

Te Ara Tipuna

DRAFT Conditions

V3 – November 2024

ABBREVIATIONS AND DEFINITIONS

Acronym/Term	Definition
Completion of Construction	When construction of the Project (or part of the Project) is complete and it is available for use.
BOPRC	Bay of Plenty Regional Council
GDC	Gisborne District Council
ODC	Opotiki District Council
CTMP	Construction Traffic Management Plan
Consent Holder	Te Ara Tipuna Charitable Trust
Construction Works	Activities undertaken for the purpose of constructing the Project
EMP	Ecological Management Plan
EIANZ Guidelines	Ecological Impact Assessment: EIANZ guidelines for use in New Zealand : terrestrial and freshwater ecosystems, second edition, dated May 2018
HHMP	Historic Heritage Management Plan
HNZPT	Heritage New Zealand Pouhere Taonga
HNZTA	Heritage New Zealand Pouhere Taonga Act 2014
Confirmed Ecological Area	Means an area or areas of features of ecological value where the Project ecologist has identified that the Project will potentially have a moderate or greater level of ecological effect, prior to implementation of impact management measures, as determined in accordance with the EIANZ Guidelines.
Manager(s)	The Manager or authorised delegate of BOPRC, GDC and / or ODC (as applicable to the area of the relevant Works)
Project	The construction, operation and maintenance

	of Stage 1 of Te Ara Tipuna being the pedestrian track which is the subject of this resource consent application.
Project Liaison Person	The person or persons appointed by the Consent Holder for the duration of the Projects Construction Works to be the main point of contact for persons wanting information about the Project or affected by the Construction Works.
RMA	Resource Management Act 1991
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability, experience and competence in the relevant field of expertise.
Stage of Work	A specific works area or new activity associated with Construction Works as nominated by the Consent Holder.
SCEMP	Stakeholder Communication and Engagement Management Plan
Works	All works associated with the Project, including Construction Works and other enabling works (ie investigation works) required prior to the commencement construction

GENERAL

1. Activity in General Accordance with Plans and Information

- (a) Except as provided for in the conditions below, and subject to final design, Works shall be undertaken in general accordance with the Project description and supporting information listed in Schedule 1:
- (b) Where there is inconsistency between:
- i. the Project description and supporting information in Schedule 1 and the requirements of the following conditions, the conditions shall prevail;
 - ii. the Project description and supporting information in Schedule 1, and the management plans under the conditions, the requirements of the management plans shall prevail.

Advice note – The reports and plans listed in Schedule 1 represent an assessment of the effects of the Project, but do not represent the final detailed design. The resource consent conditions require final detailed design plans to be provided as well as management plans to be finalised. The exact location and design of the Project may be different to that identified in Schedule 1, although the envelope of effects will remain the same. For this reason, the words ‘in general accordance’ in Condition 1 are used to describe how the Project will proceed.

3. Lapse

The consents shall lapse if not given effect to within 10 years from the date of approval.

PRE CONSTRUCTION

4. Detailed Design

Detailed Design Plans shall be prepared and submitted to Council for certification at least 20 working days prior to the start of Works or any Stage of Work.

The Detailed Design Plans shall include information on the following details with respect to the relevant Works:

- a) Track formation type – plans and designs
- b) Earthworks – area, volume, and cut and fill height
- c) Erosion and sediment controls proposed to be deployed
- d) Vegetation removal – the nature and extent of removal, species involved and methods of removal
- e) Structures – the location, type, purpose and size/shape of structure, including wastewater services
- f) Signage – including both Project signage for users and signage for road users public
- g) Culverts and drainage facilitating structures – including their location and design standards.

The Detailed Design Plans shall be prepared in general accordance with the Landscape Management Plan submitted as part of the Application.

The Detailed Design Plans shall be accompanied by the following management plan(s), as relevant to the management of effects of those activities or Stage of Work covered by the relevant the Detailed Design Plan:

- i. Construction Environmental Management Plan
- ii. Construction Traffic Management Plan
- iii. Historic Heritage Management Plan
- iv. Ecological Management Plan

Advice Note: In the event additional consents are required (due to additional consent triggers) as a result of detailed design or should the track location move significantly from the location shown in Schedule 1, further resource consents and/or a s127 variation may be required and will need to be applied for and obtained.

