

GDC REVIEW COMMENTS

APPENDIX 1: SUPPLEMENTARY STATEMENT S.42A REPORT DATED 13/10/2023

CONTENTS

Page

1	SCHEDULE 1: COMMON CONDITIONS ACROSS ALL CONSENTS.....	2
2	WHARF 8 EXTENSION, OUTER PORT RECLAMATION, OUTER BREAKWATER UPGRADE.....	8
3	SOUTHERN LOGYARD STORMWATER UPGRADING	49
4	CAPITAL AND MAINTENANCE DREDGING AND DISPOSAL	60
5	PORT OCCUPATION	83

GDC Colour Coding

Shaded Grey rows – key changes from GDC to conditions.

Highlight Yellow – Administrative Notes.

Highlight Green – Specific changes to conditions highlighted.

Highlight Turquoise – Matters to discuss with Eastland Port

1 SCHEDULE 1: COMMON CONDITIONS ACROSS ALL CONSENTS

General Conditions Applying to Stage 2 – Twin Berths Resource Consents CP-2022-111365-00, CD-2022-111366-00, CC-2022-111367-00, CR-2022-111368-00, NC-2022-111370-00, LU-2022-111371-00

Eastland Port Conditions 25 Sept 2023					GDC Response /Comments																																												
GDC Amendments in highlighted text																																																	
No.	Condition				Source / Links with other consents																																												
1.	The activities authorised by this consent shall be undertaken in general accordance with the plans and information submitted with the application, as detailed below, except as otherwise required in the consent conditions. Where there is any inconsistency between the application documentation and the consent conditions, the consent conditions prevail.				Standard condition	TBA																																											
	<table border="1"> <thead> <tr> <th>Document</th> <th>Prepared by:</th> <th>Reference No.</th> <th>Version</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Document	Prepared by:	Reference No.	Version	Date																																											
Document	Prepared by:	Reference No.	Version	Date																																													

New Condition	<p>Payment of Council Charges</p> <p>The consent holder shall pay to the Gisborne District Council (the Council hereafter) any administration, inspection or monitoring charges fixed in accordance with Section 361) of the Resource Management Act 1991, or any additional charge pursuant to Section 36 of the Resource Management Act 1991, payable in respect of these consents.</p>		Condition from Wharf 1. Standard GDC Condition.
2.	<p>Port Community Liaison Group</p> <p>a) The Consent Holder shall maintain the established Port Community Liaison Group (PCLG hereafter) so as to provide an on-going point of contact between the Consent Holder, the community and the Council, as a forum for discussing any issues that arise from the exercise of these consents and to ensure that the channels of communication are kept open.</p> <p>b) The Consent Holder shall invite a representative of each of the following parties with interests in the Stage 2 – Twin Berths consents to be members of the PCLG:</p> <ul style="list-style-type: none"> (i) The Council (ii) Ngati Oneone (iii) Rongowhakaata (iv) Ngati Tamanuhiri (v) Te Runanga o Turanganui a Kiwa (vi) Department of Conservation (vii) Tairawhiti Rock Lobster Industry Association (viii) Gisborne Kayak Club (ix) Midway and Waikanae Surf Club 	<p>Various earlier Port consents, the most recent of which is Wharf1:</p> <p>CP-2021-110698-00 / CR-2021-110699-00 / CD-2021-110700-00</p> <p>- Condition 14</p>	Most recent amendments agreed through Wharf 1 decision have not been included in condition. These have been added in.

	<p>c) The PCLG functions include, but are not limited to, the following:</p> <ul style="list-style-type: none"> (i) Receiving and reviewing reports from the Consent Holder, including those on monitoring, required under the consent conditions; (ii) Providing advice to the Consent Holder and Council on any cultural, environmental or recreational use issues of concern to the community arising from the activities authorised by this consent; (iii) Providing advice to the Consent Holder and Council on any applications by the Consent Holder to change the consent conditions or any review of consent conditions initiated by the Council; (iv) Developing with the Consent Holder and Council informal protocols and practices to address any issues of concern to the community that may compliment the consent conditions. <p>d) The Consent Holder shall be responsible for convening meetings of the PCLG in accordance with the established PCLG forum and generally at 4 monthly intervals.</p> <p>e) The Consent Holder shall provide the Council with minutes of all meetings of the PCLG.</p> <p><u>Condition Notes</u></p> <p>1. <i>An independent chair is recommended for the PCLG to ensure that there is independence with the running and co-ordination of the meetings and the topics under discussion. Ultimately any decision of an independent</i></p>		
--	--	--	--

	<p><i>chair can be made by the members of the PCLG given this is a voluntary membership group.</i></p> <p>2. <i>The Consent Holder has agreed to have a holding space on the Company website. This space will hold all relevant reports, technical material, monitoring results and interpretation.</i></p> <p>3. Condition Note: Council representation may include Council officers from across multiple council functions, including but not limited, to regulatory and biosecurity teams.</p>		
<p>4.</p>	<p>Te Tai Uru Membership</p> <p>a) The Consent Holder shall include these Stage 2 – Twin Berths resource consents as a subsequent resource consent and ‘matter of interest relating to the redevelopment of Eastland Port’ to be discussed and covered by the Te Tai Uru forum under condition 4(f) of the resource consents for the redevelopment of Wharves 6 and 7 (reference LU-2017-107936-00, CD-2017-107937-00 & LL-2017-107938).</p> <p>b) For the avoidance of doubt. Condition 4 of the resource consents for the redevelopment of Wharves 6 and 7 (reference LU-2017-107936-00, CD-2017-107937-00 & LL-2017-107938) continues to apply in relation to the Te Tai Uru forum and sets out the role and purpose of Te Tai Uru, protocol and administrative matters.</p> <p>c) In relation to these Stage 2 – Twin Berths resource consents, the purpose of Te Tai Uru includes:</p>	<p>Derived from Wharves 6&7 consent: LU-2017-107936-00, CD-2017-107937-00 & LL-2017-107938 - Condition 4</p>	<p>This wording and conditions have the same intent as the Wharf 1 decision but are quite different. It would be useful to discuss with Eastland Port as to why the Wharf 1 wording has not been adopted. The Wharf 1 conditions said the consent was ‘subject to and bound by’ Condition 4 of the Wharf 6 and 7 decision which is stronger than wording suggested here.</p>

	<ul style="list-style-type: none"> (i) Recognise and provide for the kaitiakitanga responsibilities of the Accepting Hapū as being an integral part of the redevelopment of the Eastland Port under these resource consents and other existing or subsequent resource consent applications relating to the Twin Berths development. (ii) Acknowledge and provide for the importance of the landform, sites of cultural significance, and the mauri of the water bodies within and surrounding the port area, as tāonga to the Accepting Hapū; (iii) Facilitate involvement of the Accepting Hapū in the implementation of these Stage 2 – Twin Berths resource consents; (iv) assist in identifying potential opportunities for some involvement of the accepting Hapū in the wider, long term activities of the port; (v) facilitate and encourage the sharing and mutual understanding of scientific knowledge and Mātauranga Māori; (vi) facilitate processes to manage actual or potential impacts on the interests, values, rights and responsibilities of the Accepting Hapū that may arise from the implementation of these Stage 2 – Twin Berths resource consents; (vii) review and provide input into the development of management plans and monitoring reports required under the conditions of these Stage 2 – Twin Berths resource consents; and (viii) make recommendations to mitigate impacts on the interests, values, rights and responsibilities of the Accepting Hapu arising 		
--	--	--	--

	<p>from the exercise of these Stage 2 - Twin Berths resource consents, which may include monitoring.</p> <p><i>Condition Notes</i></p> <p>(a) <i>The Accepting Hapu are those hapu that, at the relevant time, have accepted the written invitation to establish and maintain the group referred to as Te Tai Uru.</i></p> <p>(b) <i>The Protocol establishing Te Tai Uru has been agreed and implemented by the Consent Holder, the Accepting Hapū and the Council representatives in accordance with the requirements of condition 4 (respectively) of the resource consents for the slipway redevelopment (LU-2017-107945-00, CD-2017-107944-00, DW-2017-107943-00 and DL-2017-107942-00) and the wharves 6 and 7 redevelopment (LU-2017-107936-00, CD-2017-107937-00 and LL-2017-107938).</i></p>		
--	---	--	--

2 WHARF 8 EXTENSION, OUTER PORT RECLAMATION, OUTER BREAKWATER UPGRADE

Consent Number: CC-2022-111367-00, CR-2022-111368-00, NC-2022-111370-00, LU-2022-111371-00

Activity authorised: The construction and use of the Wharf 8 upgrade, Outer Port Reclamation and Outer Breakwater

Consent duration: Land use and reclamation components have an unlimited duration pursuant to Section 123 of the RMA

Coastal structures associated with Wharf 8, the Outer Port Reclamation and Outer Breakwater have a duration of 35 years following the commencement of construction works.

Coastal and discharge components relating to the disturbance of the seabed, temporary impoundment of seawater and incidental discharge of contaminants to the CMA during construction have a duration of 15 years following the commencement of construction works.

Consent Lapse: The consent shall lapse within [10] years of commencement.

Eastland Port Conditions 25 Sept 2023			GDC Response /Comments
GDC Amendments in highlighted text			
No.	Condition	Source	
1.	The exercise of this consent is subject to the conditions listed in Schedule 1: General Conditions.	Cross-reference to standard condition	Agreed.
2.	These consents are granted by the Council, subject to its servants or agents being permitted reasonable access to the relevant parts of the site at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples. Wherever possible, reasonable prior notice is to be given	Standard condition	Agreed.

	by the Council to the Consent Holder in order to address health and safety requirements.		
3.—	Any costs incurred in the Council monitoring, supervision and enforcement of any or all of the conditions of these consents are to be fully met by the Consent Holder pursuant to section 36 of the Resource Management Act 1991.	Standard condition	Can be deleted as it forms part of general conditions.
Final Plans			
4.	At least twenty (20) working days prior to the commencement of each stage of construction, the Consent Holder shall provide final plans and elevations of all works for that stage, including structures, reclamations, services and associated permanent and temporary occupation of the coastal marine area to the Council's Consents Manager.	Standard condition	Agreed
Construction Activity Notification and Monitoring			
5.	No less than five working days prior to the commencement of construction for each stage of works under this consent, the Consent Holder shall hold a pre-start meeting on the site to which representatives of Council and contractors are invited. Notification at this time shall include details of who is to be responsible for site management and compliance with consent conditions.	Standard conditions – carried over from conditions 12-14 of Wharves 6&7 consent	Agreed.
6.	A sign shall be placed on the site perimeter fence(s) adjacent to Rakaiaatane Road and The Esplanade with the name and contact number of the Construction Site Manager or person appointed to discuss any concerns regarding the environmental effects of the construction activities.		Agreed.

7.	<p>The Consent Holder shall keep a record of any complaints received during construction and the action(s) taken, whether received direct from the complainant or advised by the Council or its agent. The complaint records shall be made available to the Council upon request.</p>		<p>Agreed. Also part of CEMP conditions</p>
8.	<p>No construction activity, dredging sediment or debris deposition shall be permitted to occur within the area identified as the Heritage Boat Harbour as shown on Figure 1 below, or the required 5 metre buffer between the Reclamation Area and the Heritage Boat Harbour.</p> <p>Figure 1: Identified Heritage Boat Harbour</p> <p><i>Source: Figure 7-2 of Eastland Port Reclamation, Wharf 8 Extension and Outer Breakwater Engineering Report, prepared by Worley; referenced as Document No: Rev 1: 301015-04045-MA-REP-002; and dated 5 July 2022</i></p>	<p>Project specific</p>	<p>Agreed.</p> <p>Methodology for how this will be implemented needs to be an explicit requirement of CEMP.</p>

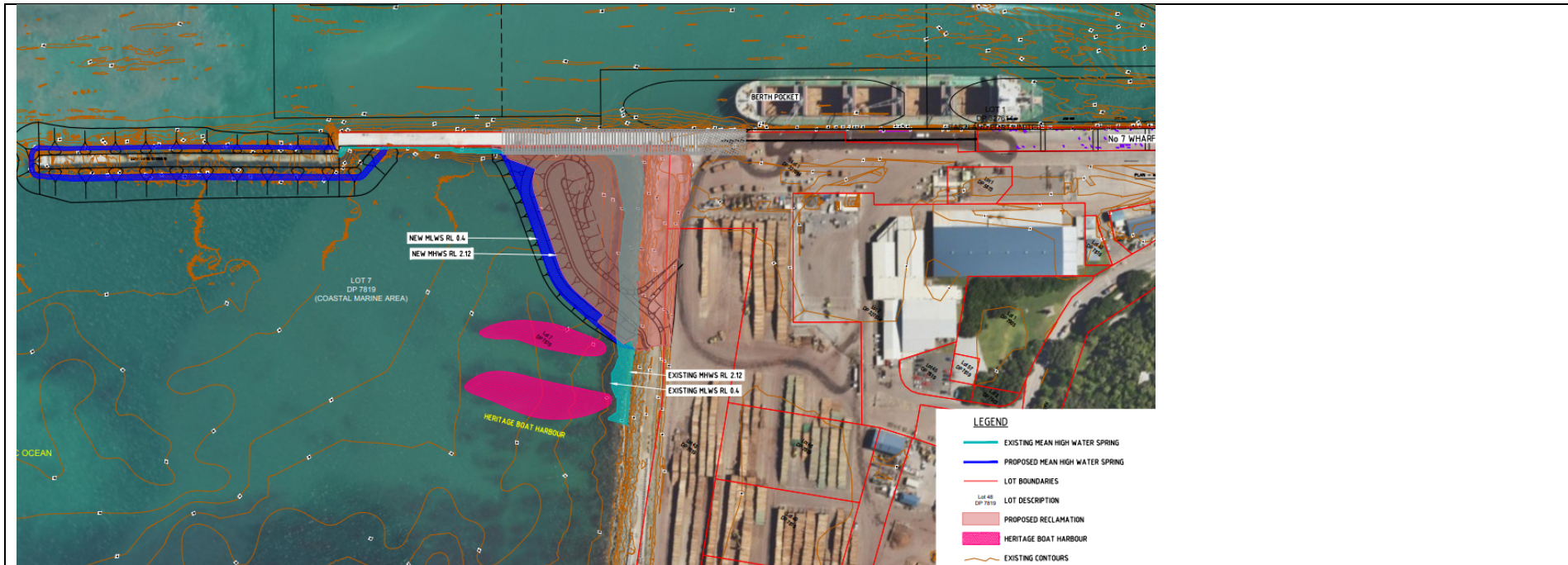


Figure for Condition 8

Management Plan Certification Process

9.	Conditions 10 to 15 shall apply to all Management Plans required by these conditions.	Consolidated condition set, specifying process related matters for certification of management plans. Key parameters / timeframes are	Generally support the approach to consolidation of the certification process. These conditions are not the same as those forming the Wharf 1 conditions. Need consistent wording.
10.	Management Plans shall be submitted to the Council's Consents Manager for certification in writing at least 30 working days prior to		Administrative change

