

J	Land Use (s13)	Disturbance and deposition of material in the bed of Kākā Stream and its tributaries, including reclamation
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Resource Consent:

Grants to: CCKV Maitai Dev Co Limited Partnership

Lapse Date: 10 years after consent commences

Expiry date: No expiry

Location: 7 Ralphine Way, Maitai Valley, Nelson

Subject to the following conditions:

General Conditions

- 1 The activity shall be carried out in accordance with the application for resource consent, including any further information provided, and in accordance with the following conditions of consent. Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.
- 2 The development shall proceed in accordance with the plans A-X identified in Appendix A and labelled:
 - Plan A RMxxxxxx -
 - Plan B RMxxxxxx -
 - Plan C RMxxxxxx -
 - Plan D RMxxxxxx -
- 3 The Consent Holder shall advise the Council's Council's Team Leader Environmental Compliance in writing, at least 5 working days prior to works commencing on site, so that monitoring of the conditions of this consent can be undertaken. Please email regulatory@ncc.govt.nz and advise the consent number _____.

Māori Cultural Values

- 4 Prior to the commencement of any works authorised by this consent, all contractors and subcontractors engaged in the implementation of this consent shall participate in a cultural induction delivered by Ngāti Koata or their nominated representatives. A record of induction attendance shall be maintained by the consent holder and made available to the Council and Te Taihū Iwi representatives upon request.
- 5 During all excavation activity, the consent holder shall ensure that a mandated cultural observer (iwi monitor) is available to oversee works. Iwi monitors shall determine, at their discretion, where direct monitoring is required, with the presumption that all ground disturbance activities are subject to monitoring unless otherwise advised by the iwi monitors.
- 6 Unless covered by an existing Archaeological Authority, in the event of any discovery of archaeological material:
 - (a) the Consent Holder shall immediately:
 - i. Cease earthworks and mark off the affected area;
 - ii. Advise the Council of the discovery; and
 - iii. Advise Heritage New Zealand Pouhere Taonga of the discovery;

- (b) If the archaeological material is determined to be kōiwi tangata (human bones) or taonga (treasured artefacts) by Heritage New Zealand Pouhere Taonga, the Consent Holder shall immediately advise the office of Te Rūnanga o Ngāti Kuia Trust, Ngāti Apa ki te Rā Tō Trust, Te Rūnanga a Rangitāne o Wairau, Ngāti Koata Trust, Te Rūnanga o Ngāti Rārua, Te Rūnanga o Toa Rangatira, Ngāti Tama ki te Waipounamu Trust, and Te Ātiawa o te Waka-ā-Māui Trust (office contact information can be obtained from the Nelson City Council and the New Zealand Police) of the discovery; and
 - (c) Work may recommence if Heritage New Zealand Pouhere Taonga (following consultation with rūnanga if the site is of Māori origin) provides a statement in writing to the Council that appropriate action has been undertaken in relation to the discovery.
- 7 The consent holder shall work in partnership with Ngāti Koata Trust and other relevant iwi Pou Taiao to define appropriate indicators, monitoring locations, and reporting formats to integrate mātauranga Māori indicators of cultural health into the stream monitoring methods.
- The Consent Holder shall engage a suitably qualified cultural practitioner to carry out Cultural Health Index monitoring at 6 months, 12 months and 24 months from the first application of flocculant. Should any cultural effects arise from this monitoring that can be directly attributed to the discharge of flocculants, the applicant shall resolve and remediate the issues with the appropriate iwi authority.
- All iwi engagement and remediation works shall be carried out at the Consent Holder's expense.