5. Management Plans

- (a) Any management plan shall:
 - i. Be prepared and implemented in accordance with the relevant management plan condition;
 - ii. Be prepared by a Suitably Qualified Person(s);
 - iii. Summarise comments received from Mana Whenua and other stakeholders as required by the relevant management plan condition, along with a summary of where comments have:
 1. Been incorporated in the management plan; and
 2. Where not incorporated, the reasons why.
 - iv. Be submitted to the relevant Council for certification alongside the Detailed Design Plans required by Condition X.
 - v. Once certified, uploaded to the Project website or equivalent virtual information source as required by condition X.
- (b) Any management plan developed in accordance with this Condition may:
 - i. Be submitted in parts or in stages to address specific activities (e.g. design or construction aspects) or a Stage of Work of the Project, or to address specific activities authorised by the consent.
 - ii. Be amended to reflect any minor or administrative changes in design, construction methods or management of effects without further process.

- iii. Be amended to reflect more than minor changes by submitting the revised part of the plan to the relevant Council for certification as soon as practicable following identification of the need for a revision.

6. Construction and Environmental Management Plan (CEMP)

- (a) A CEMP shall be prepared prior to the commencement of Construction Works or a Stage of Work.
- (b) The objective of the CEMP is to set out the management procedures and construction methods to be undertaken to minimise, as far as is practicable, any adverse effects associated with Construction Works. To achieve the objective, the CEMP shall include:
 - i. the roles and responsibilities of construction staff and contractors;
 - ii. details of the site or Project manager and the Project Liaison Person, including their contact details (phone and email address);
 - iii. the Construction Work programmes, proposed staging, and proposed hours of work;
 - iv. details of the proposed construction yards including temporary screening when adjacent to residential areas;
 - v. methods for providing for the health and safety of the general public;
 - vi. procedures for incident management;
 - vii. procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;
 - viii. measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;
 - ix. procedures for responding to complaints about Construction Works; and
 - x. methods for amending and updating the CEMP as required.

7. Stakeholder and Communication and Engagement Management Plan (SCEMP)

- (a) A SCEMP shall be prepared prior to the commencement of Construction Works or a Stage of Work.
- (b) The objective of the SCEMP is to identify how the public and stakeholders (including directly affected and adjacent owners and occupiers of land) will be engaged with throughout the Construction Works or Stage of Work to minimise (as far as is

practicable) adverse effects associated with Construction Works. To achieve the objective, the SCEMP shall include:

- i. the contact details for the Project Liaison Person. These details shall be on the Project website, or equivalent virtual information source, and prominently displayed at the main entrance(s) to the site(s);
- ii. the procedures for ensuring that there is a contact person available for the duration of Construction Works, for public enquiries or complaints about the Construction Works;
- iii. methods for engaging with Mana Whenua, in respect of which the consent holder shall develop following engagement with Mana Whenua;
- iv. a list of stakeholders, organisations (such as community facilities) and businesses who will be engaged with;
- v. identification of the properties whose owners will be engaged with;
- vi. methods to communicate key Project milestones and the proposed hours of construction activities including outside of normal working hours and on weekends and public holidays, to the parties identified in (iv) and (v) above; and

8. Cultural Monitoring Plan

- (a) Prior to the start of Construction Works, a Cultural Monitoring Plan shall be prepared by a Suitably Qualified Person(s) identified in collaboration with Mana Whenua.
- (b) The objective of the Cultural Monitoring Plan is to identify methods for undertaking cultural monitoring to assist with management of any cultural effects during Construction Works. The Cultural Monitoring Plan shall include:
 - i. Requirements for formal dedication or cultural interpretation to be undertaken prior to start of Construction Works in areas identified as having significance to Mana Whenua;
 - ii. Requirements and protocols for cultural inductions for contractors and subcontractors;
 - iii. Identification of activities, sites and areas where cultural monitoring is required during particular Construction Works;
 - iv. Identification of personnel to undertake cultural monitoring, including any geographic definition of their responsibilities; and

- v. Details of personnel to assist with management of any cultural effects identified during cultural monitoring, including implementation of the Accidental Discovery Protocol.