	<p>commencement of construction works onsite, unless otherwise specified in the conditions. The Consent Holder shall ensure that any changes to draft Management Plans are clearly identified.</p> <p>Condition Note:</p> <p>All conditions of this consent, reports and monitoring data requiring agreement, notification, certification or review by Council, shall be submitted to the monitoring email - compliance.admin@gdc.govt.nz. Council will then refer any reports and data to the Council officers or manager responsible for review or certification.</p>	<p>generally consistent with those set by the Wharves 6/7 consent.</p>	
<p>11.</p>	<p>Management Plans may be submitted in parts or in stages to address particular activities or to reflect a staged implementation of the Project, and when provided in part or for a stage shall be submitted at least 30 working days prior to commencement of construction of that part or stage unless otherwise specified in the conditions. Management Plans submitted shall clearly show the linkage with plans for adjacent stages and interrelated activities.</p>		<p>Agreed</p>
<p>12.</p>	<p>Where consultation on a Management Plan is required by a condition of these consents, the Consent Holder shall provide the following information at the time of submitting the Management Plan to the Council's Consents Manager for certification:</p> <ul style="list-style-type: none"> a. Details of the consultation undertaken during preparation of the Management Plan; b. Any feedback received from the parties that the condition requires consultation with; and 		<p>Minor Editing</p>

	c. Identification of any recommendations made and implemented, and where such recommendations have not been accepted or acted upon, the reasons why.		
13.	The Consent Holder may amend any certified Management Plan if necessary to reflect any minor changes in design, construction methods or management of effects, subject to the written certification of the Council. nsents Manager.		Minor Editing
14.	<p>If the Council fails to respond to the request for certification of a Management Plan within 20 working days, the Management Plan can then be deemed to be certified, unless otherwise specified in the conditions.</p> <p>If twenty (20) working days have passed since the management plan has been provided to the Council and the Consent Holder has not received a response from the Council, the MPMP shall be deemed to be certified</p>		Propose wording from Wharf 1 with 20 day response period.
15.	<p>If the Consent Manager's response is that they are not able to certify the management plan the Consent Holder shall request that the Consent Manager provide reasons and recommendations for changes to the management plan in writing. The Consent Holder shall consider any of the reasons and recommendation of the Consent Manager and resubmit an amended management plan to be certified.</p> <p>If the Council's response is that they are not able to certify the MPMP the Consent Holder shall request that the Council provide reasons and recommendations for changes to the MPMP in writing. The Consent Holder shall consider any of the reasons and</p>		Propose wording from Wharf 1

	<p>recommendation of the Council and resubmit an amended management plan to be certified.</p>		
16.	<p>If the Consent Holder has not received a response from the Manager within five (5) working days of the date of resubmission under clause (d) above, the amended management plan will be deemed to be certified.</p> <p>If the Consent Holder has not received a response from the Council within ten (10) working days of the date of resubmission under condition 15 above, the amended MPMP will be deemed to be certified.</p> <p>The process set out in condition 15 above and condition 16 shall repeat until such time at the MPMP has been certified.</p>		
17.	<p>The Consent Holder must comply with all certified management plans at all times. No works shall commence until written certification of a Management Plan has been received or deemed to be received pursuant to conditions [14] and [16] above, unless otherwise approved in writing by Council, the Consents Manager.</p>		Minor Editing
Construction Environmental Management Plan			
18.	<p>The Consent Holder shall prepare a separate Construction Environmental Management Plan (CEMP) for each of the construction stages being:</p> <ul style="list-style-type: none"> (a) Wharf 8 Extension, (b) Outer port reclamation, (c) Outer breakwater upgrade, and 		Agreed

	<p>(d) Stormwater treatment upgrade works.</p> <p>The Consent Holder shall submit each CEMP to the Consents Manager for certification that the CEMP gives effect to the objectives in Condition 19 and complies with the requirements in Conditions 20 and 21.</p>		
19.	<p>The objectives of each CEMP are to:</p> <ul style="list-style-type: none"> a) Ensure that the construction works comply with limits and standards in the consent and set out the management procedures and construction methods to avoid, remedy or mitigate potential adverse effects arising from construction activities; and b) Ensure a minimum 5 metre buffer zone is maintained between the works and the area identified as the Heritage Boat Harbour, on Figure 1, at all times. c) Give effect to the objectives in the management plans listed in Condition 21. 		Agreed.
20.	<p>Each CEMP shall incorporate or refer to the following management plans and documents as applicable:</p> <ul style="list-style-type: none"> a) Earthworks, Erosion and Sediment Control Plan (EESCP); b) Contaminated Site Management Plan (CSMP); c) Avian Monitoring and Management Plan (AMMP); d) Marine Pest Management Plan (MPMP); e) Construction Traffic Management Plan (CTMP); f) Construction Noise Management Plan (CNMP); g) Navigation and Safety Management Plan (NSMP); and h) Geotechnical Design Report (GDR). 	<p>Adapted from Wharves 6& consent; CMP condition 9;</p> <p>Includes project specific clauses such as staging, protection of heritage boat harbour; and ground stability.</p> <p>Excludes matters that are otherwise</p>	Agreed.

<p>21.</p>	<p>Each CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for effective site management. Each CEMP shall provide information on the following matters:</p> <ul style="list-style-type: none"> a) Contractor(s), key personnel and contact details; b) Consent Holder project manager and contact details; c) Construction hours, programme and methods; d) Confirmation of any staging and the sequence of construction; e) Controls used to ensure a minimum 5 metre buffer zone is maintained between the works and the area identified, on Figure 1, as the Heritage Boat Harbour at all times (applicable to the Outer Port Reclamation construction stage only); f) Trap and transfer measures for kōura/crayfish g) Site management; h) Ground stabilisation (Outer Port Reclamation and Outer Breakwater Upgrade only); i) Construction materials and storage, including refuse; j) Construction dust management; k) Procedures for managing hazardous substances and preventing hazardous spills. l) Accidental archaeological discovery procedures; m) Communication with the Council, the Port Community Liaison Group and other adjacent landowners and occupiers; n) Detail of engagement with Te Tai Uru including identification of any recommendations made and implemented and where such recommendations have not been accepted or acted upon, the reasons why; 	<p>addressed through conditions 19/20 by way of other management plans.</p> <p>TTU engagement clause carried over from Wharves 6&7 consent.</p>	
------------	---	---	--

	<ul style="list-style-type: none"> o) Procedures for dealing with any complaints including contact details for all periods where construction activities are taken place; and p) Procedures for dealing with emergencies. 		
Earthworks, Erosion and Sediment Control Plan			
22.	The Consent Holder shall submit an Earthworks Erosion & Sediment Control Plan (EESCP) to the Council’s Consents Manager for certification that the EESCP gives effect to the objectives in Condition 23 and complies with the requirements in Condition 24-30.		
23.	<p>The objectives of the EESCP are to:</p> <ul style="list-style-type: none"> a) Minimise potential erosion effects; b) Minimise discharge of sediment into the CMA and minimise discharge of sediment beyond the area of works within the CMA, by adopting best practice and all practicable and appropriate environmental methods available to the consent holder to the extent practicable; and c) Ensure appropriate environmental practices are utilised. 		Rewording proposed for ‘best practice’
24.	<p>The EESCP shall include, but is not limited to, the following matters:</p> <ul style="list-style-type: none"> a) Planned volumes of soil disturbance, cut, fill and soil stockpiles; b) Site Layout, final work plans and construction sequence; c) Erosion and sediment management; d) Details of the equipment and methods to be used for the placement of structures, construction materials and fill in the CMA; 	Adapted from Wharves 6&7 – condition 19; and including Project specific matters	Agreed.

	<ul style="list-style-type: none"> e) Ground improvement methods for managing the stability of the reclamation and outer breakwater structures, as determined in accordance with Geotechnical condition 61, and measures to minimise associated sediment discharges; f) Construction of revetment working platform; g) Measures to minimise the dispersion of fine sediments during construction; h) Methods to manage any discharge of contaminants associated with reuse of potentially contaminated material from the existing Southern Logyard Revetment Wall; i) Methods to monitor visual water quality associated with sediment plumes during construction works; j) Identifying the person(s) responsible for carrying out all actions in relation to meeting the requirements of this consent; k) Dust management; l) Reference to details of measures for managing any contaminated land; m) Details of construction methods to be employed, including timing and duration; n) Roles and responsibilities under the ESCP and identification of those holding roles including the suitably qualified person; and o) Monitoring, maintenance and record-keeping requirements 		
<p>25.</p>	<p>Erosion and sediment control measures shall be implemented throughout land-based Construction Works. They shall be constructed and maintained so as to operate and perform in accordance with Auckland Council GD20161005: Erosion</p>	<p>Adapted from Wharves 6&7 – conditions 21 & 22</p>	

	Sediment Control Guide for Land Disturbing Activities in the Auckland Region and any amendments to this document.		
26.	All cut material from the earthworks that is not re-used on site shall be removed from the site and deposited in an appropriately permitted fill disposal location or stockpiled at a suitable site with appropriate controls for future use.	Adapted from Wharves 6&7 – condition 24 to allow for re-use of revetment material in the reclamation.	Agreed.
27.	Upon completion of earthworks, all areas of bare earth shall be stabilised against erosion or contained under hard surfaces.	Adapted from Wharves 6&7 – condition 25	Agreed.
28.	An 'as built' earthworks plan, and an earthworks completion report with photographs recording various stages of construction, shall be submitted to the Council for approval, within sixty (60) working days of the completion of earthworks. This shall include and show (but is not limited to) areas of cut and fill; volumes of fill; and drainage installation.	Carried over from Wharves 6&7 – condition 26	Agreed.
Contaminated Site Management Plan			
29.	The Consent Holder shall submit a Contaminated Site Management Plan (CSMP) to the Council's Consents Manager for certification that the CSMP gives effect to the objectives in Condition 30 and complies with the requirements in Condition 31. The CSMP shall be prepared by a suitably qualified and experienced contaminated land professional (SQEP) in general accordance with the MfE Contaminated Land Management Guidelines No.5. Site Investigation and Analysis of Soils 2011.		Agreed.
30.	The objectives of the CSMP are to:		Agreed.

	<ul style="list-style-type: none"> a) Minimise harm from potential human exposure to contaminants in soil; b) Manage potential risk to the environment from the disturbance of contaminated material; and c) Ensure appropriate management of any unexpected discovery of contamination. 		
31.	<p>The CSMP shall include measures to address:</p> <ul style="list-style-type: none"> a) Contaminated soil management <ul style="list-style-type: none"> i Erosion and sediment controls ii Dust control iii Stockpile management iv Soil handling controls v Soil disposal requirements vi Asbestos contaminated soil management vii Decontamination procedures viii Unexpected discovery protocols b) Water Management <ul style="list-style-type: none"> i Contaminated stormwater management ii Disposal of water c) Health and Safety Controls <ul style="list-style-type: none"> i Work area restrictions ii Personal protective equipment iii Personal hygiene iv Hazardous identification v Emergency procedures. 	<p>Conditions as recommended by 4Sight SQEP in DSI.</p> <p>(Note condition differs from the Wharves 6&7 consents as no DSI was available at the time of those consents).</p>	<p>Agreed.</p>
32.	<p>Prior to any soil disturbance activities, the Consent Holder shall ensure that all relevant environmental control measures outlined in the respective CSMP are in place.</p>		<p>Agreed.</p>

33.	Any potentially contaminated material identified during the course of works, which is to be disposed of offsite, shall be tested and disposed of to an authorised facility that can receive material of that description.		
34.	All sampling and testing of contamination on the site, and decisions regarding management and disposal of contaminated material, shall be overseen by a SQEP. All sampling shall be undertaken in general accordance with MfE Contaminated Land Management Guidelines No. 5 Site Investigation and Analysis of Soils (Revised 2011) and any amendments to this document.		Agreed.
35.	A works completion letter for soil disturbance work is provided to the Council within 1 month of completing each stage of work involving the disturbance of soil. As a minimum, the works completion letter should include a copy of the waste manifest that records each load leaving the site with disposal facility location, volume of material and type of material.		Agreed.
36.	Within 1 month of completion of all soil disturbance works associated with the Project, a works completion report for soil disturbance work shall be provided to the Council. The works completion report shall provide a summary of all previously submitted works completion letters, report on any unexpected discovery of soil contaminants and to summarise the status of the site, which respect to contaminants in soil.		Agreed.

Avian Monitoring and Management Plan (AMMP)			
<p>37.</p>	<p>The Consent Holder shall, within one three months of the issue of the pre-requisite Wildlife Act Authority consent, submit an Avian Monitoring and Management Plan (AMMP) to the Council for certification that the AMMP gives effect to the objectives in Condition 38 and complies with the requirements in Conditions 39-41. The AMMP shall be prepared by a Suitably Qualified and Experienced Ecologist (SQEE) in consultation with the Department of Conservation and shall be in general accordance with the 'Twin Berths – Draft Avian Monitoring and Management Plan' prepared by 4Sight Consulting and dated May 2023.</p> <p><i>Condition Note:</i></p> <p>(a) A Wildlife Act Authority will be required from the Department of Conservation prior to any works commenting on the reclamation and breakwater upgrades. The consent holder will be responsible for ensuring that the necessary authority is obtained and for compliance with all conditions of that authority.</p>	<p>Project specific as recommended by EPL's ecological experts</p>	<p>It would appear appropriate for the AMMP to be submitted to Council after any Wildlife Act Authority has been granted. Need to discuss this approach and the additional recommendations from Gary.</p> <p>It might be helpful to include what the AMMP should cover (as a minimum, noting that some of that is included in Conditions 39 -41). The existing one has monitoring methods and data collection and reporting (should have information about timing and include pre-, during and post construction monitoring). Existing one has Coastal Bird (Excluding Kororā) Controls, Management of Site and Storage of Materials, rock removal controls and procedures, incidental discovery. I think it needs a protocol for relocation if it becomes required.</p>
<p>38.</p>	<p>The objectives of the AMMP are to ensure activities associated with construction of the reclamation and deconstruction of the existing southern logyard revetment avoid adverse effects on kororā and other threatened and at risk coastal bird species and manage adverse effects on potential kororā habitat.</p>		<p>Minor Change</p>
<p>39.</p>	<p><u>AMMP - Pre-construction Monitoring and Management</u></p>		<p>Amendments proposed.</p>

