

NZTA response to Te Kōhaka o Tūhaitara Trust comments on the Panel's draft conditions in relation to State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)

Condition number	Extracts or track changes condition	TKoT's comments and reasoning	NZTA response (accepted or rejected, with reasons)
General request		Request that the Expert Panel and NZTA explicitly confirm whether Tūtaepatu Lagoon and the Te Kōhanga Wetlands catchment are included within the scope of the receiving environment considered under the stormwater, hydrology, and ecology conditions, and if not, that they be added. Request that the pathway of the Waihora Stream connecting to Tūtaepatu Lagoon and Tūhaitara Coastal Park be included and assessed accordingly, with Tūhaitara Coastal Park specifically named given its recognised cultural and ecological significance.	NZTA confirms that potential effects on the wider receiving downstream environment, including the Tūtaepatu Lagoon and the Te Kōhanga Wetlands catchment, have been considered under the stormwater, hydrogeology, and ecology assessments and associated conditions. This has been achieved by assessing the potential effects of the Project on the immediate downstream receiving environment, identifying appropriate mitigation, and securing that mitigation through appropriate conditions. By controlling the quality of discharges and effects in the immediate receiving environment, the conditions also manage the effects on the downstream receiving environment. By way of an example, condition C4.6 requires that discharges of construction phase stormwater meet the CLWRP 'total suspended solids' performance criteria at the point of discharge to surface water. Similarly, water generated during construction from contaminated sites (of which there are only few) must meet CLWRP water quality criteria at the point of discharge. These requirements control potential effects at source and thereby protect both the immediate

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			receiving environment and the downstream environments.
General request		Request to be formally added as a party to be notified and consulted under the relevant management plan conditions on the same basis as Whitiora, in relation to any matters affecting water quality, hydrology, or ecological values likely to affect Tūtaepatu Lagoon, the Te Kōhanga Wetlands, or the wider Tūhaitara Coastal Park.	NZTA rejects this request Values relating to Tūtaepatu Lagoon, the Te Kōhanga Wetlands, and the wider Tūhaitara Coastal Park are unlikely to be affected given they are approximately 1400m east of the Project Alignment. See page 10 of Attachment 1 of NZTA's response to comments (dated 15 May 2026). NZTA will engage with the trust on the potential mudfish relocation options (see response further below), and it is open to Whitiora or NZTA to provide other information outside of the formal consent process, but this is not considered necessary as a condition of consent.
C4.6	Construction phase dewatering water and stormwater (except where subject to Condition C4.7), may be discharged to Watercourses and Wetlands (but not Natural Inland Wetlands or water courses connected to inland wetlands) providing: ...	These existing water courses which are alluded on page 5 of the stormwater and flooding assessment, point towards the Tūhaitara Coastal Park and Tutaepatu Lagoon, which has not been considered and hold significant cultural values to Ngai Tahu.	NZTA does not accept the suggested amendment NZTA has sought consent to discharge construction phase stormwater and dewatering water to watercourses, and excluding all watercourses that are potentially connected to natural inland wetlands would frustrate the intended use of the consent.

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			The term 'connected to' is not defined and could capture watercourses located upstream or downstream, including considerable distances. The conditions already exclude any direct discharge to a wetland, and impose discharge quality controls to protect the receiving watercourse, and consequently any connected downstream wetland. As an example, Waihora Stream forms part of a wetland-stream complex. During culvert installation, dewatering water may need to be directed to the stream to maintain downstream flows. Preventing this discharge on the basis the stream is connected to natural inland wetlands could prevent mitigation of temporary stream depletion effects, to the detriment of the wetland-stream complex.
C4.8	Construction phase stormwater discharges which are discharged to a Watercourse from storm events up to and including the 5% Annual Exceedance Probability event shall not, further than 25 metres downstream of the discharge point, result in:	Ensure in management plan there is monitoring of significant impacts on aquatic life including increase detrimental species such as algae blooms, due to Tutaepatu Lagoon, which is a legislatively protected, spring-fed mahinga kai site within the stormwater runoff area. These existing water courses which are alluded on page 5 of the stormwater and flooding assessment, point towards the Tūhaitara Coastal Park and Tutaepatu	The Project will monitor compliance with the consent conditions, with the relevant monitoring procedures and response measures documented within the applicable management plan(s). Project related effects are monitored and managed within the immediate receiving environment and condition C4.8 requires that