9. Construction Traffic Management Plan (CTMP)

- (a) A CTMP shall be prepared prior to the commencement of Construction or for a Stage of Work.
- (b) The objective of the CTMP is to minimise, as far as practicable, adverse construction traffic effects during Construction Works and to safely control traffic movements to and from each site of Construction Works for the duration of those Construction Works. To achieve this objective, the CTMP shall include:
 - a. temporary traffic management measures proposed and methods to manage the effects of those measures;
 - b. measures to ensure the safety of all transport users;
 - c. the estimated numbers, frequencies, routes and timing of traffic movements, including any specific non-working or non-movement hours to manage vehicular and pedestrian traffic near schools and marae or to manage traffic congestion;
 - d. site access routes and access points for heavy vehicles, the size and location of parking areas for plant, construction vehicles and the vehicles of workers and visitors; and
 - e. identification of detour routes and other methods to ensure the safe management and maintenance of traffic flows.

10. Historic Heritage Management Plan (HHMP)

- (a) A HHMP shall be prepared prior to the commencement of Construction or for a Stage of Work.
- (b) The objective of the HHMP is to identify indirect and direct adverse effects on historic heritage and to set out appropriate methods to avoid, remedy and mitigate them as far as practicable.
- (c) A HHMP shall include
 - i. Details of known archaeological sites and historic heritage places within the area of the Works or Stage of Work;

- ii. Details of further archaeological investigations to be undertaken within the area of the Works or Stage of Work.
- iii. Reporting methods
- iv. Dispute Resolution
- v. Roles and Responsibilities

11. Pre Construction Works Ecological Survey

- (a) At the start of detailed design for Construction Works or a Stage of Work, an ecological survey and confirmatory effects assessment of the relevant Work area shall be undertaken by a Suitably Qualified Person.
- (b) The purpose of the survey and confirmatory assessment is to inform the preparation of and measures to be included in the Ecological Management Plan by:
 - i. Confirming whether the ecological values within the ecological areas identified at the Works area in the Ecological Assessment are still present (Confirmed Ecological Areas);
 - ii. Confirming whether there are any ecological areas which have not been previously identified and the ecological values within these areas; and
 - iii. Confirming that the Project will or may have a moderate or greater level of ecological effect as determined in accordance with the EIANZ Guidelines.

If the ecological survey confirms the presence of ecological features of value in accordance with condition X(a)(i) or (ii) and that effects are likely in accordance with condition X(a)(iii) then an Ecological Management Plan (or Plans) shall be prepared in accordance with Condition X for these areas.

12. Ecological Management Plan (EMP)

- (a) An EMP shall be prepared for any Confirmed Ecological Area or newly identified ecological area where effects of the project have been confirmed to be Moderate or greater based on the EIANZ Guidelines (as confirmed through Condition X) prior to the commencement of Construction or a Stage of Work.
- (b) The EMP's shall be prepared in general accordance with the templates provided within the Draft Ecological Survey and Management Plan Protocol prepared by Viridis Environmental Consultants.

CONSTRUCTION

13. Construction Complaints Register

- (a) At all times during Construction Works, a record of any complaints received about the Construction Works shall be maintained. The record shall include:
 - a. The date, time and nature of the complaint;
 - b. The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);
 - c. Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;
 - d. The outcome of the investigation into the complaint;
 - e. Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-project construction, fires, traffic accidents or unusually dusty conditions generally.
- (b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.

ADDITIONAL STANDARD CONDITIONS – to use standard working to be provided

- (a) Pre construction meeting
- (b) Construction noise and vibration
- (c) Fish Passage
- (d) Erosion and sediment control measures
- (e) Monitoring
- (f) Accidental Discovery

OPERATIONAL

14. Operational Complaints Register

- (a) A record of any operational complaints received shall be maintained. The record shall include:

- a. The date, time and nature of the complaint;
 - b. The name, phone number and address of the complainant (unless the complainant wishes to remain anonymous);
 - c. Measures taken to respond to the complaint (including a record of the response provided to the complainant) or confirmation of no action if deemed appropriate;
 - d. The outcome of the investigation into the complaint;
 - e. Any other activities in the area, unrelated to the Project that may have contributed to the complaint.
- (b) A copy of the Complaints Register required by this condition shall be made available to the Manager upon request as soon as practicable after the request is made.

15. User Management Plan

- (a) The Consent Holder shall prepare, and implement, a user management plan to guide user behaviour.