	<p>The AMMP shall set out a methodology for pre-construction monitoring so as to characterise existing kororā use of the area and identify any management and mitigation requirements to be implemented prior to construction of the outer port reclamation and deconstruction of the existing southern logyard seawall. The pre-construction monitoring and management section of the AMMP shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> a) Definition of the extent of the monitoring area, which should include both the area of the existing Southern Logyard Seawall subject to deconstruction works, and existing adjacent areas of known penguin activity identified as the buffer seawalls on Figure 4 of the Twin Berths – Draft Avian Monitoring and Management Plan; b) Identification of monitoring methodology; c) Identification of the frequency and timing of pre-construction monitoring; d) Methods to exclude kororā from areas proposed for works including, but not limited to habitat removal, exclusion fencing and use of sandbags and/or netting to block entrances outside of the breeding/moulting season in advance of construction commencing to encourage kororā to relocate, and e) Include use of a trained conservation dog to assist in locating potential kororā burrows. 		
40.	<p>AMMP - Construction Phase Management and Monitoring</p> <p>The AMMP shall set out a methodology for construction monitoring and management and shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> a) A description of the methodology, area, type and frequency and timing of monitoring required during construction including appropriate set back of works from active burrows 		<p>Amendments proposed.</p> <p>We should specify setback – that has been an issue at other projects. There is no accepted best practice and it ranges from 10m to 50m. Suggest 30m.</p>

	<p>and methods to ensure that set backs are enforced. Minimum set back buffer for active burrows from works area shall be 30m.</p> <p>b) Methods to exclude kororā from areas proposed for works including, but not limited to habitat removal, exclusion fencing and use of sandbags and/or netting to block entrances outside of the breeding/moulting season</p> <p>c) Identification of measures to mitigate and manage construction noise effects on kororā and other coastal bird species. This should include, but not be limited to, setbacks as described above. Protocols that specify the management of the site and storage of materials to exclude kororā from the active construction areas,</p> <p>d) Required training of project staff/or contractors to implement kororā exclusion mechanisms of the active construction area and monitoring the success of these,</p> <p>e) Protocols that specify the management of incidental discovery of kororā within the active construction area.</p> <p>f) Reporting to the Council, Consents Manager, Gisborne District Council, the Department of Conservation and Te Tai Uru within one month of the conclusion of each monitoring round and in all cases before the next monitoring round commences. This monitoring report should summarise construction works completed and present the findings from the monitoring, including the number and location of bird detections, any bird management undertaken since the last report and any trends identified from the monitoring.</p>		<p>“Regular” reporting is a bit vague – reporting after each monitoring round would be helpful to inform the future management in advance.</p>
<p>41.</p>	<p>AMMP - Post-Construction Management and Enhancement</p>		<p>Specify a period? Probably 1 year post construction would be adequate.</p>

	<p>The AMMP shall set out a methodology for post-construction monitoring, management, and enhancement measures, including, at a minimum, the following:</p> <p>a) Post construction monitoring and reporting to the Council Consents Manager, Gisborne District Council, the Department of Conservation and Te Tai Uru that summarises the seawall deconstruction / construction works completed and present the findings from the monitoring. Post-construction monitoring shall occur for a period of not less than one year following the completion of works unless habitat offsetting/compensation is required under clause (b) and (c) and shall demonstrate compliance with the objective of the AMMP (see condition 38 above). Reporting is to be provided to Council within one month of the conclusion of each monitoring round and in all cases before the next monitoring round commences. The monitoring report should summarise the findings from the monitoring, including the number and location of bird detections, any confirmed breeding attempts and the outcome (where known), any bird management undertaken since the last report and any trends identified from the monitoring</p> <p>b) If the operation of the consents results in the loss of previously active burrow(s)¹ within the TBP construction area, implementation of habitat offsetting/compensation and habitat enhancement for kororā in the buffer</p>		<p>Should specify the area to receive pest control (I know it will depend on the number of birds affected, but there's a certain minimum size to be effective, which is probably the whole port area at least).</p> <p>The final report should summarise all the monitoring and set out what the effects (if any) on kororā have been, what has been done to address them and what the outcome was. If it turns out there is an effect they haven't addressed what is the comeback?</p> <p>With regard to the reporting generally, who reads that and decides it is compliant/OK. Do Council have an ecologist or should the conditions specify they are reviewed by a SQEE?</p>
--	--	--	--

¹ A previously utilised active burrow is a burrow which is no longer active – i.e. no longer has nest contents (egg(s) and/or chicks) or the presence of a moulting bird(s) but the location is likely to be important to kororā due to their high site fidelity.

	<p>enhancement area that results in positive effects that outweigh such loss, including:</p> <ul style="list-style-type: none"> i. Installation of two nest boxes for every previously utilised active burrow lost because of the TBP works. Any such nest boxes are to be designed and placed in consultation with the Department of Conservation (DOC) as per the DOC guidelines; ii. Enhancement of the buffer seawall area with planting of salt tolerant vegetation as practicable; iii. Implement predator control and pest management plan for mustelids, cats, rats and other predators to protect kororā and other seabirds; iv. Extension of kororā exclusion fencing to encompass the entire southern seawall i.e., include the buffer seawall to the TBP area; v. Public signage at the Port end of Kaiti beach to create awareness for kororā and encourage dogs owners to keep their dogs on be on lead and under control. <p>c) A monitoring programme and additional reporting will be required for any offsetting/compensation and habitat enhancement for kororā. In the event offsetting/compensation is required, the associated monitoring and reporting programme shall be submitted to Council for certification and monitoring shall continue until such time as the any loss of habitat has been verified and confirmed as fully offset in accordance with the certified AMMP and with the objective of the AMMP (see condition 38 above).</p>		
<p>Accidental Discovery Protocol</p>			

42.	In the event of any archaeological site or koiwi being uncovered during the exercise of this consent, the consent holder shall immediately notify Council and mana whenua and all activities in the vicinity of the discovery shall cease. The Consent Holder shall contact the Gisborne District Council to obtain details of the relevant iwi authority. The Consent Holder shall then consult with the relevant iwi authority and the New Zealand Historic Places Trust and shall not recommence works in the area of the discovery until the relevant Historic Places trust approvals or other approvals to damage, destroy or modify such sites have been obtained, where necessary.	As recommended by InSitu	Suggest different wording but intent is retained.
Construction Dust Management			
43.	Dust from construction activities shall be controlled in accordance with the MfE Good Practice Guide for Assessing and Managing the Environmental Effects of Dust Emissions 2011 (ME408). Should any offensive or objectionable dust be observed beyond the site property boundaries, the discharge shall be modified so that dust is no longer observed beyond the site boundaries or the discharge should cease immediately and shall not restart until such time as compliance is demonstrated to the satisfaction of the Council's Consents Manager.	Carried over from Wharves 6&7 – condition 32	Agreed
Marine Pest Management Plan (MPMP)			
44.	The Consent Holder shall submit a Marine Pest Management Plan (MPMP) to the Council's Consents Manager for certification that the MPMP gives effect to the objectives in Condition 45 and complies with the requirements in Condition 46. The MPMP shall be prepared in conjunction with Ministry of Primary Industries and Te Tai Uru. Condition Note:	Adapted from Wharf 1– conditions 4-12	Agreed with additional of advice note – as per Wharf 1 condition.

	<p><i>The MPMP must be prepared by a suitably qualified marine ecologist with experience in marine biosecurity surveys, investigations, and/or responses and must be developed in consultation with Ministry of Primary Industries (MPI) and the Council. Any comments or inputs received from MPI or the Council during the preparation of the MPMP shall be summarised within the management plan, along with an explanation of where any comments or suggestions have or have not been incorporated, and if not incorporated, the reasons why.</i></p>		
<p>45.</p>	<p>The objective of the MPMP is to set out measures to demonstrate how a biosecurity incursion or exacerbation of risk associated with marine pests is to be reduced to the greatest extent practicable during construction works and in relation to capital and maintenance dredging. The areas not previously dredged are of areas not previously dredged, identified as areas 6 and 7 on Figure 2 below:</p>	<p>Adapted from Wharf 1– conditions 4-12</p>	<p>The principle of only applying the Biosecurity Plan and measures to capital dredging only is not supported.</p> <p>Open to discussion on what components or approach is required to maintenance dredging with EP, otherwise GDC team will propose an alternate condition</p>

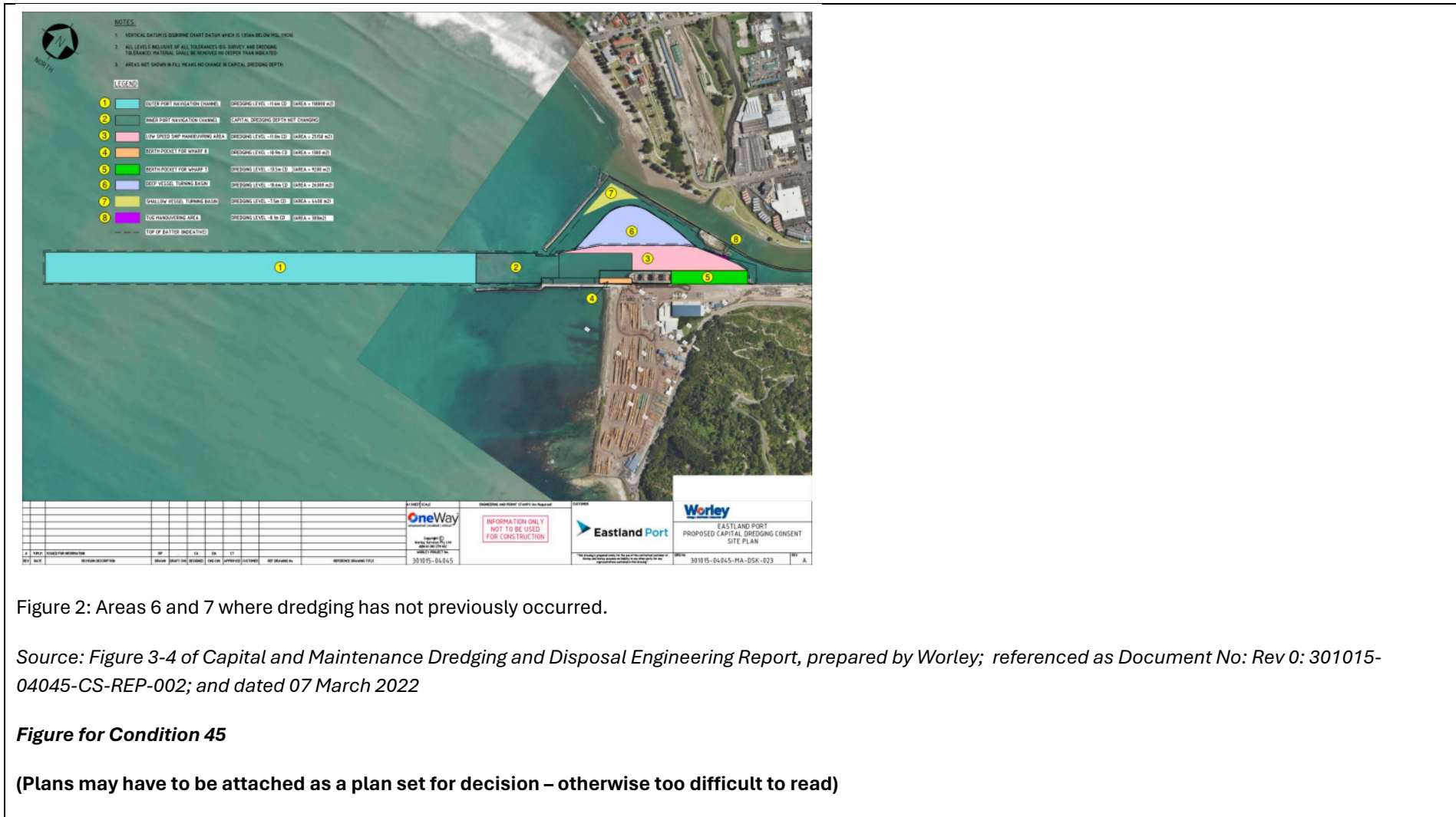


Figure 2: Areas 6 and 7 where dredging has not previously occurred.

Source: Figure 3-4 of Capital and Maintenance Dredging and Disposal Engineering Report, prepared by Worley; referenced as Document No: Rev 0: 301015-04045-CS-REP-002; and dated 07 March 2022

Figure for Condition 45

(Plans may have to be attached as a plan set for decision – otherwise too difficult to read)

<p>46.</p>	<p>The MPMP shall include, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> a) A description of the key activities and their potential role in introducing, promoting the growth of, and/or facilitating the spread of notifiable, pest or unwanted organisms. b) Procedures to ensure activities associated with construction of the works and capital dredging of areas where dredging has not previously occurred are undertaken in a manner that avoids or mitigates the spread of any notifiable, pest or unwanted organisms present within the consented works area to surrounding areas. c) Procedures for minimising the risk of new notifiable, pest or unwanted organisms being introduced to the Port during the construction works and/or the capital dredging of areas not previously dredged, including requirements for vessel and equipment cleaning, antifouling and inspections. d) Staff training to familiarise personnel with the risk posed by notifiable, pest and unwanted organisms; how to recognise them; and procedures for reporting and responding to the occurrence of notifiable, pest or unwanted organisms. e) Procedures for recording and reporting actions carried out under this plan and other sightings of marine pest organisms or unusual marine species. f) Process for review of the MPMP. <p><i>Condition Notes:</i></p> <ol style="list-style-type: none"> 1. Notifiable, pest and unwanted organisms are defined and determined under the Biosecurity Act (1993). The presence and risk of Mediterranean Fanworm shall specifically be addressed in the MPMP. 	<p>Adapted from Wharf 1– conditions 4-12</p>	<p>This clause only covers a limited range of activities that pose a biosecurity risk. Needs to link to knowingly communicating in the Biosecurity Act – i.e. the port needs to know if pests and unwanted species are present or not.</p>
------------	---	--	--

	<p>2. All conditions of this consent, reports and monitoring data requiring agreement, notification, certification or review by Council, shall be submitted to the monitoring email - compliance.admin@gdc.govt.nz. Council will then refer any reports and data to the Council officers or manager responsible for review or certification.</p>		
Biosecurity Inspections			
47.	<p>Pre-works and post-works inspections:</p> <p>a. No more than 60 days before works commence, a pre-works inspection of the construction areas for Wharf 8 and the Outer Breakwater works and dredging areas 6 and 7, as identified in Figure 1 above, shall be undertaken to identify and characterise the presence of any notifiable, pest or unwanted organisms in the area of works.</p> <p>b. Between 60 and 90 days after each stage of construction described in Condition 47(a) is complete, a post-construction inspection of the new Wharf 8 and Outer Breakwater structures shall be undertaken to identify and characterise the presence of any notifiable, pest or unwanted organisms on the new structures.</p>		Need to discuss and include maintenance dredging
48.	<p>Inspection methodology</p> <p>a. Pre and post works biosecurity inspections shall be undertaken by divers with appropriate authorisation and experience in marine biosecurity monitoring and management.</p> <p>b. Notwithstanding condition 48(a), and subject to the Consent Holder providing prior written notice to Council, in the event</p>		Agreed.