Traffic Management Plan (TMP)

- 8 Prior to the commencement of any construction or earthworks activity on the site, the Consent Holder shall submit a Traffic Management Plan (TMP) to Council's Team Leader Transport and the Council's Team Leader Environmental Compliance for review. The TMP shall be prepared by a suitably qualified and experienced person and shall be in accordance with industry best practice for temporary traffic management, such as the Waka Kotahi Code of Practice for Temporary Traffic Management (CoPTTM), or any equivalent standard accepted by Council.
- 9 The purpose of the TMP is to ensure that construction traffic is managed in a way that maintains the safety and efficiency of the surrounding transport network, minimises disruption to road users, and protects the amenity of the surrounding environment.
- 10 The TMP shall include, but not be limited to, the following:
 - a) The location and design of vehicle access points and haul routes.
 - b) Anticipated construction traffic volumes and types of vehicles.
 - c) Hours of operation for construction traffic.
 - d) Measures to avoid, remedy or mitigate adverse effects on traffic safety and the efficiency of the road network, including signage, temporary traffic control, and parking restrictions if required.
 - e) Provision for safe pedestrian and cyclist access past the site.
 - f) Measures to prevent dust, debris, and mud being carried onto the public road network.
 - g) Access arrangements for emergency services and affected properties.
 - h) Procedures for ongoing review and amendment of the TMP as necessary.
 - i) Contact details for the site manager and the person responsible for traffic management.
- 11 All construction-related traffic shall be managed in accordance with the TMP for the duration of the works.

Site Specific Erosion and Sediment Control Plans (SSESCPs)

- 12 The SSESCPs shall be generated for each construction area as identified in Appendix C – Site Specific Erosion and Sediment Control Plans in the Southern Skies Environmental Erosion and Sediment Control Assessment Report Maitahi Village. The areas that have identified requirements for SSESCPs are shown in the table below:

Reference number	Title	Revision	Date
ESCP-000-00	Erosion and Sediment Control Plan – Staging Index	A	15.06.24
SSESCP-001	Site Specific Erosion and Sediment Control Plan – Stage 1	A	20.05.24
SSESCP-002	Site Specific Erosion and Sediment Control Plan – Stage 2	A	23.05.24
SSESCP-003	Site Specific Erosion and Sediment Control Plan – Stage 3	A	17.06.24
SSESCP-004	Site Specific Erosion and Sediment Control Plan – Stage 4	A	09.07.24
SSESCP-SW-01	Site Specific Erosion and Sediment Control Plan – Kaka Stream Diversion	A	26.05.24

- 13 Any of the SSESCPs may be amended at any time by the Consent Holder, however any amendments shall be submitted to Council's Team Leader Environmental Compliance for approval. If the amended SSESCP is approved, then it becomes the certified plan. Any amendments to the SSESCP shall be:
- For the purposes of improving the measures outlined in the SSESCPs;
 - Consistent with the conditions of this resource consent; and
 - Prepared by a suitably qualified expert or experts.
- 14 No less than 10 working days prior to the commencement of any site development works, in any of the areas covered by a SSESCP, the consent holder shall provide the SSESCP to Council's Team Leader Environmental Compliance for review.
- 15 Each SSESCP shall be generated with the following principles:
- Emphasis will be given to the importance of erosion control at all sites to minimise the risk of sediment discharge. This will be achieved with structural (physical measures) and non-structural (methodologies and construction staging) erosion control measures.
 - Sediment control will be utilised to treat sediment-laden runoff from all exposed earthworks areas.
 - Earthworks and construction water management measures will be confirmed in the SSESCPs which will allow for flexibility and practicality of approach to ESC and allow the ability to adapt appropriately to specific site conditions.
 - Progressive and rapid stabilisation, both temporary and permanent, of disturbed areas using mulch, aggregate and geotextiles will be on-going during the earthworks phase. Temporary stabilisation will apply particularly with respect to stockpiles, ground improvement locations where topsoil is removed, concentrated flow paths and batter establishment. Stabilisation is designed for both erosion control and dust minimisation.
 - Streamworks and works in the vicinity of streams will be undertaken in a manner that recognises the higher risk of this activity from a sediment generation and discharge perspective, and the sensitivity of the receiving environments. Works within active stream channels will be undertaken in a "dry" environment by working off-line or diverting upstream flows.

