

From: [REDACTED]
To: [Peter Kirk](#)
Cc: [Fiona Forrest](#)
Subject: Waikato Expressway - Hamilton Section - AUTH130361.07.01
Date: Thursday, 26 June 2025 3:55:16 pm
Attachments: [Resource Consent Certificate - AUTH130361.07.01 \(3136868\).doc](#)

Hi Peter,

As discussed, AUTH130361.07.01 (copy attached) is a Waikato Regional Council resource consent for the discharge of stormwater from the Hamilton Section of the Waikato Expressway. This consent is able to be shared with the customer if that would assist.

If you have any questions regarding our monitoring of the WRC consents for the expressway please contact Fiona Forrest, copied into this email.

Regards, [REDACTED]

[REDACTED] TEAM LEADER - CONSENTS MONITORING | Consents Monitoring - Team 3, Resource Use
WAIKATO REGIONAL COUNCIL | Te Kaunihera ā Rohe o Waikato
[REDACTED]

F: facebook.com/waikatoregion
Private Bag 3038, Waikato Mail Centre, Hamilton, 3240

This email message and any attached files may contain confidential information, and may be subject to legal professional privilege. If you have received this message in error, please notify us immediately and destroy the original message. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Waikato Regional Council. Waikato Regional Council makes reasonable efforts to ensure that its email has been scanned and is free of viruses, however can make no warranty that this email or any attachments to it are free from viruses.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH130361.07.01

File Number: 61 52 95A

***Pursuant to the Resource Management Act 1991, the Waikato Regional Council
hereby grants consent to:***

New Zealand Transport Agency (Regional Office)
PO Box 973
Waikato Mail Centre
Hamilton 3240

(hereinafter referred to as the Consent Holder)

Consent Type: Discharge permit

Consent Subtype: Water - stormwater

Activity authorised: To divert and discharge stormwater into water, and/or into or onto land, including the installation, operation and maintenance of discharge structures in association with the Hamilton Section of the Waikato Expressway.

Location: Waikato Expressway: Hamilton Section

Map Reference: NZMS 260 S14:169:747

Consent duration: 35 years

Lapsing: This consent shall lapse ten years from the date of commencement

Subject to the conditions overleaf:

CONDITIONS

130361-07 Discharge Permit – stormwater

1. The consent holder shall ensure that the works and activities authorised by this resource consent are carried out in accordance with the conditions as set out in Schedule One.
2. In accordance with section 125 RMA, this consent shall lapse ten (10) years after the date on which it was granted unless it has been given effect to before the end of that period.
3. Because:
 - a) a number of alterations to the Hamilton Section designations are required to accommodate stormwater wetlands and
 - b) some of these alterations are still subject to the RMA process,

any discharge authorised by this consent shall not be exercised until the designation alterations for the necessary stormwater wetlands have been confirmed.

Detailed Designs

4. The consent holder shall consult with, and submit final detailed designs for all aspects of the stormwater management system to, the Waikato Regional Council for approval – in a technical certification capacity - at least 40 days prior to commencement of construction. In order to ensure appropriate stormwater quality, stormwater attenuation and erosion protection standards are met, the designs shall be based on the requirements of the NZ Transport Agency – *Stormwater Treatment Standard for State Highway Infrastructure, May 2010*.

Advice Note:

For the removal of doubt the detailed design certification referred to under condition 4 above will include assessment of the effects of groundwater discharges on the stormwater systems.

5. Energy dissipater design criteria for culvert outlets shall comply with the US Federal Highway Administration, Hydraulic Engineering Circular #14, Hydraulic Design of Energy Dissipaters for Culverts and Channels.
6. The consent holder shall provide a detailed stormwater management design, including hydraulic modelling if required, that is sufficient to ensure the avoidance of adverse effects on the performance of the drains and the existing service delivery levels in all existing drainage systems affected by the Expressway. The design shall be submitted to the Waikato Regional Council for approval – in a technical certification capacity - at least 40 days prior to commencement of construction.
7. Construction works shall not commence until certification of the above final detailed designs has been provided.
8. Any changes proposed to the certified final designs shall be confirmed in writing by the consent holder and certified in writing by the Waikato Regional Council - acting in a technical certification capacity - prior to the implementation of any changes proposed.
9. 'Extended detention' will be provided for stormwater runoff from the road pavement in order to minimise the discharge from the road and the potential for scouring material from receiving stream beds and banks.