	that environmental conditions and/or health and safety risks mean it is not safe for divers to enter the water during the time-periods specified in Conditions 47(a) and (b), biosecurity inspections may be undertaken using alternative methods such as video surveys, dredging and/or grab samples.		
49.	<p><u>Reporting</u></p> <p>Within 15 working days of the completion of each of the pre-works and post-works inspections required by condition 48, the Consent Holder must provide the Council with a report prepared by a suitably qualified and experienced marine ecologist. The report should contain sufficient detail to address the following matters:</p> <ul style="list-style-type: none"> (a) Summary of the biosecurity inspection undertaken; (b) The location and extent of any notifiable, pest or unwanted organisms identified and details of any measures taken to remove any such organisms and/or otherwise manage biosecurity risks; (c) An assessment of residual biosecurity risks posed by notifiable, pest or unwanted organisms in the area of works; and (d) GPS location of notifiable, pest or unwanted organisms not removed for any reason. 		Agreed.
50.	Should any new notifiable, pest or unwanted organism be identified during the biosecurity inspections, the consent holder shall notify the Council and MPI (Biosecurity New Zealand) immediately.		Agreed.
Construction Traffic Management Plan			
51.	The Consent Holder shall prepare a Construction Traffic Management Plan (CTMP) for each stage of the project. The CTMP		Minor Editing

	<p>shall be prepared in consultation with Waka Kotahi and GDC and submitted for each stage of construction to the Council Consents Manager for certification that the CTMP gives effect to the objectives and requirements in Condition 52 applicable to the particular construction stage.</p>		
<p>52.</p>	<p>The objective of the CTMP is to manage construction traffic effects to reduce impacts on the transportation network to minimum practicable levels. The CTMP shall address the following matters:</p> <ul style="list-style-type: none"> a) Construction staging and programme; b) Light and heavy vehicle demands in each phase of activity; c) Transport routes; d) Measures to avoid use of particular routes (for example Crawford Road to the east) or particular times of day (commuter peaks for example); e) Measures to mitigate adverse effects of construction traffic on pedestrians and cyclists; f) Separation of construction activities from ongoing port operations; g) Nominated access points and parking areas for construction staff and visitors; h) Contractor office(s) and amenities; i) Communication/stakeholder engagement measures including method(s) to enable feedback from road users; j) Any temporary traffic management controls (on or off site); k) Any monitoring and review requirements; and l) Contractor contacts and incident reporting protocols, and m) [placeholder for any additional matters from waka Kotahi] 	<p>As recommended by the ECC traffic report and expert traffic advice from CKL.</p>	<p>Management Plans and approach to be assessed in light of Waka Kotahi evidence and proposed conditions.</p>
<p>Construction Noise and Vibration</p>			

<p>53.</p>	<p>Construction noise shall be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 “Acoustics - Construction Noise” and comply with the following Project Standards at any occupied dwelling building unless otherwise provided for in the CNMP (Condition 55). There are no noise limits applying to:</p> <ul style="list-style-type: none"> A) buildings inside the Port B Zone; and B) buildings at 31 to 50 Esplanade inside the Port A Zone. 	<p>Carried over from Wharves 6&7 – condition 34</p>	<p>All assessments make it clear that the construction noise limits apply to dwellings and commercial buildings. The modification makes the condition consistent with the assessments and evidence.</p> <p>The assessments make it clear that all construction noise will comply with the limits set out in NZS6803:1999, except during the night time at the Top Ten Holiday Park. The Styles Group review recommends that the dredging is managed to comply at the Top Ten. There is therefore no need for conditions that authorise any infringement of these limits.</p> <p>The additional text also makes it clear that compliance is not required inside the port itself, but does require compliance everywhere else, including at the hospitality premises on the port land, consistent with the Wharf One assessments. The address of 50 Esplanade has been chosen as the closest property to the works that contains tenanted buildings.</p>
------------	---	---	--

Time period	Weekdays (dB)		Saturdays (dB)		Sundays and Public Holidays (dB)	
	L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}	L _{Aeq}	L _{AFmax}
6:30am – 7:30am	55	75	45	75	45	75
7:30am – 6pm	70	85	70	85	55	85
6pm – 8pm	65	80	45	75	45	75
8pm – 6:30am	45	75	45	75	45	75

Table for Condition 53

<p>54.</p>	<p>Construction vibration shall be measured and assessed in accordance with ISO 4866:2010. The Category A construction vibration criteria in the following table must be complied with as far as practicable. If measured or predicted vibration from construction activities exceeds the Category A criteria, a suitably qualified person must assess and manage the construction vibration during those activities. If measured or predicted vibration from construction activities exceeds the Category B criteria, those activities must only proceed if vibration effects on affected buildings are assessed, monitored and mitigated by a suitably qualified person. Construction vibration must not exceed the Category B limits at any building outside the Port B Zone.</p>	<p>Carried over from Wharves 6&7 – condition 33</p>	<p>As above, the assessments all state that compliance with the vibration limits will be achieved, and by a comfortable margin. There is no need to allow the CNVMP to authorise any infringement.</p> <p>Consent is not sought to exceed the district plan vibration limits.</p> <p>The modification made to the table below is for consistency with the MDA assessment at section 9.5. British Standard 5228-2 is not mentioned anywhere in the MDA Report.</p>
------------	---	---	---

Receiver	Details	Category A	Category B
Occupied residential or visitor accommodation	Night-time 2000h – 0630h	0.3 mm/s PPV	1 mm/s PPV
	Daytime 0630h – 2000h	1 mm/s PPV	5 mm/s PPV
Other occupied buildings	Daytime 0630h – 2000h	2 mm/s PPV	5 mm/s PPV
All other buildings	At all times	5 mm/s PPV	The relevant limits from DIN4150-3:1999
	Vibration – transient		BS 5228-2* Table B2
	Vibration – continuous		BS 5228-2* 50% of table B2 values

Table for Condition 54.

55.	A Construction Noise Management Plan (CNMP) must be prepared by a suitably qualified person and submitted to the Consents Manager for certification that the CNMP gives effect to the objectives in Condition 56 and complies with the requirements in Condition 57.		Agreed
56.	The CNMP objectives are to: a) Identify and require the adoption adopt the best practicable option (BPO) for the management of construction noise; b) Define the procedures to be followed when the noise standards in Condition 53 and the vibration standards in Condition 54 cannot be met;	Recommended by Marshall Day	Clause 56(b) deleted to ensure that the CNMP cannot authorise infringements of the construction noise and vibration limits (that the MDA assessments say will be complied with, excepting Top Ten Holiday Park).

	<ul style="list-style-type: none"> c) Inform the duration, frequency and timing of works to manage disruption; d) Require effective engagement with affected receivers and timely management of complaints; and e) Manage the underwater noise levels from impact and vibratory pile driving methods to protect marine mammals and avoid adverse effects on threatened or at-risk species and minimise the effects on all other marine fauna as far as practicable. 		
<p>57.</p>	<p>The CNMP shall include:</p> <ul style="list-style-type: none"> a) The relevant measures from NZS 6803:1999 “Acoustics – Construction Noise”, Annex E2 “Noise management plans” b) Prioritising dredging works in the deep vessel turning basin and the shallow vessel turning basin to take place during the daytime; c) Procedures and methods for ensuring that the noise from dredging activities carried out at between 8pm and 6.30am complies with the noise limits in condition 53, including at any defined campsite at the Holiday Park at 280 Awapuni Road; and A requirement to engage with the Holiday Park owners, Gisborne Holdings, prior to any night-time dredging where noise levels are predicted or measured to be above 50 dB $L_{Aeq}(15\text{ min})$ at any point within the campground. The engagement shall include an offer to construct an extension to the existing acoustic fence to cover the southern boundary of the campground; and d) Measures to minimise underwater noise effects on marine mammals, as set out in the evidence of Ben Lawrence for Eastland dated 2 October 2023 and the attached 		<p>Modifications made to the Top Ten Holiday Park condition. Non-compliance with the permitted limit of 45dB is only likely for dredging in areas close to the park and if a noisy vessel is contracted to do the work. Quieter vessels should comply with a limit of 45dB L_{Aeq} at all times and in all locations.</p> <p>Addition made to require that observation zones do not exceed 500m. This will be likely to require bubble curtains for most impact piling work, but not necessarily all.</p> <p>Preference is for acoustic mitigation measures for marine mammals to be explicitly included in conditions.</p>

	<p>memorandum by Helen McConnell dated 29 September 2023, including but not limited to;</p> <ul style="list-style-type: none"> □ Bubble curtains should be used to reduce the propagation of underwater noise from pile driving; □ Shutdown zones should be established in accordance with the results of underwater acoustic modelling to protect marine mammals from potential auditory injury associated with pile driving; □ These shutdown zones should be monitored by dedicated, trained MMOs and stop-work procedures and delayed starts should be implemented when marine mammals enter relevant shutdown zones. Noting that remote monitoring technologies may be an option during active piling subject to a suitable methodology being developed; □ Piling activities should only commence by way of soft start; □ The results of underwater noise modelling should be validated by in-situ measurements at the outset of piling operations and the appropriateness of shutdown zones should be confirmed at this time; □ A draft marine mammal management plan should be developed to establish all operational details associated with the control measures that are required to protect marine mammals from adverse effects. A provision should be included to ensure that this plan can be revised once the project is underway based on the findings of the in-situ noise monitoring with respect to the actual noise measurements; and 		
--	--	--	--

	<p><input type="checkbox"/> Dredge equipment shall be regularly maintained to reduce underwater noise levels associated with capital and maintenance dredging</p> <p>e) Procedures and methods to ensure that the marine mammal observation zone (as set out in the memorandum by Helen McConnell dated 29 September 2023) does not exceed 500m from the construction work. This may include the requirement for underwater noise mitigation measures such as bubble curtains around impact piling activities.</p>		
58.	No construction activities involving piling, excavation, dredging, compaction, drilling, concrete/rock breaking and/or the trucking of fill or waste material shall be permitted on Waitangi Day, Good Friday, Easter Monday, Christmas Day, Boxing Day or New Years Day.	Carried over from Wharves 6&7 – condition 35	
Navigation and Safety Notifications and Documentation			
59.	Prior to commencement of construction in the CMA, the Consent Holder shall consult the Harbourmaster to identify the appropriate location, number and types of navigational aids and lighting required for the construction (including for the temporary and/or permanent structures in the CMA). The navigational aids and lighting as approved by the Harbourmaster will be provided and maintained by the Consent Holder at its cost, and in accordance with Maritime New Zealand guidelines, and the Port and Harbour Marine Safety Code.	Project specific	Agreed
60.	The Consent Holder shall establish a Navigation Safety Management Plan (NSMP) for on-water construction activities. The objectives of the NSMP are to:		Agreed

	<ul style="list-style-type: none"> a) Provide for efficient operation of the waterspace affected by construction; b) Provide a safe environment for all water users; c) Ensure water users are appropriately notified of construction activities and any changes to the operation of the waterspace affected by construction; d) Maintain safe navigation for and access to other berth holders and water space users; and e) Ensure access to and from the inner harbour, marina and public boat ramp is maintained for vessels at all times as far as practicable. 		
Geotechnical Conditions			
61.	<p>The Consent Holder shall submit a Geotechnical Design Report (GDR) to the Consents Manager no later than thirty (30) working days before the Commencement of Construction of the Outer Port Reclamation, and Outer breakwater stages for certification that it adequately addresses the matters in Condition 62 below.</p>	Project specific – ref Worley report	Agreed.
62.	<p>The GDR shall include analysis and design to address specific geotechnical stability matters likely to affect the Reclamation and Outer breakwater and shall include but not be limited to:</p> <ul style="list-style-type: none"> a. Geotechnical assessment and design of structures and earthworks; b. Identification of suitable ground improvement measures required (if any) to ensure the stability of the Outer Port Reclamation and upgraded Outer Breakwater; and 		Agreed.

	c. Details of the selection process for reuse of material from the existing Southern Logyard revetment wall in the Reclamation.		
63.	All geotechnical-related earthworks shall be managed to ensure that they do not lead to any uncontrolled instability or collapse affecting the site or structures. In the event that such collapse or instability does occur, it shall immediately be rectified.		Agreed.
Operational Environmental Management Plan			
64.	Not less than thirty (30) working days prior to completion of construction, the Consent Holder shall submit an Operational Environmental Management Plan (OEMP) to the Council's Consents Manager for certification that the OEMP gives effect to the objectives in Condition 65 and complies with the requirements in Condition 66 and 67.		Agreed.
65.	The objectives of the OEMP are to: <ul style="list-style-type: none"> a) ensure appropriate environmental practices are implemented in the operational management of Wharf 8, the Outer Port Reclamation and the Outer Breakwater and that adverse effects are appropriately avoided, remedied or mitigated. b) Give effect to the objectives in the OEMP listed in Condition 66. 		Agreed.
66.	The OEMP shall incorporate or refer to the following management plans and documents as applicable: <ul style="list-style-type: none"> a) Port Noise Management Plan (PNMP) b) Southern Logyard Stormwater Management Plan (SMP) 		Agreed.

	c) Operational Traffic Management Plan (OTMP)		
67.	<p>The OEMP shall include, but is not limited to, the following matters:</p> <ul style="list-style-type: none"> a) Port Operational Manager(s) and contact details; b) Bark and Other Debris: Management practices to reduce or restrict log bark and other debris that may become suspended within the stormwater runoff; c) Dust: Measures to control dust, including monitoring of weather, mitigation methods such as watering, sprinkler system, sweeping and signage; d) Noise: Measures required to ensure compliance with the specified noise emission limits; e) Site security: Measures to limit public access to the wharves for human health and safety reasons; f) Fuel supply: Measures to monitor use of the facility and fuel spill contingency planning; g) Stormwater system maintenance: Measures involved in the regular management of the site stormwater drainage network and associated treatment devices; h) Stormwater quality monitoring: A programme to monitor stormwater quality within the stormwater drainage network and the receiving environment; i) Heritage Boat Harbour: No operational port activities are to occur within the area identified as the Heritage Boat Harbour on Figure 1 above or the required 5 metre buffer between the Reclamation Area and the Heritage Boat Harbour, other than maintenance and repair of the Southern Logyard seawall within the footprint of the seawall. j) Contingency plans to deal with any pollution incidents and any dust, noise or stormwater discharges that exceed the ‘thresholds’ specified in this consent; and 	Carried over from Wharves 6&7 – condition 38	Agreed.