- vi) Comprehensive site monitoring and management will allow for continuous improvement in response to monitoring outcomes on an ongoing basis. Monitoring will include visual inspection of the construction water management devices and the downstream environment.
- 16 Each SSESCP shall contain as a minimum, the following information:
- i) the specific construction activity to be undertaken;
 - ii) the area of earthworks, and/or the nature of the stream works at specific locations, and
 - iii) identification of the downstream receiving environment;
 - iv) the locations of all earthworks and/or stream works;
 - v) methods for managing construction water effects for specific activities;
 - vi) the duration of the earthworks and/or stream works;
 - vii) the time of the year that the stream works are to be undertaken, and where applicable,
 - viii) the measures to be implemented to respond to any heightened weather risks at that
 - ix) time;
 - x) stabilisation methods and timing to reduce the open area at key locations to assist with
 - xi) a reduction in sediment generation;
 - xii) chemical treatment (flocculation) at SRPs and DEBs; and
 - xiii) the following details for dust management:
 - o Identification of potential dust sources on the site;
 - o Methods to suppress or control dust (e.g. use of water carts, chemical dust suppressants, stabilisation of exposed surfaces);
 - o Monitoring procedures, including daily site inspections and weather condition assessments;
 - o Response procedures for dust complaints or exceedances;
 - o Identification of a site representative responsible for implementing the DMP.

Dust Management – General Requirements

- 17 The Consent Holder must undertake all earthworks in a manner that avoids, as far as practicable, the generation of visible dust beyond the boundary of the site. No visible dust must be discharged beyond the boundary that causes an offensive or objectionable effect.
- 18 The Consent Holder shall implement all dust control measures specified in the certified SSESCP throughout the duration of the earthworks.
- 19 The Consent Holder shall proactively monitor weather forecasts and implement additional dust suppression measures on days where dry and/or windy conditions are forecast, including:
- o Increasing the frequency or intensity of water application;
 - o Temporarily suspending earthworks where effective dust suppression cannot be achieved.
- 20 The Consent Holder shall ensure that any exposed earth surfaces that are not actively worked for more than 14 consecutive days are stabilised by means such as hydroseeding, mulching, or geotextiles to prevent dust emissions.
- 21 The consent holder must maintain a complaints register for dust-related issues. The register must include:
- o The nature, date, and time of the complaint;

- Weather conditions at the time of the complaint;
- Actions taken in response.
- This register must be made available to Council upon request.

Erosion and Sediment Control Monitoring Plan

- 22 All earthworks on site shall be supervised and monitored by suitably qualified and experienced professionals in accordance with the Erosion and Sediment Control Monitoring Plan provided in Appendix B – Erosion and Sediment Control Monitoring Plan in the Southern Skies Environmental Erosion and Sediment Control Assessment Report Maitahi Village.

Chemical Treatment Management Plan (CTMP)

- 23 All chemical treatment and dosing of earthworked areas on site shall be designed, maintained, supervised and monitored by suitably qualified and experienced professionals in accordance with the Chemical Treatment Management Plan provided in Appendix A – Chemical Treatment Management Plan in the Southern Skies Environmental Erosion and Sediment Control Assessment Report Maitahi Village.

Construction Noise and Vibration Management Plan (CNVMP)

- 24 Prior to any earthworks commencing on site, The Consent Holder shall prepare a Construction Noise and Vibration Management Plan (CNVMP). This Plan shall be forwarded no later than 10 working days prior to works commencing to Council's Team Leader Environmental Compliance for review. The CNVMP shall be prepared in accordance with the Styles Group Construction and Noise Vibration Assessment – Maitahi Village. The objective of the CNVMP is to set out the methods and procedures that will be used to ensure compliance with the hours of work and noise and vibration controls in these conditions.
- 25 The CNVMP shall provide as a minimum, the following details:
- a) The relevant conditions setting out limits on noise levels, vibration levels and hours of work
 - b) The programme of works and consented hours of construction work.
 - c) Identification of surrounding noise sensitive receivers.
 - d) A specific section that sets out the noise mitigation measures that must be observed for construction works that are within 100m of the Ralphine Way Receivers. This section should set out the specific limits and mitigation measures that the constructor will need to observe to ensure compliance with the consented noise limits. This includes procedures to ensure compliance with the requirement to ensure that heavy construction vehicles do not access the Site, via Ralphine Way, or queue to enter the site via Ralphine Way, outside of the hours of 0730 to 1800 Monday to Saturday.
 - e) Procedures for ensuring that the consent holder provides receivers on Ralphine Way with ongoing and regular updates throughout the various stages of construction work so that receivers have advanced notice of the approximate dates and duration of the busiest and noisiest construction activities on site that may affect receivers on Ralphine Way.
 - f) Written communication with occupants of all dwellings on Ralphine Way of the works in writing at least ten (10) days prior to the commencement of activities on site. The written advice shall set out:
 - (i) a brief overview of the construction works
 - (ii) the working hours and expected duration
 - (iii) all mitigation measures to be implemented
 - (iv) the procedure for recording concerns/complaints regarding noise.

