structures, the Consent Holder must submit in writing to the Manager and Te Rūnanga o Toa Rangatira the information required by regulations 62, 63 (culverts), 66 (dams) of the National Environmental Standard for Freshwater (2020), specifying the time and date of collection. Culvert details must be uploaded into the NIWA fish passage Assessment Tool and providing the Manager with the response number once the upload is complete.	No changes proposed.

Additional conditions recommended by DOC:

1. The Consent Holder must design, construct, operate, monitor, and maintain all instream structures and associated works to provide for effective fish passage, in accordance with the good practice design standards set out in the New Zealand Fish Passage Guidelines.
2. Prior to the commencement of construction, the Consent Holder must provide to the Director-General of Conservation for certification, a Fish Passage Plan demonstrating how fish passage will be maintained or provided at all culverts, wetland connections, and other structures that may affect the movement of indigenous fish, including during low-flow conditions, and how aquatic habitat connectivity will be retained to the greatest extent practicable.
3. The Consent Holder must include in the Fish Passage Plan procedures for ongoing monitoring of all installed culverts to assess whether fish passage is being maintained for the target freshwater fish species and life stages. Monitoring must be carried out after installation, after significant fresh or flood events, and at regular intervals for the operational life of the culverts. If monitoring shows that fish passage is not being maintained, the Consent Holder must investigate the cause and implement remedial actions as soon as practicable.
4. The Fish Passage Plan must also include biosecurity controls to prevent the spread of freshwater pest species. These controls must require all staff and contractors carrying out instream works, fish salvage, monitoring, or maintenance to follow the Ministry for Primary Industries' Check Clean Dry method, including gold clam-specific cleaning and drying requirements. The biosecurity controls must apply to all equipment, machinery, footwear, nets, boats, pumps, hoses, and other gear that may come into contact with freshwater.

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Commented [R18]: Consider rewording to remove duplication/improve wording/provide improved certainty over duration/removal

Commented [TM19R18]: Wording based on recommendation by project ecologist

Commented [R20]: Provide reference to the structures referred to

Commented [TM21R20]: Updated, applies to all

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Commented [R22]: This should be a separate condition and include a timeframe for when this is to be completed

Commented [TM23R22]: Consider more efficient to retain as one condition and this makes it subject to 20 working day requirement

Commented [TM24]: I disagree any of these conditions are required. The regional council already regulates these activities, adding DOC as a certifier adds unnecessary cost and potential delay. These conditions duplicate conditions 57 and 58 proposed by applicant which I consider address fish passage where fish are present in waterways.

Commented [R25]: Consistency of reference to Approval/Consent/Authority Holder needs to be ensured throughout

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Commented [R26]: This condition duplicates 57 b. above

Commented [TM27R26]: Agree

Commented [R28]: Timeframe required e.g XX working days prior

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Commented [R29]: The objective of the Fish Passage Plan needs to be provided and a statement on who should prepare the Plan e.g SQEP.

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Commented [R30]: These requirements for the Fish Passage Plan need to be incorporated into Fish Management Plan above

Commented [R31]: The monitoring requirements needs to set a timeframe within which monitoring is to occur -e.g within XXX days of a flood event. The terms 'significant fresh or flood event' are subjective and need defining. 'Regular intervals' also needs to be defined.

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Commented [R32]: "other gear" is open to interpretation

Commented [R33]: This requirement of the Fish Passage Plan needs to set out under one condition as a list of items to be included.