	<p>k) The recording of any complaints of an environmental nature and the procedures for effectively dealing with them, including advising the Council.</p> <p><i>Condition note: It is anticipated that the OEMP required by conditions 60-63 of this consent will be incorporated into the Environmental Management Plan relating to operation of Wharves 6 and 7 as required by way of condition 38 of the resource consents for the wharves 6 and 7 redevelopment (LU-2017-107936-00, CD-2017-107937-00 and LL-2017-107938).</i></p>		
68.	The OEMP shall be reviewed by the Consent Holder yearly for the first two (2) years of the operation of the extended Wharf 8 area, the Outer Port Reclamation and the Outer Breakwater and then at five (5) yearly intervals thereafter.	Carried over from Wharves 6&7 – condition 39	Agreed
69.	The Consent Holder may review of the OEMP at any time to deal with any particular issue that may arise in connection with operation of the extended Wharf 8 area, the Outer Port Reclamation and the Outer Breakwater and require an amendment to the OEMP. Any revised OEMP shall be recertified by the Council's Consent Manager.	Carried over from Wharves 6&7 – condition 40	Minor Editing
Operational Port Noise			
70.	Sound from all port activities in the Tairāwhiti Resource Management Plan Port Management Area excluding the rail bridge, Port A Management zone and area outside the Breakwater must comply with the following noise limits when assessed in accordance with NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning.	Adapted from Wharves 6&7 – condition 42 as recommended by Marshall Day;	General Residential Zone removed as there are no assessments or port noise contours that predict or authorise noise levels anywhere close to the limits in the table for this zone.

	<p>The noise limits in this condition apply to all port activities (except for the exclusions above and the upper log yard) and supersede the operational noise limits in all previous consents for all port activities.</p>		<p>These conditions need to be clear that the noise limits supersede all earlier consents as per our understanding of the application.</p>							
<table border="1"> <tr> <td data-bbox="181 587 687 762"> <p>At any point in the Amenity Reserve Zone or Amenity Commercial Zone</p> </td> <td data-bbox="687 587 1216 762"> <p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p> </td> <td data-bbox="1216 587 1986 1123" rowspan="3"> <p>Table for Condition 70. Note, noise levels have been updated and amended with the EP planning evidence version.</p> </td> </tr> <tr> <td data-bbox="181 762 687 943"> <p>At any point in the Recreation Reserve Zone, General Residential Zone or Inner City Residential Zone</p> </td> <td data-bbox="687 762 1216 943"> <p>65 dB L_{dn} (5-day) 60 dB L_{Aeq} (9h) (2200h – 0700h) 65 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p> </td> </tr> <tr> <td data-bbox="181 943 687 1123"> <p>At the permanent port noise monitoring location (Portside Hotel)</p> </td> <td data-bbox="687 943 1216 1123"> <p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p> </td> </tr> </table>				<p>At any point in the Amenity Reserve Zone or Amenity Commercial Zone</p>	<p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>	<p>Table for Condition 70. Note, noise levels have been updated and amended with the EP planning evidence version.</p>	<p>At any point in the Recreation Reserve Zone, General Residential Zone or Inner City Residential Zone</p>	<p>65 dB L_{dn} (5-day) 60 dB L_{Aeq} (9h) (2200h – 0700h) 65 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>	<p>At the permanent port noise monitoring location (Portside Hotel)</p>	<p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>
<p>At any point in the Amenity Reserve Zone or Amenity Commercial Zone</p>	<p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>	<p>Table for Condition 70. Note, noise levels have been updated and amended with the EP planning evidence version.</p>								
<p>At any point in the Recreation Reserve Zone, General Residential Zone or Inner City Residential Zone</p>	<p>65 dB L_{dn} (5-day) 60 dB L_{Aeq} (9h) (2200h – 0700h) 65 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>									
<p>At the permanent port noise monitoring location (Portside Hotel)</p>	<p>67 dB L_{dn} (5-day) 62 dB L_{Aeq} (9h) (2200h – 0700h) 67 dB L_{Aeq} (15 min) (2200h – 0700h) 85 dB L_{Amax} (2200h – 0700h)</p>									
<p>71.</p>	<p>The Consent Holder shall maintain a permanent noise monitor at the Portside Hotel or an alternative location agreed by the Council’s Consents manager. The monitor shall be regularly calibrated and continuously measure sound levels to provide sufficient valid data for the Consent Holder to prepare reports regarding compliance with the limits applying at this location under these conditions. The Consent Holder shall prepare a summary report of monitoring results and submit this to Council’s Consents Manager, Te Tai Uru and the PCLG annually, within one month of</p>	<p>Adapted from Wharves 6&7 – condition 43; as recommended by Marshall Day</p>	<p>Amendments made to improve certainty on accuracy.</p>							

	<p>the end of the reporting period. Data from the monitor must be publicly available on a website in real-time.</p> <p>The monitor must meet the Type 1 requirements as set out in NZS6801:2008.</p>		
Operational Port Noise Management Plan			
72.	<p>Not less than 30 working days prior to the commencement of operations on the upgraded Wharf 8 and Outer Port Reclamation an operational Port Noise Management Plan (PNMP) prepared by a suitably qualified and experienced person in accordance with Section 8 of NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning shall be submitted to Council’s Consent Manager for certification. Certification shall be limited to ensuring that the PNMP gives effect to the objectives in Condition 73 and complies with the requirements in Condition 74. The certified PNMP must be implemented throughout operation of Wharf 8 and the Outer Port Reclamation.</p>		Agreed
73.	<p>The objectives of the PNMP shall be to:</p> <ul style="list-style-type: none"> (a) Ensure the whole-of-port (except for the exceptions in condition 72) complies with the relevant noise performance standards in Condition 70; (b) Provide a framework for the measurement, monitoring, assessment, and management of noise; (c) Identify and require the adoption of the BPO for the management of noise effects for all of the port, except for the exceptions in condition 72; and 	As recommended by Marshall Day	Amendments Proposed

	<p>(d) Require effective engagement with the community and timely management of noise complaints.</p> <p>The BPO is as defined in the Resource Management Act</p>		
74.	<p>The PNMP shall, as a minimum, provide effective methods and procedures to address the following matters:</p> <ul style="list-style-type: none"> a) Annual reviews of the PNMP, and include noise contour maps showing the predicted port noise levels based on current operations. b) Training operators and staff in techniques for, and the importance of noise minimisation training c) Good equipment selection for noise minimisation d) General noise minimisation measures e) Avoiding or minimising the noise effects of safety/reversing alarms that are audible off site f) Minimisation of noise from night-time activities g) Regular and effective noise monitoring and reporting of the results to determine compliance with this consent h) Effective Te Tai Uru engagement <p>Effective community engagement</p>		Amendments Proposed
Operational Traffic Management Plan			
75.	<p>Within 1 year of resource consent for the works being granted the Consent Holder shall submit a Framework Operational Traffic Management Plan (FOTMP) to Council 's Consent Manager for certification. The FOTMP shall be prepared by a suitably qualified</p>	Recommended by CKL	Minor editing

	<p>and experienced person, and in consultation with Waka Kotahi and Gisborne District Council. The objective of the FMOTP is to provide a strategic framework to guide the preparation of the OTMP required by Condition 76 and ensure alignment with any Network Operating Plan or transport network upgrade proposals identified in relevant Council or Waka Kotahi plans or strategies. The FOTMP shall cease to have effect once the OTMP has been prepared and certified in accordance with Condition 76.</p>		
76.	<p>Not less than 30 working days prior to the commencement of operations on the upgraded Wharf 8 and Outer Port Reclamation an Operational Traffic Management Plan (OTMP) prepared by a suitably qualified and experienced person, shall be submitted to Council’s Consent Manager for certification. The objective of the OTMP is to manage operational traffic effects to reduce impact on the transportation network to acceptable levels. The OTMP shall, as a minimum, address the following matters:</p> <ul style="list-style-type: none"> a. An overall access, parking and circulation layout; b. A summary of on-site parking supply and allocation including provision of at least one accessible parking space for people with disabilities (compliant with NZS4121 design standards); c. The number and location of cycle parking spaces; d. Measures to support/promote travel to the site by walking, cycling, public transport or other sustainable modes; e. Site safety protocols such as vehicle speed limits; f. Measures to avoid or limit use of inappropriate routes (for example Crawford Road to the east); and g. Communication/stakeholder engagement measures. h. <u>Any other measures to minimise operational traffic effects of the activity on the surrounding area.</u> 	Recommended by CKL.	Additional clause from Chris, understood to be supported by EP.

	i. [placeholder for any additional matters from waka Kotahi]		
As-Built Drawings			
77.	Within three (3) months of Completion of Construction for each stage of construction (wharf 8 upgrade, outer reclamation and outer breakwater upgrade), the Consent Holder shall supply a complete set of As-Built Drawings to the Council's Consents Manager. The As-Built Drawings shall show the location, dimensions and typical cross-sections of structures and services.	Standard condition	Agreed.
78.	Within twenty (20) working days of the completion of construction activity in the CMA, the Consent Holder shall supply a copy of the 'as built' plans to the New Zealand Hydrographic Authority (Land Information New Zealand, Private Box 5501, Wellington 6011 or customersupport@linz.govt.nz). The As-Built drawings shall relate to all activities in the CMA, including finished reclamations, wharves, breakwaters and other structures that are appropriate for inclusion on Hydrographic Charts.	Standard condition	Agreed.
Review of Consent Conditions			
79.	In accordance with section 128 of the Resource Management Act 1991, the Council may review the conditions of this consent for the purpose of ensuring unforeseen adverse effects are avoided, remedied or mitigated. Notice of review for such purposes may be given once annually between 1 July and 30 July for the duration of the consent.	Standard condition	Agreed subject to any final discussions with Eastland Port and Waka Kotahi.

3 SOUTHERN LOGYARD STORMWATER UPGRADING

Consent Number: CP-2022-111365-00

Activity authorised: Upgrade of the existing stormwater treatment system in each of the northern and southern catchments of the Southern Logyard and the discharge of treated stormwater to the coastal marine area via the existing outfall in each of the catchments.

Consent duration: This consent will expire 35 years from the date of commencement

Commencement of Consent: In accordance with section 116(1) of the RMA

Consent Lapse: The consent shall lapse within [10] years of commencement.

No.	Condition	Source	
1.	The exercise of this consent is subject to the conditions listed in Schedule 1: Common Conditions.		Agreed.
2.	Construction of the stormwater works authorised by this consent shall be undertaken in accordance with the construction management requirements of Conditions 4 to 43 and 51 to 58 of Consent Numbers CC-2022-111367-00, CR-2022-111368-00, NC-2022-111370-00, LU-2022-111371-00 relating to the construction and use of the Wharf 8 upgrade, Outer Port Reclamation and Outer Breakwater		Agreed.
Final Plans			
3.	At least twenty (30) working days prior to the commencement of stormwater upgrades, the Consent Holder shall provide final plans of all structures and details of stormwater treatment devices, consistent with the Cheal		Final design should be reviewed and certified by Council.

	<p>Stormwater Management Engineering Report titles '<i>Eastland Port Twin Berth Project</i>' reference 200577 and dated 12 August 2022 to the Council for certification. is Consents Manager.</p>		
Stormwater Quality			
<p>4.</p>	<p><u>Southern Logyard Northern Catchment</u></p> <p>The stormwater discharge into the coastal marine area from the southern logyard northern catchment (SLY Nth) shall, after reasonable mixing, meet the following standards for Class SC classified water in the Tairawhiti Resource Management Plan:</p> <ul style="list-style-type: none"> a) The natural water temperature shall not be changed by more than 3 degrees Celsius; b) The natural pH of the water shall not be changed by more than 0.1 unit and at no time shall be less than 6.7 or more than 8.5; c) There shall be no destruction of natural aquatic life by reasons of a concentration of toxic substances nor shall the waters emit objectionable odours; and d) The natural colour and clarity of the waters shall not be changed to a conspicuous extent. 	<p>Carried over from Port Entry consent – condition 51 for Class SC receiving waters. Condition 5 has been added for Class SA receiving waters, as per existing SLY discharge consent s127 – Condition 9</p>	<p>The extents of the reasonable mixing zone have not been defined. This should be discussed and added into condition.</p>
<p>5.</p>	<p><u>Southern Logyard Southern Catchment</u></p> <p>The stormwater discharge into the coastal marine area from the southern logyard southern catchment (SLY Sth) shall, after reasonable mixing, meet the following standards for Class SA classified water in the Tairawhiti Resource Management Plan:</p>		<p>The extents of the reasonable mixing zones have not been defined. Should be discussed and agreed with EP.</p>

	<ul style="list-style-type: none"> a) The natural water temperature shall not be changed by more than 3 degrees Celsius; b) The natural pH of the water shall not be changed by more than 0.1 unit and at no time shall be less than 6.7 or more than 8.5; c) There shall be no destruction of natural aquatic life by reasons of a concentration of toxic substances nor shall the waters emit objectionable odours; d) The natural colour and clarity of the waters shall not be changed to a conspicuous extent; and e) Aquatic organisms shall not be rendered unsuitable for human consumption by the presence of contaminants, and the water shall not be rendered unsuitable for bathing by the presence of contaminants 		
<p>6.</p>	<p><u>General</u> Notwithstanding the general responsibility imposed by the conditions of this consent, if for any reason (accidental or otherwise) other wastes or discharges associated with the Consent Holder`s operation escape to natural water beyond the boundaries of the site, the Consent Holder shall:</p> <ul style="list-style-type: none"> a) Immediately commence mitigation procedures to limit or prevent remedy or mitigate any adverse effect associated with the fugitive discharge and to avoid any further any actual or potential adverse effects to the marine environment. All such actions shall be logged so that a complete record of actions will be available to the Council upon request, b) Notify the Council Compliance Officer immediately within 24 hours of the escape of the wastes or discharges, c) Report in writing to the Council within seven days detailing the manner and cause of the escape and steps taken to control and prevent its recurrence. 	<p>Carried over from Port Entry Consent – condition 52</p>	<p>Notification of non-compliance should be immediate.</p>

Southern Logyard Stormwater Management Plan (SLYSMP)		
7.	<p>A Southern Logyard Stormwater Management Plan (SLYSMP) shall be provided to the Consents Manager for certification that the SLYSMP gives effect to the objective of the SLYSMP and complies with the requirements of any consent conditions relating to stormwater discharges.</p> <p>The objective of the SLYSMP shall be to set out how the stormwater management system is to be operated and maintained to ensure that adverse environmental effects are minimised.</p> <p>The SLYSMP shall include:</p> <ul style="list-style-type: none"> (a) Eastland Port Operations Manager(s) and contact details; (b) Debris management practices to reduce or restrict bark and other debris from entering on site stormwater systems and being carried onto adjacent roads and/or enter roadside stormwater systems; (c) Stormwater system maintenance: measures involved in the regular management of the site stormwater drainage network and associated treatment devices; (d) Stormwater Quality Monitoring Programme (SQMP): a programme to monitor stormwater quality within the stormwater drainage network and the receiving environment; (e) Contingency plans: Plans to deal with any pollution incidents and any dust, noise or stormwater discharges that exceed the 'thresholds' specified in this consent; (f) Trigger levels and indicators for potential stormwater associated contaminants and stressors for the discharges and receiving environment (as set out below); and 	<p>Adapted from Port Entry Consent – condition 37, with detail on trigger levels and indicators for potential stormwater associated contaminants and stressors for the discharges and receiving environment to be set out in the SQMP rather than forming a condition of consent.</p> <p>We disagree with SW standards being set out in the SQMP only. Standards should be set out in consent conditions with the SQMP providing the methodology on how these standards are satisfied.</p>