- 26 The CNVMP shall address the requirements of Annex E of NZS 6803:1999 Acoustics – Construction Noise and the AAAC Guideline for interpreting and applying NZS 6803 1999 as a minimum. The CNVMP and any amendments must be prepared by a suitably qualified acoustics consultant (e.g., MASNZ). Amendments that include changes to the construction methodology must be tracked and any revised CNVMP shall be submitted to Council’s Team Leader Environmental Compliance for review.
- 27 All construction works on the site shall be carried out in accordance with the CNVMP and a copy of the CNVMP must be kept on site during construction hours.
- 28 All construction works on the site shall be designed and conducted by a suitably qualified and experienced professional to ensure that the construction vibration does not exceed 5mm/s PPV when measured within 500mm of ground level on the foundation or structure of any building on another site. Vibration shall be measured and assessed in accordance with the German Standard DIN 4150-3:2016 Structural vibration – Effects of vibration on structures.
- 29 Construction noise levels generated from the Site shall comply with the following limits, when measured and assessed 1m from the façade of any occupied dwelling or building on any other site in accordance with NZS 6803:1999: Acoustics – Construction Noise:

Time Period	Maximum noise levels	
	L _{Aeq} (15min)	L _{AFmax}
07:00am to 07:30am, Monday to Saturday	55 dB	75 dB
07:30am to 6:00pm, Monday to Saturday	70 dB	85 dB
At all other times and on Public Holidays	45 dB	75 dB

- 30 Construction hours
1. The permitted days and hours of construction work are:
 - i) Monday to Friday 07:00 to 18:00
 - ii) Saturday 08:00 to 13:00 for construction work within 100m of any occupied dwelling on Ralphine Way.
 - iii) Saturday 07:00 to 17:00 for construction work more than 100m from any occupied dwelling on Ralphine Way
 2. Heavy vehicle movements using the Ralphine Way access are limited to between 0730 and 1800 Monday to Friday and 0800 and 1700 on Saturdays
 3. No construction work is permitted on Sundays or Public Holidays.
 - d) The CNVMP may authorise some work to take place at other times where the CNVMP demonstrates that those works will comply with the construction noise limits in condition 31 (for example, light vehicle movements, works well separated from any receivers, site meetings, electrical fitout, painting etc).

Ecological Restoration Plan (ERP)

- 31 Prior to the commencement of any vegetation clearance or earthworks within the Project Area, the Consent Holder shall prepare and submit an Ecological Restoration Plan (ERP) for approval by the Council’s Manager of Consents. The ERP must be prepared by a Suitably Qualified and Experienced Ecologist and must cover all terrestrial, riparian, stream, and wetland restoration and enhancement areas within the Project Area, including the 120 ha Kākā Hill restoration site.

32 The ERP must:

- a) State clear restoration and enhancement objectives for all areas, including those within the Project Area and the 120 ha Kākā Hill site. Objectives must include:
- Achieving no-net-loss of indigenous biodiversity values;
 - Enhancing biodiversity, ecological connectivity, and habitat condition across terrestrial, riparian, wetland, and stream ecosystems;
 - Re-establishing self-sustaining, resilient native ecosystems representative of the Bryant Ecological District;
 - Avoiding, remedying, or mitigating adverse effects on adjacent Significant Natural Areas (SNAs) and any Threatened or At Risk indigenous species that may use the restoration areas.
- c) Include the following component management plans:
- A Stream Restoration Plan (SRP) prepared in accordance with Condition 35;
 - A Wetland Restoration Plan (WRP) prepared in accordance with Condition 37;
 - A Lizard Management Plan (LMP) prepared in accordance with Condition 39.
- b) Define measurable performance standards for each habitat type, including:
- Minimum 80% native vegetation survival at Year 3;
 - Canopy closure or vegetative cover thresholds appropriate to habitat type;

Advice Note: The SRP includes performance standards specific to the realignment and restoration of Kākā Hill Tributary.