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	(a) Any conspicuous oil, or grease films, scums or foams, or floatable materials in the receiving water, or (b) A change in colour of the receiving water of greater than ten Munsell units; or (c) A reduction in visual clarity greater than 35 percent as measured upstream and downstream of the discharge using a water clarity tube or black disk method, or (d) A significant adverse effect on aquatic life.	Lagoon, which have not been considered and hold significant cultural values to Ngai Tahu.	construction phase discharges do not have a significant adverse effect on aquatic life. The significant cultural and ecological values associated with Tūhaitara Coastal Park and Tutaepatu Lagoon are acknowledged. By managing effects within the immediate receiving environment, the consent conditions are also protective of downstream environments, including the Tūhaitara Coastal Park and Tutaepatu Lagoon. Specific monitoring for algal blooms or other ecological effects within Tūhaitara Coastal Park and Tutaepatu Lagoon is not proposed because Project-related effects are not anticipated to extend to these environments.
C4.9	Construction phase stormwater and dewatering discharges shall not be discharged directly to any Natural Inland Wetlands, specifically Tutaepatu Lagoon and Te Kohanga Wetlands within Tūhaitara Coastal Park.	Hydrological assessment doesn't include impacts on wetlands further afield. "Waihora Stream flows south, parallel to the proposed roadway alignment before turning east south of Woodend Beach Road, discharging to the broad interdunal area west of Woodend Beach" which may affect Tutaepatu Lagoon and water courses within Tūhaitara Park. This reference is not included in the maps.	NZTA rejects the suggested change NZTA has not sought consent to discharge directly to Tutaepatu Lagoon and Te Kohanga Wetlands within Tūhaitara Coastal Park. In addition, the distance between the construction area and the identified sites would make it impractical and uneconomic to discharge construction-phase stormwater or dewatering flows directly to those

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			locations. Therefore, the explicit inclusion of these sites is unnecessary.
O3.4	When the capacity of the stormwater system is exceeded, stormwater must be directed via NZTA owned land to existing watercourses or overland flow paths	These existing water courses which are alluded on page 5 of the stormwater and flooding assessment, point towards the Tūhaitara Coastal Park and Tutaepatu Lagoon, which has not been considered and hold significant cultural values to Ngai Tahu.	This is a comment on the assessment, rather than the conditions. The application has considered the significance of these sites – see section 4.3.2 of the Substantive Application Report.
MP.10	... The ESCMP must include: ... (n) A protocol for provision of a summary of outcomes to Whitiara and Te Kōhaka o Tūhaitara Trust, on a six-monthly basis, from monitoring required under this management plan; and (o) A protocol for consultation with Whitiara and Te Kōhaka o Tūhaitara Trust in respect of any concerns or issues in relation to effects on the environment during construction, and in particular observed effects on water quality and the health and wellbeing of waterbodies.		NZTA rejects the suggested changes The suggested amendment is not required in order to mitigate any effect of the project. It is open to Whitiara to provide a summary of outcomes to the Trust, or NZTA may provide this outside of the formal consent process if requested, but it is not necessary as a condition of consent.

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CM.5	The CMMP shall include: ... (f) In identifying proposed recipient site(s) under clause (e), the Consent Holder shall consider Te Kōhaka o Tūhaitara Trust's wetland restoration sites within Tūhaitara Coastal Park as potential recipient or compensation sites, and consult the Trust accordingly. ...	The Trust's wetland restoration programme already supports kōwaro and other mahinga kai species and has relevant habitat under active management. The Trust offers its sites and expertise to be considered, alongside DOC, if a recipient site or further compensation measures are required.	NZTA accepts the suggested amendment in part NZTA welcomes the Trust's offer of support and expertise and agrees the Trust's wetland restoration sites within the Coastal Park should be considered as potential recipient sites for Canterbury mudfish relocation or as locations for compensatory habitat restoration, if this is required. In considering the suitability and availability of those sites, NZTA would need to liaise with the Trust. However, NZTA does not consider it necessary to impose a formal consultation requirement through the condition. The suitability of any recipient or compensation site would ultimately need to be assessed by the suitably qualified ecologist with specific experience in mudfish. NZTA proposes amendments to Condition CM.5 (f) and (l) requiring the Trust's wetland restoration sites to be considered. (f) the location of proposed recipient site or sites, including confirmation by a suitably qualified and experienced freshwater ecologist that the site could potentially support Canterbury mudfish. <u>In</u>

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			<u>identifying proposed recipient sites, the Consent Holder shall consider Te Kōhaka o Tūhaitara Trust's wetland restoration sites within Tūhaitara Coastal Park.</u> (l) The compensation measures must directly relate to Canterbury mudfish and may include research, recovery, survey, monitoring or habitat restoration. <u>Where the compensation measures include habitat restoration, the Consent Holder shall consider Te Kōhaka o Tūhaitara Trust's wetland restoration sites within Tūhaitara Coastal Park.</u>