	<p>(g) Additional monitoring and investigations required to confirm compliance with the trigger values specified under condition 7(f) above during the initial twelve month commissioning phase.</p> <p><i>The trigger levels and indicators for potential stormwater associated contaminants are as follows:</i></p> <p>[ADD TABLES]</p> <p><i>Advice note:</i> <i>It is anticipated the SLYMP and SQMP shall generally align with the approach taken to management of the stormwater systems and monitoring of stormwater discharge quality from the upper logyard and wharfside logyard, as set out in DW-2020-105049-02 and CD-2016-107183 respectively.</i></p>		
8.	<p>The SLYSMP shall be reviewed by the Consent Holder yearly for the first two (2) years of the operation of the upgraded SLY North and SLY South stormwater treatment systems and then at five (5) yearly intervals thereafter. Any revised SLYSMP shall be recertified by the Council's Consent Manager.</p>	Adapted from Port Entry Consent – condition 39	Minor editing
Stormwater System Management			
9.	<p><u>Initial Commissioning Period</u></p> <p>The Consent Holder shall confirm the actual performance of the treatment system during a twelve month commissioning period. Minor breaches of the trigger values set out in the certified SLYSMP, required under Condition 7, may occur during the commissioning period. Minor breaches are defined as breaches either of short duration (less than 2 hours), and/or of an otherwise</p>	Adapted from Port Entry Consent – condition 53	Minor editing

	small scale and which do not lead to the impairment or mortality of marine biota including the effects from any additional treatment. All breaches occurring during this period shall be recorded and reported to Council's Consents Manager within one month of any breach occurring.		
10.	<p><u>Operation of Stormwater System</u></p> <p>The Consent Holder shall visually inspect the stormwater collection and treatment system weekly from the commencement of operation of the upgraded stormwater treatment system authorised by this consent to ascertain that the system is maintained in good working order and is not causing:</p> <ul style="list-style-type: none"> a) Any conspicuous colour change; b) Any conspicuous floatable or suspended materials; c) Any scums or foams; or d) Any emission of objectionable odour. 	Adapted from Port Entry Consent – condition 54	Agreed.
11.	<p>Subsequent to rainfall events exceeding the 90 percentile storm, the stormwater catchment pits, yard drainage and culverts shall be inspected and maintained if necessary, to achieve the same level of stormwater treatment to that which existed prior to the rain event. Inspections and maintenance works shall be recorded and logged.</p> <p><i>Advice Note: For practical purposes the 90 percentile storm event shall be any rain event that exceeds 21mm in any 24 hour period.</i></p>	Carried over from Port Entry Consent – condition 55	Minor Amendments.
12.	The Consent Holder shall maintain a record of any log yard ponding and/or overflow event for the first two years of operation of the stormwater works authorised by this consent and shall submit a report to the Council's		Support condition in principle but with some amended wording to strengthen provisions.

	<p>Consent Manager for each 6 month period after two years of operation providing:</p> <ul style="list-style-type: none"> a) A record of any log yard ponding and/or overflow event and the reasons for occurrence of the ponding and/or overflow event; b) An assessment of possible design changes to minimise or avoid any such events in the future; and c) The actions proposed to implement any design changes identified under Condition 12(b) above as necessary to resolve ponding and/or overflow events occurring or where such design changes are not proposed to be acted upon, the reasons why. <p><i>Advice note:</i></p> <p><i>Additional resource consent/s may be required to implement any design changes required in accordance with this condition. Contact the Team Leader – Resource Consents for advice.</i></p>		
Stormwater Quality Monitoring Programme			
13.	<p>As specified in Condition 7(d), a Stormwater Quality Monitoring Programme (SQMP) shall be included in the SLYSMP and subject to the same certification requirements. The purpose of the SQMP shall be to:</p> <ul style="list-style-type: none"> a) Assess stormwater discharge and receiving environment quality and confirm that they remain within the relevant trigger levels and indicators as set out in condition (7) and incorporated and in the certified SLYSMP in accordance with Condition 7(f); and 	Adapted from Port Entry Consent – conditions 57, 66 and 72	Water quality standards to be set out in consent The extent of the reasonable mixing zones have not been defined.

<p>b) Assist in the ongoing refinement of trigger values and indicators, monitoring sites and reasonable mixing zones over the duration of the SLYSMP.</p> <p>The SQMP shall address the following matters:</p> <ul style="list-style-type: none"> (i) location of stormwater and coastal monitoring sites including mixing zone boundaries and background sites; (ii) monitoring frequencies (that will be at least once every three months, subject to Conditions 14 & 15); (iii) sampling and testing methods, including: <ul style="list-style-type: none"> a. the basis for sample replication, mixing zones, dilution factors and other matters to be taken into account when analysing and reporting monitoring results; and b. for 'trigger' levels that are receiving environment based, requirements that samples for relevant parameters are taken from within the stormwater system and have a dilution factor applied for the zone of reasonable mixing; (iv) provide direction on the basis for any statistical analysis, interpretation of indicators and any justification for the use of surrogate parameters, such as turbidity. <p>All stormwater sampling and analysis required to meet the conditions of these consents shall be carried out in accordance with the methods set out in the Council certified SQMP. All stormwater analysis required to meet the conditions of these consents shall be carried out by a IANZ registered laboratory or equivalent in accordance with the American Public Health Association, American Water Works Association and Water Pollution</p>		<p>How is this going to be determined?</p> <p>More explanation should be provided about this – perhaps through an advice note</p>
---	--	---

	Control Federation: Standard Methods for Examination of Water & Wastewater 22nd (2012) or newer edition.		
14.	Following five two years of sampling and verification that the stormwater and receiving environment water quality achieves the target trigger levels identified in the SQMP, the monitoring frequency for monitoring parameters in the certified SQMP, can be reduced to once per year.	Adapted from Port Entry Consent – condition 59	A longer period of monitoring is considered appropriate.
Reporting of Stormwater Monitoring Results to Council			
15.	<p>Within 20 working days of receiving the laboratory analysis of the stormwater quality parameters, to be monitored in accordance with the SQMP required by Condition 12, the Consent Holder shall provide a monitoring report to the Council that:</p> <p>(a) Contains the results of the stormwater monitoring tests;</p> <p>(b) Provides a comparison of the sampling results against the applicable ‘trigger’ levels and ‘trend indicator’ values specified in the certified SLYSMP in accordance with Condition 7f,; and identifies any exceedances.</p> <p>(c) Details of cause of non-compliance, remedial works or design solutions to address the non-compliance and prevent ongoing risk of non-compliances.</p> <p><i>Advice note: The monitoring report shall be presented in a format consistent with the Stormwater Monitoring Report required to be submitted to the Council in accordance with Condition 63 of CD-2016-107183 relating to stormwater discharges to the Coastal Marine Area from the Wharfside Logyard.</i></p>	Adapted from Port Entry Consent – condition 7	Measure should be identified for any remedial works/design solutions – may prevent need for a formal S.128 review.

16.	<p>The Consent Holder shall provide an annual Monitoring report to Council prior to 1st October each year. The monitoring report shall provide:</p> <p>a. an assessment of the stormwater and sediment sampling results against the applicable ‘trigger’ levels;</p> <p>b. an assessment of the potential for stormwater quality to cause adverse discharge effects on ecology, water quality and/or sediment quality in the receiving environment</p> <p>The report shall include all analytical results, QA/QC and field sheets for the year.</p>	Carried over from Port Entry Consent – condition 74	
17.	<p>The Consent Holder shall provide access to all monitoring data and interpretation required by this consent to the Port Community Liaison Group and Te Tai Uru, by placement of the reports, on the Eastland Port Website or a web portal designed for public access of Port Monitoring information. Such information shall be available for viewing within seven days of being provided to the Council.</p>	Carried over from Port Entry Consent – condition 75	Agreed.
As-Built Drawings			
18.	<p>Within three (3) months of Completion of Construction of the Southern Logyard stormwater upgrades, the Consent Holder shall supply a complete set of As-Built Drawings to the Council’s Consents Manager. The As-Built Drawings shall show the location, dimensions and typical cross-sections of structures and services.</p>	Standard condition	Minor Editing
Review Condition			

<p>19.</p>	<p>The Council may serve notice on the Consent Holder of its intention to review the conditions of this consent pursuant to section 128 of the Resource Management Act 1991,</p> <ul style="list-style-type: none"> (i) within one month after the first anniversary of the completion Southern Log yard stormwater upgrade, and (ii) thereafter within one month after each subsequent anniversary of the commencement of these consents, for the following reasons: <ul style="list-style-type: none"> a. To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the Consent Holders activity and, if considered appropriate by the Council, to manage or mitigate deal with such effects by way of further or amended conditions. b. To review the appropriateness of conditions in the light of changes to relevant national standards, regulations and guidelines, and the Council's relevant regional and district plans. c. To impose additional or modify existing conditions of this consent relating, but not limited to, the matters specified below if necessary to deal with any adverse effect on the environment which may arise from the exercise of this permit and which it is appropriate to deal with at a later date: <ul style="list-style-type: none"> i. Stormwater system management; and ii. Receiving environment water quality 	<p>Adapted from Port Entry Consent – condition 42</p>	<p>Minor editing</p>
------------	--	---	----------------------

4 CAPITAL AND MAINTENANCE DREDGING AND DISPOSAL

Consent Number: CD-2022-111366-00

Activity authorised: Capital dredging of approximately 140,600m³ from a port seabed area of approximately 18.46ha and the subsequent deposition of the dredged material, up to 140,600m³, at the offshore disposal ground along with associated discharges of decant water to the coastal marine area during dredging and disposal activities.

Maintenance dredging of up 140,000m³ per year from an outer port seabed area of approximately 25ha and the subsequent deposition of the dredged material, up to 140,000m³, at the offshore disposal ground along with associated discharges of decant water to the coastal marine area during dredging and disposal activities.

Note: The maximum cap of 140,000m³ per year shall include the sum total of all maintenance dredging activities conducted by the consent holder, including those authorised by other consents.

Consent duration: The capital dredging component of this consent will expire 15 years from the date of commencement of construction works

The maintenance dredging component of this consent will expire 35 years from the date of commencement of construction works

Consent Lapse: The consent shall lapse within [10] years of commencement.

No.	Condition	Source	
1.	The exercise of this consent is subject to the conditions listed in Schedule 1: Common Conditions.		Agreed.

2.	<p>Capital and Maintenance dredging works authorised by this consent shall be undertaken in accordance with the following requirements of Consent Numbers CC-2022-111367-00, CR-2022-111368-00, NC-2022-111370-00, LU-2022-111371-00 relating to the construction and use of the Wharf 8 upgrade, Outer Port Reclamation and Outer Breakwater:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Construction noise management (Conditions 53 to 58) <input checked="" type="checkbox"/> Operational noise management (Condition 70-74) <input type="checkbox"/> Marine Pest Management Plan (Conditions 44 to 50) 		<p>Operational noise subject to separate conditions.</p> <p>Numbering to be confirmed in final set of conditions.</p>
3.	<p>Noise from all capital and maintenance dredging shall comply with 50 dB $L_{Aeq}(15\text{min})$ during the night-time (10 pm – 7 am) at any point within the Holiday Park campground. Noise levels shall be measured in accordance with New Zealand Standard NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with New Zealand Standard NZS 6802:2008 Acoustics – Environmental Noise.</p>		<p>This can be deleted following amendments to noise compliance conditions.</p>
Annual Dredging & Disposal Report			
4.	<p>The Consent Holder shall submit to the Council, Te Tai Uru and the PCLG before 30th June each year, a report on the capital and maintenance dredging and disposal operations undertaken during the preceding 12 month period between 1st April and 31st March. This report shall include the approximate quantities of dredged material, the principal areas of dredging (i.e. the port navigation channel, vessel turning basin, and berth pockets), along with the results of the coastal processes, benthic ecology, sediment, and water quality monitoring required under the specific conditions of these consents.</p> <p><i>Condition Note:</i></p> <p><i>The Annual Dredging & Disposal Report required by Condition 2 is expected to form part of the Annual Dredging & Disposal Reports required by Condition 3 of the Wharf 1 mooring platform and maintenance dredging consent (CP-2021-110698-00 / CR-2021-110699-00 / CD-2021-</i></p>	<p>As discussed with Rongowhakaata and adapted from Wharf 1, condition 3 and Wharves 6&7 condition 59</p>	<p>Agreed.</p>

	<p>110700-00) and Condition 59 of the Wharves 6 & 7 consents (LU-2017-107936-00, CD-2017-107937-00 and LL-2017-107938)</p>		
<p>Area of Capital Dredging</p>			
<p>5.</p>	<p>The capital dredging authorised by this consent is limited to the port operating area, including the port navigation channel, vessel turning basin and wharf berth pockets, shown in</p> <p>Figure 1. Plan of Capital Dredging Area</p>		



Figure for Condition 5

Area of Maintenance Dredging

6. The maintenance dredging authorised by this consent is limited to the port operating area, including the port navigation channel, vessel turning basin and wharf berth pockets, shown in Figure 2.