- d) Provide spatial planting plans for all restoration and enhancement areas, including:
- Plant species lists tailored to each ecological zone;
 - Eco-sourcing requirements;
 - Planting densities and layout;
 - Habitat zonation appropriate to the Bryant Ecological District.
- e) Set out implementation milestones and schedules, including indicative timing and sequencing of planting and site works.
- f) Identify site preparation and maintenance methods, including:
- Weed control and invasive species management;
 - Pest animal control measures;
- g) Require that the removal of native woody vegetation be undertaken outside the peak bird breeding season (August to February inclusive), unless a Suitably Qualified and Experienced Ecologist confirms in writing that no active nests are present in the area to be cleared.
- h) Include a monitoring and reporting programme for each restoration component, specifying:
- Frequency and duration of monitoring;
 - Success indicators linked to performance standards;
 - Adaptive management triggers and corrective actions.
- i) Describe mechanisms for long-term protection and management, including:
- Legal protection (e.g. covenants, consent notices);
 - Ongoing maintenance responsibilities;
- j) Ensure all planting follows appropriate guidance for the Bryant Ecological District (e.g., Courtney et al. 2003).

- 33 All restoration and enhancement works must be implemented and maintained in accordance with the approved ERP.

Stream Restoration Plan (SRP)

- 34 As part of the Ecological Restoration Plan (ERP) (Condition 32), the Consent Holder shall prepare and submit a Stream Restoration Plan (SRP) for approval by the Council's Manager of Consents prior to the commencement of any stream realignment works, or associated construction that may impact freshwater ecological values. The SRP must:
- a) State objectives for the realignment and restoration of Kākā Stream and affected tributaries (KHT1–KHT4), including:
 - Achieving functional aquatic ecosystems that support indigenous fish and macroinvertebrate communities;
 - Enhancing ecological connectivity and stream–riparian interactions;
 - Restoring natural geomorphic processes and stream habitat diversity.
 - b) Establish current baseline conditions for reaches KHT1–KHT4. This must include:
 - Channel morphology (including cross-sectional profiles, substrate composition, and longitudinal profiles);
 - Stream Ecological Valuation (SEV) assessment; and
 - Characterisation of hydrological regime (e.g., baseflow and permanence).
 - Baseline data will inform performance standards and monitoring triggers.
 - c) Confirm, using the Stream Ecological Valuation (SEV) method, that the proposed restoration works will result in adequate SEV uplift and appropriate Environmental Compensation Ratios (ECRs) for offsetting stream loss, based on final design. This assessment must be consistent with the approach set out in the Stream Mitigation Assessment (SMA; Rob Env, June 2025) and demonstrate that ECRs meet or exceed those calculated in the SMA, or otherwise demonstrate that no net loss in stream ecological value will occur.
 - d) Identify and map the spatial extent of all stream restoration works, and demonstrate that the total offset area is sufficient to meet the ECR required based on final impact and restoration SEV scores.
 - e) Define measurable performance standards, including but not limited to:
 - Minimum SEV uplift targets of ≥ 0.1 SEV units compared to baseline;
 - Minimum 80% riparian vegetation survival.
 - Performance standards must be met within five years of completion of physical restoration works, unless otherwise agreed with the Council based on monitoring evidence and SQEP advice.
 - f) Specify monitoring protocols and frequency, using the pre-construction survey as a baseline. Monitoring must occur annually for 5 years post-restoration, and include:
 - Repeat SEV assessments;
 - Macroinvertebrate and fish surveys;
 - Riparian vegetation survey.
 - Monitoring must occur annually for 5 years post-restoration or until all performance standards have been met, whichever is later.
 - g) Define adaptive management triggers and responses. If monitoring indicates failure to meet any performance standard, the SRP must outline:
 - Diagnostic steps (e.g. site inspections, root cause analysis, further sampling);