10. Stormwater treatment wetlands shall be designed and sized to ensure any additional post-development runoff achieves at least the design criteria set out in Table 4 of Annexure 1 of Edward Burke's evidence dated 3 April 2014.

System Installation and Performance

11. The consent holder shall be responsible for the structural integrity, operation and maintenance of the stormwater management system, including discharge structures. No alterations shall be made to the system (other than to meet the requirements of this resource consent) without prior written certification from the Waikato Regional Council.

As Builts

12. The consent holder shall submit final "As Built" drawings and statements for the constructed stormwater management system. The drawings and statements shall be provided to the Waikato Regional Council within 30 days of completion of physical works associated with the constructed stormwater system.

Discharge Quality

13. The consent holder shall operate the stormwater management system based on the guidance provided by NZ Transport Agency Stormwater Treatment Standard for State Highway Infrastructure, May 2010, to ensure stormwater quality, stormwater attenuation and erosion protection objectives and standards continue to be met.
14. The consent holder shall carry out regular operational maintenance to minimise the volume of stormwater contaminants entering and discharging from the stormwater management system to any associated water body, including groundwater.
15. All stormwater treatment structures, that are associated with the stormwater management system, shall be capable of capturing and retaining the majority of gross pollutants.
16. The consent holder shall manage the stormwater management system to prevent the discharge of any objectionable odour or any substance that will cause the production of conspicuous oil or grease films, scums or foams, or floatable suspended materials in any associated water body.
17. The concentration of suspended solids in any receiving water body shall not exceed 100 grams per cubic metre suspended solids concentration as a result of the exercise of this consent. This standard shall apply, except where the suspended solids concentration in the water body, unaffected by the activity, is greater than the standard specified. When the concentration of suspended solids in the water body unaffected by the activity exceeds 100 grams per cubic metre, then there shall not be any increase in the suspended solids concentration in the water body as a result of activities authorised by this consent.

Advice Note:

When assessing compliance with condition 17, a minimum of three water samples should be collected: (a) upstream and unaffected by the activities authorised by this consent; (b) the point source discharge from the activities authorised by this consent; and (c) downstream after reasonable mixing.

Erosion

18. The stormwater discharges shall not cause any conspicuous scouring or erosion effects at the point of discharge to any associated water body. In the event that effects do occur they shall be remedied without undue delay.

19. In the event of discharges to gully systems the discharges shall be taken to stabilised outfalls at the base of the gully.

Advice Note:

A separate resource consent may be required as a result of the need to undertake erosion control works. Any such consent shall be obtained by the consent holder at their sole expense prior to any works being undertaken.

20. Any future protection and/or erosion control works or associated maintenance that becomes necessary as a result of the exercise of this consent shall be the responsibility of the consent holder and shall be carried out to the satisfaction of the Waikato Regional Council.

In terms of s116 of the Resource Management Act 1991, this consent commences on 25 July 2014.

Advice notes

1. Where a resource consent has been issued in relation to any type of construction (e.g. dam, bridge, jetty) this consent does not constitute authority to build and it may be necessary to apply for a Building Consent from the relevant territorial authority.
2. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
3. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
4. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
5. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
6. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
7. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

SCHEDULE 1 – TO BE ATTACHED TO ALL CONSENTS

1. Except as modified by the conditions below and subject to final detailed design, the activities authorised by this consent shall be undertaken in general accordance with the information provided by the applicant in the Resource Consent Applications, and supporting documents being:
 - (a) Waikato Expressway Hamilton Section Resource Consent Applications (updated in response to a request for further information pursuant to s.92 RMA 1991), November 2013 (WRC document no. 2897434)
 - (b) Information provided in response to a request for further information under section 92(1) (dated 12 November 2013) (WRC document no. 2897607)
 - (c) Waikato Expressway Hamilton Section Specialist Reports – Volume 2A, (updated in response to a request for further information pursuant to s.92 RMA 1991), November 2013 (WRC document no. 2897434)
 - (d) Waikato Expressway Hamilton Section Specialist Reports – Volume 2B, (updated in response to a request for further information pursuant to s.92 RMA 1991), November 2013 (WRC document no. 2897434)
 - (e) Document titled “*Best Practice Guidelines – Vegetation Management and Instream Works*”, Technical Report No 2007/41; and, subsequent updates approved by the Resource Use Group of the Waikato Regional Council
 - (f) Plan sets:

(i) Scheme Plans:

2/4/99/4204 Plan and Longitudinal Section, Sheets 6-13 and 15-20 (refer Appendix A to the Resource Consent Application (updated in response to a request for further information pursuant to s.92 RMA 1991)), November 2013.