Figure 2. Plan of Maintenance Dredging Area

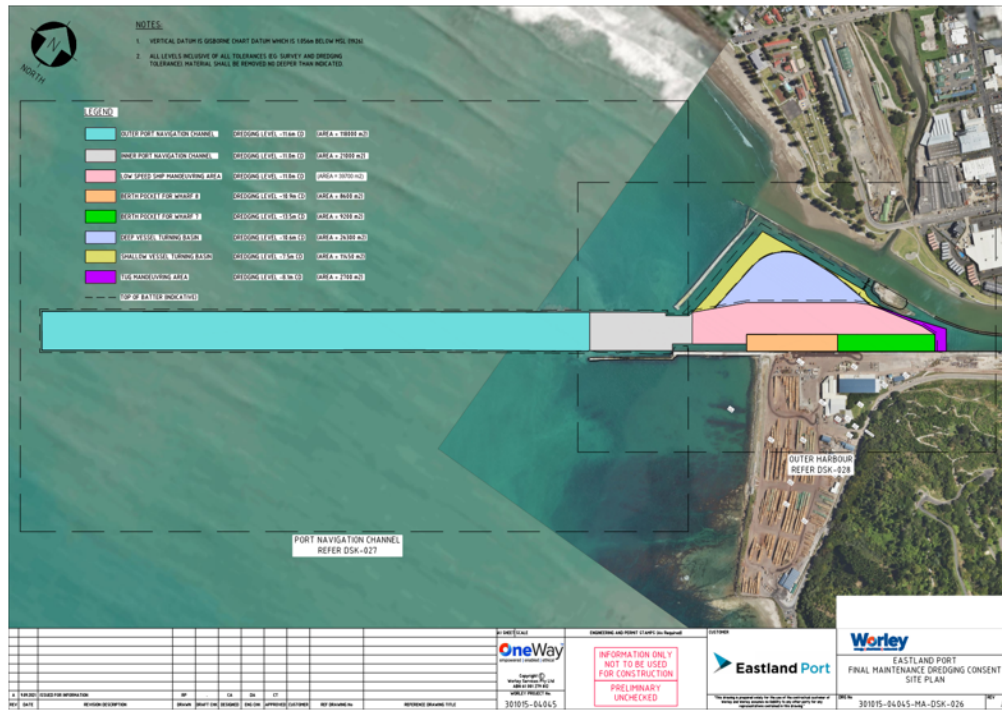


Figure for Condition 6

Conditions relevant to Capital and Maintenance Dredging

Management of Operations to Limit Effects on Water Colour & Visual Clarity			
7.	There shall be no conspicuous change in the colour and visual clarity of the seawater as a result of the Consent Holder's operations and activities that are authorised by this consent after two hours of the cessation of each dredge run, or when the dredging overlaps within this 2 hour period, within 2 hours after the last completed dredge run.	Carried over from Wharf 1 (condition 17) and Wharves 6&7 (condition 52)	Agreed
Sediment Quality Monitoring Programme			
8.	<p>In February or March of each year a sediment quality survey shall be undertaken within the area of dredging authorised by this consent. The survey shall involve representative sampling and analysis of the metals and a metalloid (arsenic) identified in Table 1 below along with Polycyclic Aromatic Hydrocarbons (PAH) and Total Resin Acids. The sampling shall be related to the exposed port navigation channel and the more sheltered vessel turning basin and wharf berth pocket areas and generally involve the three sites shown in Figure 3 as well as a background sampling site at the Turanganui River section below the Gladstone Road bridge.</p> <p>Not less than 20 working days prior to the first field survey in accordance with this condition, the Consent Holder shall submit to the Council for certification a proposed methodology for the Sediment Quality Monitoring programme.</p> <p>The proposed methodology shall detail engagement with Te Tai Uru regarding the proposed design of the monitoring programme, including reasons why any recommendations made and implemented by Te Tai Uru have not been accepted.</p> <p><i>Condition Notes:</i></p> <p>1. <i>The Sediment Quality Monitoring Programme required by Condition 7 is expected to form part of the existing port wide sediment quality sampling programme</i></p>	Carried over from Wharf 1 (condition 18) and adapted from Wharves 6&7 (condition 53)	Minor amendment

	<p>2. <i>The proposed methods should take into account that sampling methods used to determine the suitability of dredged sediment for disposal may differ from those used to assess contaminant accumulation in sediments.</i></p>								
9.	<p>Sediment quality results shall be assessed with reference to the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018 (ANZG 2018) Toxicant Default Guideline Values (DGVs) for Sediment Quality in Aquatic Ecosystems (or the appropriate updated reference document) listed in Table 1 below, in order to assess the suitability of the dredged sediments for offshore disposal, unless an amendment to the below requirements has been certified in accordance with condition 11.</p> <p>Table 1. ANZG 2018 Default Guideline Values for Sediment Quality</p> <p><i>Condition Notes</i></p> <ol style="list-style-type: none"> <i>The DGVs are those below which toxicological effects on biota are unlikely, and above which such effects are more probable. They are not 'compliance limits' that have to be met on all occasions.</i> <i>The sediment quality survey is intended to confirm that the material is suitable for offshore disposal in terms of the contaminant concentrations which are assessed in relation to ANZG 2018 DGVs (sediment quality guidelines). However, these surveys and reports also support the recognition of the values and aspirations that hapu hold for the coastal marine environment in which the Off Shore Disposal Ground (OSDG) is currently situated.</i> 	Wharves 6&7 (condition 53); Wharf 1 (Condition19	Agreed						
	<table border="1"> <thead> <tr> <th>Parameter</th> <th>Sediment Quality DGV (mg/kg dry weight)) - see https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/sediment-quality-toxicants</th> </tr> </thead> <tbody> <tr> <td>Arsenic</td> <td>20</td> </tr> <tr> <td>Cadmium</td> <td>1.5</td> </tr> </tbody> </table>	Parameter	Sediment Quality DGV (mg/kg dry weight)) - see https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/sediment-quality-toxicants	Arsenic	20	Cadmium	1.5		
Parameter	Sediment Quality DGV (mg/kg dry weight)) - see https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/sediment-quality-toxicants								
Arsenic	20								
Cadmium	1.5								

Chromium	80
Copper	65
Lead	50
Mercury	0.15
Nickel	21
Silver	1
Zinc	200

Organics	DGV (ug/kg,)
Total PAH	4,000
Total Resin Acids	No guideline
Total Organic Carbon	No guideline

Table for condition 10

10.	All sampling and analysis shall be carried out by suitably qualified independent person and analytical laboratories approved by the Council and such sampling and analysis shall be carried out at the cost of the Consent Holder. The analysis shall be carried out in accordance with the American Public Health Association, American Water Works Association and Water Pollution Control Federation: Standard Methods for Examination of Water & Wastewater: 22nd (2012) or newer edition.	Wharves 6&7 (condition 54); Wharf 1 (Condition20)	Agreed
11.	Within 20 working days of receiving the laboratory analysis of the sediment quality samples undertaken in accordance with Condition 7, the Consent Holder shall provide a report to the Council, Te Tai Uru, and the Port Community Liaison Group that:	Wharf 1 (Condition21) and derived from Wharves 6&7 (Condition 55)	Agreed

	<ul style="list-style-type: none"> a) contains the results of the sediment quality surveys including tabulated raw data results and the coordinates of all sampling stations; b) presents and interprets the sediment quality results with reference to the ANZECC DGV, and any changes or trends relative to previous monitoring results; and c) is prepared by a suitably qualified and experienced independent person.. 		
<p>12.</p>	<p>Where an ANZG (2018) DGV is exceeded or there is a statistically significant increase in Total Resin Acids concentration mean value at the same sampling site on consecutive annual surveys, further sampling of the exceedance parameter shall be undertaken within 40 working days to verify (or otherwise) the exceedance within the port sediments to be dredged. This further sampling shall include the background site in the Turanganui River section below the Gladstone Road bridge. The Consent Holder shall provide a further monitoring report on the findings of this assessment work to the Council and Te Tai Uru that identifies:</p> <ul style="list-style-type: none"> a) the possible sources of the contaminant; b) if one or more of the sources can be related to port related activities any possible management options for reducing the levels of contaminants discharged to the port; and c) engagement with Te Tai Uru including any recommendations made by Te Tai Uru and where such recommendations have not been accepted or acted upon, the reasons why. <p>Figure 3. Location of Outer Port annual sediment quality sampling sites</p>	<p>Wharves 6&7 (condition 56); Wharf 1 (Condition22)</p>	<p>Agreed</p>



Figure for condition 12

Process for Dredging of Areas with any Consecutive Exceedances of Heavy Metal Concentrations in Sediments			
13.	<p>Within 4 weeks of reporting of results in accordance with condition 11, the Consent Holder shall provide a further report to the Council and Te Tai Uru that:</p> <p>a) assess the significance of the results of the relevant sediment quality surveys (in relation to the continued use of the OSDG for the disposal of dredging sediments under these consents);</p>	<p>Wharf 1 (condition 23);</p>	<p>This condition does not reflect condition 23 of Wharf 1. Need to discuss with EP.</p> <p>Wharf 1 conditions shown in green highlight.</p>

	<p>b) identifies any recommended measures necessary to avoid, remedy or mitigate any adverse effects on the OSDG resulting from the disposal of the dredging sediments under these conditions; and</p> <p>c) details engagement with Te Tai Uru including any recommendations made by Te Tai Uru and where such recommendations have not been accepted or acted upon, the reasons why.</p> <p>Dredging of areas from where samples have been taken that have exceeded the ANZG (2018) DGVs identified in Table 1 on consecutive annual surveys shall only to be undertaken:</p> <p>(a) once the results of any investigation or reports commissioned pursuant to conditions 21 and 22 have been reviewed by the consent authority, along with any remedial or alternative selective removal and disposal measures proposed by the consent holder; and,</p> <p>(b) written approval has been provided by the Council as consent authority.</p>	<p>Wharves 6&7 (Condition 58)</p>	
<p>Water Quality Monitoring Programme</p>			
<p>14.</p>	<p>The Consent Holder shall implement a water quality monitoring programme as follows:</p> <p>(a) The Consent Holder shall once every three years, in February or March, as part of the sediment sampling in the vessel turning basin arrange for an elutriate test of metals to be carried out by a registered analytical laboratory. A Standard Operating Procedure for the testing is to be provided to the Council before the work is undertaken.</p>	<p>As recommended by 4Sight Water Quality / Ecology specialist</p>	<p>The extents of the reasonable mixing zones have not been defined</p>

	<p>(b) The elutriate testing will require the metals identified below to be measured in the following samples:</p> <ul style="list-style-type: none"> i. sediment used in the elutriate test; ii. seawater used in the elutriate test; and iii. filtered elutriate generated by the elutriate test. <p>(c) The metal concentrations tested in the seawater and the elutriate shall be compared with the ANZG 2018 DGVs at the 90 % Species Protection Level set out in Table 2 below, unless an amendment to the below requirements has been certified in accordance with condition 14.</p> <p>Table 2: ANZG 2018 Default Guideline Values for Marine Water Quality</p> <p>(d) If the elutriate testing indicates that after reasonable mixing and dilution, concentrations of one or more of the tested metals exceed the above mentioned ANZG 2018 DGV then additional water quality testing and analysis for the same parameters shall be undertaken in order to establish background concentrations of the metals, the gradient of metal concentrations near the working dredge and possible influencing factors.</p> <p>(e) The results of the further water quality testing and analysis shall be reported to the Council within 20 working days of completion of the laboratory analysis. The monitoring report provided to the Council shall identify the possible sources of the contaminant and if one or more of the sources can be related to port related activities then the report shall identify any possible management options for the reducing the levels of contaminant discharge to the port.</p>		
--	--	--	--

Parameter	ANZG DGV for 90% species protection level (ug/1)
Cadmium	14
Chromium (CR 111)	49
Chromium (CR VI)	20
Copper	3
Lead	6.6
Mercury (inorganic)	0.7
Nickel	200
Silver	1.8
Zinc	12

Table for condition 14.

Review of Sediment and Water Quality Monitoring Programme			
15.	The Consent Holder may as part of any sediment or water quality monitoring report submitted to the Council request changes to the range of parameters tested, analysed and reported to the Council where the concentrations of metalloids/metals have over a significant period of time (at least 5 year monitoring cycle) been consistently below the ANZG(2018) DGVs. Any	Wharves 6&7 (condition 60); Wharf 1 (Condition24)	Minor Editing

	<p>such request shall detail the engagement undertaken with Te Tai Uru in relation to the proposed change and any recommendations or views expressed by Te Tai Uru.</p> <p>The revised testing regime shall not commence until the Consent Holder has received written confirmation that the amended sediment and/or water quality monitoring programme is certified by the Council, Consent Authority.</p>		
Monitoring of Dredging Effects on Coastal Processes			
16.	<p>The Consent Holder shall monitor the effects of capital and maintenance dredging on coastal processes as follows:</p> <p>(a) The Consent Holder shall within 6 months of the commencement of this consent submit to the Council, Te Tai Uru and PCLG a report from a coastal processes scientist or engineer a report detailing the capital and maintenance dredging effects monitoring to be carried out as generally outlined in the MetOcean’s Proposed Monitoring Requirements Report of 12 September 2022, reference No. P0331-31 submitted with the application. This report shall identify the beach profile monitoring to be undertaken in the vicinity of the Port to compliment the monitoring currently undertaken by the Council in Poverty Bay.</p> <p>(b) The monitoring shall include, but not be limited to;</p> <p>(i) Annual hydrographic surveys of the channel and swinging basin using appropriate, industry standard approaches and qualified hydrographic surveyors, with a preference to multibeam SWATH surveying (over single-beam) as recommended by MetOcean 2022. Processed digital versions (ASCII XYZ) of the survey data to be retained by Eastland Port.</p> <p>(ii) Hydrographic, shore normal transects aligned with the Gisborne District Council beach profiles inshore of the Shipping Channel to be completed at time of the annual hydrographic surveys (a. above) as recommended by</p>	As recommended by MetOcean Solutions	It is considered appropriate to specify the monitoring requirements in the condition.

	<p><u>MetOcean 2022. Processed digital versions (ASCII XYZ) of the survey data to be retained by Eastland Port.</u></p> <p><u>(iii) 3. Records of dredging operations are to be maintained, including start/stop locations of dredging and approximate unconsolidated volume of sediment dredged. These data should be digitally recorded and archived securely.</u></p> <p>(c) The Consent Holder shall within 1 year of the commencement of this consent and at subsequent 1-year intervals submit to the Council, PCLG and Te Tai Uru a progress report from a coastal processes scientist or engineer on the capital and maintenance dredging effects monitoring, including any recommendations on changes to the coastal processes monitoring related conditions set out in this consent.</p> <p>(d) The Consent Holder shall not less than 6 months before the expiry of this consent submit to the Council, PCLG and Te Tai Uru a final report on the findings of the capital and maintenance dredging coastal processes monitoring at the Port of Gisborne.</p>		
17.	The Consent Holder shall provide to the LINZ Hydrographic Office a hydrographic survey of the capital dredged areas within six months of dredging.		
Conditions Specific to Disposal of Dredgings			
Area of Dredging Disposal			
18.	<p>All dredged material shall be disposed of within the Offshore Spoil Disposal Ground (OSDG) identified by the following NZTM co-ordinates and shown in Figure XX.</p> <p>Figure 4. Offshore Spoil Disposal Ground</p>	Wharves 6&7 (condition 61); Wharf 1 (Condition30	Agreed

Northings	Eastings
5703102	2032605
5704450	2034095
5702065	2034417
5702583	2034951