- Remedial actions (e.g. infill planting, channel re-grading, fish passage remediation);
 - Timelines for remedial actions and subsequent monitoring to confirm effectiveness.
- h) Be prepared by a Suitably Qualified and Experienced Freshwater Ecologist and be peer-reviewed by an independent SQEP with relevant ecological and restoration expertise.
- i) Include a Fish Salvage and Relocation Plan (FSRP), prepared by a Suitably Qualified and Experienced Freshwater Ecologist, specifying:
- Methods for fish capture and relocation during stream works;
 - Timing of works to avoid sensitive fish migration or spawning periods;
 - Holding and release protocols, including suitable release sites; and
 - Documentation and reporting requirements.
- j) Include reporting mechanisms, such as an annual SRP compliance and monitoring summary report to the Council, demonstrating progress toward objectives, outcomes, and any adaptive actions taken.
- 35 All stream restoration works must be implemented and maintained in accordance with the approved SRP.

Wetland Restoration Plan (WRP)

- 36 As part of the Ecological Restoration Plan (ERP; Condition 32), the Consent Holder shall prepare and submit a Wetland Restoration Plan (WRP) for approval by the Council's Manager of Consents prior to the commencement of any earthworks or construction activities within 20m of Wetland 1 or Wetland 2. The WRP must be prepared by a SQEP Ecologist and must:
- a) State restoration objectives for each wetland area, including:
- Achieving no net loss in wetland extent or ecological value;
 - Restoring or maintaining wetland hydrological function and indigenous plant dominance;
 - Enhancing wetland habitat diversity and resilience to edge effects.
- b) Specify hydrological management measures (if any) to protect or reinstate natural wetland water regimes, including stormwater input design (if applicable), flow attenuation, and groundwater interactions.
- d) Define a minimum 10 m vegetated buffer around each wetland, or greater where practicable, and include spatial planting plans showing:
- Plant species lists, eco-sourcing requirements, densities, and zonation;
 - Planting layout tailored to wetland type and buffer function;
- e) Identify site preparation and maintenance measures, including:
- Weed and pest animal control;
 - Browsing and trampling prevention (e.g. fencing if required).
- f) Define measurable performance standards, including but not limited to:
- Indigenous wetland vegetation cover \geq 80% within 5 years;
 - Hydrological function restored or maintained, with no net reduction in wetland extent;
 - Buffer vegetation \geq 80% survival by Year 3.
- g) Specify a monitoring and reporting programme, including:
- Baseline data collection pre-restoration;
 - Annual monitoring for 5 years post-restoration;
 - Parameters including vegetation cover and composition, hydrology (surface and/or groundwater), and weed/pest presence;

- Adaptive management triggers and required remedial actions if performance standards are not met.
- 37 All wetland restoration and enhancement works must be implemented and maintained in accordance with the approved WRP.

Lizard Management Plan (LMP)

- 38 As part of the Ecological Restoration Plan (ERP), the Consent Holder shall submit a Lizard Management Plan (LMP) for certification by the Council's Manager of Consents. The LMP must be prepared by a Suitably Qualified and Experienced Herpetologist and must:
- a) Identify all areas of potential indigenous lizard habitat within the Project Area, including rock piles, sunny shrublands, and woody debris;
 - b) Specify pre-clearance survey methods, including timing, search effort, and detection techniques appropriate to the species likely to be present;
 - c) Detail capture, handling, containment and translocation procedures, including relevant welfare and biosecurity measures;
 - d) Define release site criteria, any required habitat enhancement, and measures to ensure long-term suitability and protection;
 - e) Include post-translocation monitoring protocols (frequency, success indicators, adaptive management); and
 - f) Outline contingency measures and an Accidental Discovery Protocol, requiring all works to cease immediately in the event a Threatened or At-Risk–Declining lizard species is encountered. The find must be reported to the Council and the Department of Conservation, and management measures must be developed by a Suitably Qualified and Experienced Herpetologist in consultation with DOC before works recommence.
- 39 All lizard management actions must be undertaken in accordance with the certified LMP.

