

Complex Freshwater Fisheries Approval Conditions
Dispensations under Regulation 42 (Culverts and Fords)

PART A: DEFINITIONS AND EXPLANATION OF TERMS

Term	Definition
Application	The application titled <i>Buller Plateaux Continuation Project</i> lodged under the Fast-track Approvals Act 2024 dated XX including all technical assessments and supporting reports.
Approval Holder	BT Mining and Bathurst Resources Limited
Grantor	The Department of Conservation
MFS Access Road	Mt Frederick South Access Road
UWHR	Upper Waimangaroa Haul Road

PART B: CONDITIONS

Activities Authorised	Location	Lapse
Approval under Regulation 42 of the Freshwater Fisheries Regulations 1938 for fish passage provision for 12 culverts associated with the UWHR and MFS access road	UWHR and MFS access road locations shown Schedule Two and Table 1	5 years

1. This permit authorises the construction, use and maintenance of the following culverts in Table 1 which must provide for kōura passage:

Table 1

Culvert Number	Road Section Name	Box / Pipe	Culvert Size (m)	Barrels (#)	Length (m)	Location (NZTM mE,mN)
7	UWHR-C2B	Box	1.5H x 2.0W	1	100	
8	UWHR-C2B	Box	1.5H x 3.0W	1	44	

15	UWHR-B2B	Box	1.5H x 4.0W	3	40	
17	UWHR-B2B	Box	1.5H x 4.0W	3	24	
21	UWHR-B2B	Box	1.5H x 3.0W	1	54	
25	UWHR-B2B	Box	1.5H x 2.0W	1	47	
26	UWHR-B2F	Box	1.5H x 3.0W	1	36	
30	UWHR-B2F	Box	1.5H x 4.0W	1	25	
31	UWHR-B2F	Pipe	1200	1	51	
32	UWHR-B2F	Box	5x (1.0H x 2.0W)	5	49	
38	UWHR-F2C	Box	1.5H x 2.0W	1	41	
1	MFS-UWR Crossing	Box	4mHx4mW	5	30	

2. All construction, operation and maintenance activities must be undertaken in general accordance with the Application.
3. The Approval Holder must undertake all activities in accordance with the relevant resource conditions set out below in Table 2:

Table 2

KOU1	Where kōura are present in any stream length that will be removed as a result of Mining and Mining Operations, the Approval Holder must as far as is practicable, subject to obtaining any necessary additional approvals, undertake the translocation of kōura from that part of the stream to an alternative suitable habitat.
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KOU2	Where practicable, the Approval Holder must provide for the passage of kōura within any new culverts installed: (a) within the Stockton, ESE, MFS and UWHR sub-areas; and (b) as part of the pest exclusion fences described in condition RES7.
KOU3	Notwithstanding condition xxx, the Approval Holder must provide for the passage of kōura in a manner consistent with the New Zealand Fish Passage Guidelines (version 2.0, June 2024) within the following culverts to be installed during the construction of the UWHR and the MFS Access Road: (a) Culvert #1: MFS, Waimangaroa River crossing, in the vicinity of [REDACTED] (Waimangaroa River) (b) Culvert #7: UWHR, road section C2B, in the vicinity of [REDACTED] (c) Culvert #8: UWHR, road section C2B, in the vicinity of [REDACTED] (Burnett Stream) (d) Culvert #15: UWHR, road section B2B, in the vicinity of [REDACTED] (Hut Stream) (e) Culvert #17: UWHR, road section B2B, in the vicinity of [REDACTED] (Gomorra Creek) (f) Culvert #21: UWHR, road section B2B, in the vicinity of [REDACTED] (g) Culvert #25: UWHR, road section B2B, in the vicinity of [REDACTED] (h) Culvert #26: UWHR, road section B2F, in the vicinity of [REDACTED] (Cedar Creek) (i) Culvert #30: UWHR, road section B2F, in the vicinity of [REDACTED] (j) Culvert #31: UWHR, road section B2F, in the vicinity of [REDACTED] (k) Culvert #32: UWHR, road section B2F, in the vicinity of [REDACTED] [REDACTED] UWHR, road section F2C, in the vicinity of [REDACTED] (Wilson Creek) <i>Advice note: the New Zealand Fish Passage Guidelines (version 2.0, June 2024) was prepared for the Ministry for the Environment and can be found at https://niwa.co.nz/freshwater/fish-passage/home/new-zealand-fish-passage-guidelines</i>
KOU4	For each culvert that is placed, altered, extended or reconstructed as part of the BPCP (including, but not necessarily limited to, the Whareatea Road widening, the UWHR construction, the MFS Access Road construction, and the construction of pest exclusion fences), the Approval Holder must collect and provide the following information to the Approval Authority within 20 working days from when the activity is finished, along with the time and date when the information was collected: (a) The type of structure (i.e. culvert);

	(b) The geographical coordinates of the culvert; (c) The culvert's asset identification number, if known; (d) Whether the culvert's ownership is: (i) Held by the Crown (for example the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or (ii) Held publicly by another person or organisation; or (iii) Held privately; or (iv) Unknown. (e) The number of barrels that make up the culvert; (f) The culvert's shape; (g) The culvert's length; (h) The culvert's diameter or its width and height; (i) The slope of the culvert; (j) The alignment of the culvert; (k) The height of the drop (if any) from the culvert's outlet; (l) The length of the undercut or erosion (if any) from the culvert's outlet; (m) The material from which the culvert is made; (n) The numbers of each other structure to which fish passage provision applies (for example, a weir, a flap gate, a dam, a ford, a wingwall, a screen) on the culvert; (o) The flow of the river or connected area (whether none, low, normal, or high); (p) The mean depth of water through the culvert; (q) The mean water velocity in the culvert; (r) Whether there are low-velocity zones downstream of the culvert; (s) Whether the water is tidal at the culvert's location; (t) At the culvert's location: (i) The width of the river or connected area at the water's surface; and (ii) The width of the bed of the river or connected area. (u) The type of bed substrate that is in most of the culvert; (v) Whether the culvert has wetted margins; (w) Whether there are improvements to the culvert to mitigate any effects the structure may have on the passage of fish; (x) Whether there are remediation features (for example, baffles or spat rope) in the culvert; (y) Whether the culvert protects particular species, or prevents access by particular species to protect other species; (z) The likelihood that the culvert will impede fish; and (aa) Visual evidence (for example, photographs) that shows both ends of the culvert, viewed upstream and downstream.
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Schedule One