Table for Condition 18

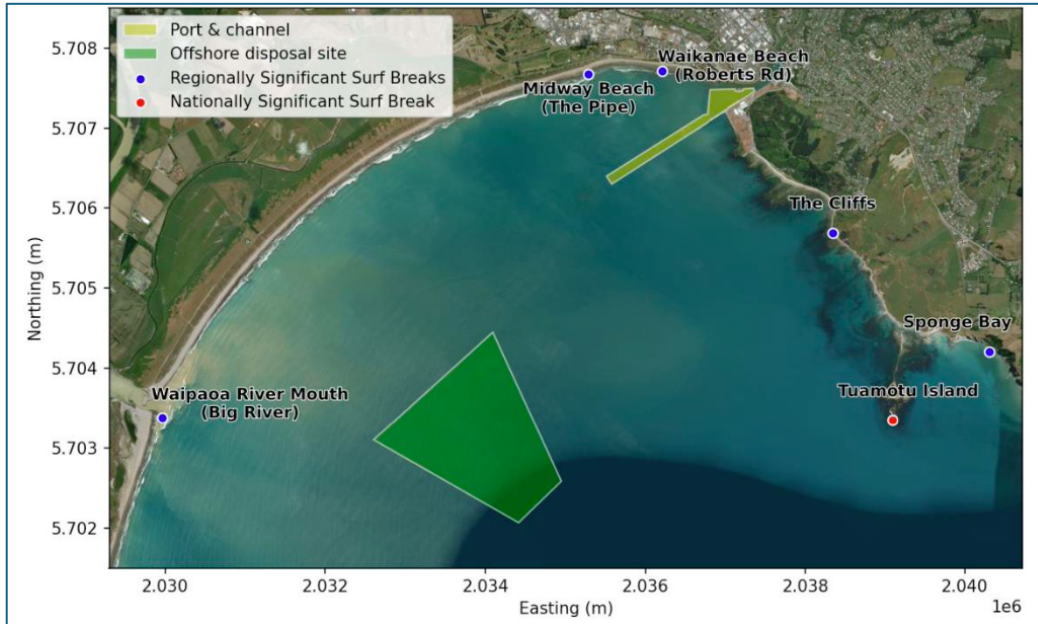


Figure for Condition 18

Spread of Dredged Material		
19.	The dredged material shall be evenly discharged so as to spread over the OSDG and not concentrated in any one particular location. Each dredge discharge track is to be logged and a copy of the log forwarded to the Council and Te Tai Uru annually by 30th June in the year in which the disposal occurs until this consent expires.	Wharves 6&7 (condition 62); Wharf 1 (Condition31
Management of Operations to Limit Effects on Water Colour and Visual Clarity		

20.	There shall be no conspicuous visual change in colour and visual clarity of the seawater as a result of the Consent Holders operations and activities that are authorised by this consent after six hours of the cessation of each dredge discharge run.	Wharves 6&7 (condition 63); Wharf 1 (Condition32)	
Offshore Spoil Disposal Ground and Control Area Surveys and Monitoring			
21.	The Consent Holder shall undertake annual hydrographic and side-scan sonar surveys of the OSDG and control area identified in the MetOcean Monitoring report submitted with the applications. The results of the surveys are to be sent to the Council, PCLG and Te Tai Uru by 30 June of each year in which the surveys have occurred until this consent expires.	Wharves 6&7 (condition 64); Wharf 1 (Condition33)	Agreed.
Offshore Spoil Disposal Ground Benthic Ecology Monitoring Programme			
22.	<p>The Consent Holder shall implement a benthic ecology monitoring programme in the offshore disposal ground, as follows:</p> <p>(a) The Consent Holder shall every five years undertake in-faunal sampling and analysis of the sediments within and near the OSDG and at appropriate control sites. Such control sites shall include reference sites located in areas of soft substrate, where possible, in close proximity to known sub-tidal reef habitats identified in consultation with Te Tai Uru, until expiry of this consent.</p> <p>(b) The sampling sites, methodology and data analysis shall be generally consistent with the last previous programme undertaken and reported on by 4Sight Consulting in July 2020 titled 'Offshore Disposal Ground for Dredged Sediment, Benthic Fauna Survey'.</p> <p>(c) Not less than 20 working days prior to the first field survey in accordance with this condition, the Consent Holder shall submit to the Council's Consents Manager for certification a proposed methodology for the Benthic Monitoring Programme. The proposed methodology shall detail engagement with Te Tai Uru regarding the proposed</p>	Wharves 6&7 (condition 65); Wharf 1 (Condition34-37)	<p>The proposal for 5 year monitoring is not accepted. Given the increase in capital and maintenance dredging volumes, additional monitoring is appropriate.</p> <p>To discuss with EP to reach agreed outcome.</p>

	<p>methodology, including reasons why any recommendations made and implemented by Te Tai Uru have not been accepted.</p> <p>(d) The results of the sampling and analysis are to be reported to the Council, the PCLG and Te Tai Uru by 30 June of the year sampling occurs as part of the annual maintenance dredging and disposal report required by condition 3</p>		
Offshore Spoil Disposal Ground Sediment Quality Monitoring Programme			
23.	<p>The Consent Holder shall implement a programme to monitor sediment quality in the offshore disposal ground as follows:</p> <p>(a) Sediment quality surveys shall be undertaken annually for the term of the dredging consent to assess concentrations / percentages of the heavy metals listed in Table 1 in the sediments at representative OSDG sites and background sites. Not less than 20 working days prior to the first field survey in accordance with this condition, the Consent Holder shall submit to the Council for certification a proposed methodology for the Sediment Quality Monitoring Programme. The proposed methodology shall detail engagement with Te Tai Uru regarding the proposed methodology, including reasons why any recommendations made and implemented by Te Tai Uru have not been accepted.</p> <p>(b) Within 20 working days of receiving the laboratory analysis of the sediment quality samples undertaken in accordance with condition 19(a) the Consent Holder shall provide a report to the Council, the PCLG and Te Tai Uru that:</p> <ul style="list-style-type: none"> (i) contains the results of the sediment quality surveys; (ii) assesses the significance of the results of the relevant sediment quality surveys taking into account any exceedances of guideline values provided in Table 1 and any changes or trends relative to 	<p>Wharves 6&7 (condition 57&58; Wharf 1 (Condition38-39</p>	<p>To be discussed with above monitoring condition.</p>

	<p>previous monitoring results (in relation to the continued use of the OSDG, for the disposal of dredging sediments under these consents);</p> <p>(iii) identifies any recommended measures to avoid remedy or mitigate any adverse effects on sediment quality in the OSDG resulting from the disposal of the dredging sediments under these consents that are assessed to be of a more than minor nature; and</p> <p>(iv) details engagement with Te Tai Uru and where such recommendations have not been accepted or acted upon, the reasons why.</p> <p>The Consent Holder shall retain (or ensure the retention of) the sediment quality survey samples to assist with evaluating any exceedances in the subsequent annual OSDG Sediment Quality Monitoring Programme (and thereafter may be destroyed).</p> <p><i>Advice Note: The OSDG sediment quality surveys and reporting required by Conditions 38 and 39 are expected to form part of the OSDG sediment quality surveys and reporting undertaken in accordance with Conditions 57 and 58 of the Wharves 6 & 7 consents (LU-2017-107936-00, CD-2017-107937-00 and LL-2017-107938)</i></p>		
Offshore Spoil Disposal Ground Coastal Processes Investigations and Monitoring Programme			
24.	<p>The Consent Holder shall monitor the effects of disposal of dredge material in the Offshore Disposal Ground on coastal processes as follows:</p> <p>(a) The Consent Holder shall within 6 months of the commencement of this consent submit to the Council, Te Tai Uru, and PCLG a report(s) from a coastal processes scientist/engineer detailing the OSDG and control area surficial sediment investigations and monitoring to be carried out as generally outlined in the MetOcean Monitoring Report submitted with the application.</p>	Wharves 6&7 (condition 66)	It is considered appropriate to specify the monitoring requirements in the condition.

	<p>(b) The monitoring shall include, but not be limited to;</p> <ul style="list-style-type: none"> (i) Annual hydrographic surveys of the disposal ground using appropriate, industry standard approaches and qualified hydrographic surveyors, using multibeam SWATH surveying (over single-beam) as recommended by MetOcean 2022. Processed digital versions (ASCII XYZ) of the survey data to be retained by Eastland Port. (ii) Hydrographic, shore normal transects aligned with the Gisborne District Council beach profiles inshore of the disposal ground to be completed at time of the annual hydrographic surveys (a) above) as recommended by MetOcean 2022. Processed digital versions (ASCII XYZ) of the survey data to be retained by Eastland Port. (iii) Records of dredging operations are to be maintained, including disposal locations (beginning and end of discharge cycle). These data should be digitally recorded and archived securely. (iv) Annual to every 2-year surficial sediment sampling of the disposal ground and control sites should be undertaken, as recommended by MetOcean 2022. (v) In order to separate morphological changes due to the disposal of dredged material from those naturally occurring within Poverty Bay, a control area (see Figure 2.2) be hydrographically surveyed annually as recommended by MetOcean 2022. Processed digital versions (ASCII XYZ) of the survey data to be retained by Eastland Port. (vi) Comparison analysis of the hydrographic survey data should be undertaken between the disposal and control sites to determine if the dynamic equilibrium of the proposed disposal site is adversely affected by the continued disposal of capital and maintenance dredge material, as recommended by MetOcean 2022. 		
--	--	--	--

	<p>(c) The results of the sampling and analysis are to be reported to the Council, the PCLG, and Te Tai Uru by 30 June of the year sampling occurs as part of the annual maintenance dredging and disposal report required by condition 3. The report shall include any recommendations on changes to the coastal processes and sediment quality monitoring related conditions set out in this consent.</p> <p>(d) The Consent Holder shall not less than 6 months before the expiry of this consent submit to the Council, the PCLG and Te Tai Uru a final report on the findings of the OSDG coastal processes and sediment quality investigations and monitoring, along with recommendations on the future use of the facility and/or any possible alternative facilities for the disposal of maintenance dredgings from the Port of Gisborne.</p>		
Review Condition			
25.	<p>The Council may serve notice on the Consent Holder of its intention to review the conditions of this consent pursuant to Section 128 of the Resource Management Act 1991 at the following times:</p> <p>(a) within 30 working days of receiving a written recommendation from Te Tai Uru pursuant to condition 3B(viii) of Schedule 1 relating to an adverse cultural effect where either:</p> <ul style="list-style-type: none"> a. the Consent Holder does not propose to address Te Tai Uru’s recommendation; or b. Te Tai Uru considers the Consent Holder’s response is inadequate; <p>(b) within 30 working days of receiving the Consent Holder’s report under condition 2 in relation to sediment quality surveys, where that report identifies recommendations that the Consent Holder’s report does not propose to implement;</p>	Wharves 6&7 (condition 67); Wharf 1 (condition 13)	Agreed

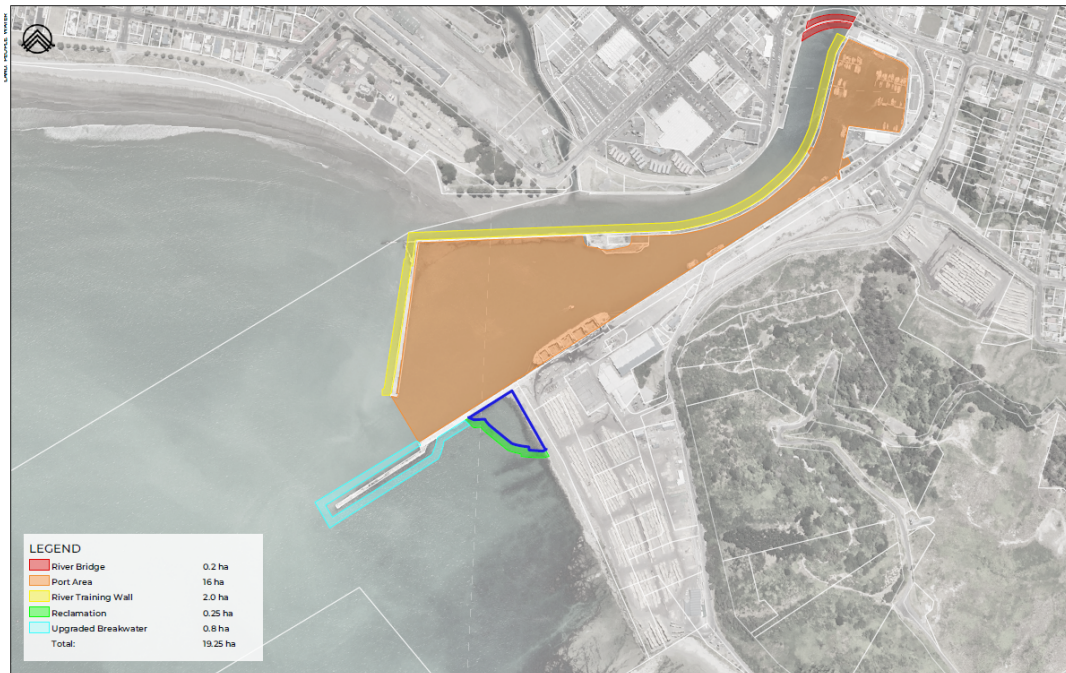
	<p>(c) within one month after the first anniversary of the commencement of the maintenance dredging, and</p> <p>(d) thereafter within one month after each subsequent anniversary,</p> <p>For the following reasons:</p> <ul style="list-style-type: none"> i To require the adoption of the best practicable option to remove or reduce any effects on the environment. ii To modify any monitoring and/or reporting programme (including requiring additional monitoring or decreasing the frequency of monitoring and/or reporting required) if there is evidence that current monitoring and/or reporting requirements are no longer appropriate. iii modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate or inadequate. 		
--	--	--	--

5 PORT OCCUPATION

- Resource Consent:** [Council reference number]
- Activity authorised:** To occupy 19.25ha of the common marine and coastal area for port structures and activities.
- Consent duration:** This consent will expire 35 years from the date of commencement

No.	Condition	Source																																									
1.	<p>The activities authorised by this consent shall be undertaken in general accordance with the plans and all information submitted with the application, as detailed below, except where otherwise required in the consent conditions. Where there is any inconsistency between the application documentation and the consent conditions, the consent conditions prevail.</p> <table border="1"> <thead> <tr> <th>Document</th> <th>Prepared by:</th> <th>Reference No.</th> <th>Version</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Document	Prepared by:	Reference No.	Version	Date																																				Standard condition	TBA
Document	Prepared by:	Reference No.	Version	Date																																							
2.	All works and structures relating to this resource consent shall be designed and constructed to conform to the best engineering practices and at all times maintained to a safe and serviceable standard.		Agreed																																								
3.	The area to which this occupation permit relates is shown in Figure 1 below.		Agreed																																								

Figure 1: Gisborne Port Occupation Area



Copyright:
This document and the copyright in this document
remains the property of 4SIGHT Consulting. The
contents of this document may not be reproduced
either in whole or in part by any means without
prior consent of 4SIGHT Consulting.



AA7914 - TWIN BERTHS PROJECT
PLAN OF PROPOSED PORT OCCUPATION AREA

Project No: 7768 Project Address: Gisborne Port, Cooks Bay Client: Eastland Port Ltd Date: 14/06/2022 AS Scale: 1:5000



Figure for Condition 3

Update of Marine Charts		
4.	The Consent Holder shall in consultation with Council’s Harbourmaster and Maritime New Zealand, develop a proposal for how the total area occupied by the Port is to be identified on the marine charts. This should include but not be limited to any safety markers required on the charts and the need for any prior notice to mariners. The proposal shall be submitted to Council for certification prior to works commencing on Wharf 8.	Agreed.