Wetland 1 - Hydrological Assessment

- 40 Prior to the commencement of any vegetation clearance or earthworks within 100 m of Wetland 1, the Consent Holder must submit to Council's Manager of Consents a Hydrological Assessment prepared by a Suitably Qualified and Experienced Hydrologist that:
- (a) Assesses whether the proposed activity results, or is likely to result, in the complete or partial drainage of all or part of Wetland 1; and
 - (b) confirms either that drainage is unlikely, or sets out the mitigation required to maintain the wetland's existing hydrological regime.
- 41 If the Hydrological Assessment concludes the works will, or are likely to, drain all or part of Wetland 1, or otherwise adversely alter its hydrological regime, the Consent Holder must, before earthworks begin, implement the mitigation set out in the assessment (e.g. temporary bunds, cut-off drains, soakage or attenuation devices, staged earthworks) so as to maintain the wetland's existing hydrological regime.
- 42 A Chartered Professional Engineer or Suitably Qualified and Experienced Ecologist must supply to Council, before earthworks start, confirmation that:
- (a) drainage risk is unlikely or
 - (b) all mitigation specified under clause 2 has been put in place to maintain the wetland's existing hydrological regime.

Kākā Stream Diversion

- 43 The Kākā Stream shall not be diverted through, or adjoining the area identified as contaminated land until the site has been remediated to the satisfaction of the Project Ecologist, Contaminant land SQEP, and the Site Validation Report confirms that the diversion will not result in contaminated soil being entrained and discharged to the Maitai River via the new stream alignment.

Stream Construction Methodology

- 44 The new Kākā Stream channel shall be constructed in stages and offline from the existing stream alignment to avoid in-stream works. The new channel shall be fully constructed and stabilised prior to diverting flows from the existing stream into the new alignment. The project ecologist shall also certify that the construction meets the ecological objectives of the watercourse, prior to any diversion to the new alignment commences.

Decommissioning of Old Channel

- 45 Within 10 working days of diverting flows into the new stream channel, the consent holder shall decommission the existing stream channel and incorporate it into the general earthworks area, in accordance with the approved Stage 1 Site-Specific Erosion and Sediment Control Plan (SSESCP).

Culverts

- 46 During the installation of any culverts, the Consent Holder shall take all practicable steps to minimise sedimentation and increased turbidity of the stream during and following completion of the works, including:
- a. Completing all works in the minimum time practicable;
 - b. Undertaking works in dry weather and low flow conditions, as far as practicable;
 - c. Avoiding placement of construction material or excavated material in the flowing channel, except as required for the construction of the temporary diversion and the physical replacement of the culvert;
 - d. Separating construction activities from flowing water;
 - e. Installing and maintaining appropriate erosion control and sediment control measures; and
 - f. Rapidly and progressively stabilising all disturbed areas.
- 47 Prior to the removal of any existing culvert, the Consent Holder shall form a temporary diversion in the stream channel. The diversion shall be formed under the recommendations and supervision of the Ecologist to manage fish passage during the works and minimise disturbance of the bed and margins of Kākā Stream. All temporary diversions shall be supervised by a suitably qualified freshwater ecologist.
- 48 Following the construction of the replacement culvert, the temporary diversion shall be removed under the supervision of the Ecologist. Care shall be taken to minimise disturbance to the bed of the stream.
- 49 The Consent Holder shall ensure that any fish found stranded as a result of the works are immediately transferred to another suitable reach in Kākā Stream by the Ecologist.

Review

- 50 Pursuant to Section 128 of the Resource Management Act 1991, the Council reserves the right to review this consent annually commencing 12 months from the date this consent is granted, for any of the following purposes:
- a. To modify existing conditions of consent relating to the effects of the activity on the environment.

- b. To require the Consent Holder to adopt the best practicable option to mitigate any adverse effect upon the environment, arising from the generated effects of the activity.
- c. If the Council deems that it is necessary to do so in order to deal with any adverse effect on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later date.

Advice Note 1: The purpose of the induction required by condition 4 is to ensure that all personnel are aware of and understand the tikanga (customs), kawa (protocols), and culturally significant matters relevant to the area and the scope of the works.