2/4/99/4204 Plan and Longitudinal Section, Sheet 14, Revision 2

2/4/99/4204 Plan and Longitudinal Section, Sheet 21, Revision 2 (Alteration Z)

2/4/99/4204 Plan and Longitudinal Section, Sheet 22, Revision 2 (Alteration Z)

2/4/99/4204 Plan and Longitudinal Section, Sheet 23, Revision 3 (Alteration Z)

2/4/99/4204 Plan and Longitudinal Section, Sheet 38 (Revision 4).

(ii) Drainage Plans:

2/4/99/4204 Drainage Plan and Longitudinal Section, Sheets 75-95 (refer Appendix 1, Hamilton Section Assessment of Effects on Water (Appendix I, Volume 2B)).

(iii) Erosion and Sediment Control Plans:

2/4/99/4204 Erosion and Sediment Control, Sheets 99-115 (refer Appendix 7, Hamilton Section Assessment of Effects on Water (Appendix I, Volume 2B)).

2/4/99/4204 Erosion and Sediment Control, Sheets 116, Revision 1.

2. The consent holder shall be responsible for all contracted operations related to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this resource consent relevant to their work area and ensure compliance with those conditions.
3. A copy of this resource consent shall be kept onsite at all times that physical works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.
4. All activities authorised by this consent shall be undertaken by appropriately qualified and experienced persons.

Construction Management Plan

5. Prior to the commencement of construction (excluding site investigations and enabling works), the consent holder must prepare a Construction Management Plan (CMP). The purpose of the CMP is to set out practices and procedures to be undertaken during construction and commissioning activities in order to:
 - a) ensure compliance with the conditions of these consents;
 - b) minimise earthworks effects associated with construction activities;
 - c) minimise, as far as practicable, the potential for sediment runoff from the site and potential discharges to land, water and air from all earthwork activities; and
 - d) minimise hazardous substance spillages as a result of exercising this consent.
6. 'Enabling Works' for the purpose of condition 5 includes the following and similar activities: demolition and removal of buildings and structures, fencing, tree felling and removal (outside of the gully systems and except as required by condition 48 f) i. in relation to long-tailed bats), relocation of underground and overhead services (excluding transmission lines), and the establishment of site entrances.
7. The CMP shall include but not be limited to the following:
 - a) The proposed start date of the works authorised by this resource consent;
 - b) A schedule of construction activities – including sequencing;
 - c) The commencement date and expected duration of the major cut and fill operations;
 - d) The location of the major cut and fill operations;
 - e) The location of topsoil and fill stockpiles;
 - f) Proposed detailed construction methodologies for the following aspects of the project:
 - i. Staging of earthworks;
 - ii. Fill extraction and placement;
 - iii. Cutting operations;
 - iv. Dewatering of slopes cut below the groundwater level (including conveyance and treatment of flows);
 - v. Culvert construction;
 - vi. Temporary bridge construction (including access track and hardstanding work platforms);
 - vii. Bridge construction (including slope stabilisation, drilling and piling);
 - viii. Construction activities in flood prone areas including dams and stream diversions in the Mangaonua Stream and Mangaone/Mangaharakeke Stream gullies;

- g) Proposed erosion and sediment control methodologies and practices - including rehabilitation measures as required to give effect to conditions 13-39; effect to condition 40;
- h) Proposed contaminated land management and mitigation measures as required to give
- i) Proposed hazardous substances management and mitigation measures – including spill prevention and response measures as required to give effect to conditions 41 and 42;
- j) Proposed dust management and mitigation measures as required to give effect to conditions 43 to 47;
- k) Proposed measures and methodologies to address ecological issues (refer condition 48);
- l) Proposed measures and methodologies to address archaeological matters in accordance with conditions 58 to 61;
- m) Proposed methods and measures to ensure that construction works do not adversely affect electrical infrastructure as required to give effect to conditions 62 to 65; and
- n) Proposed measures for minimising odour nuisance from construction vehicle exhaust gases.

8. At least 40 working days prior to undertaking construction works associated with this Project, the consent holder shall submit the CMP to the Waikato Regional Council for approval - acting in a technical certification capacity - that the CMP satisfies the requirements of condition 5. Any changes proposed to the CMP shall be confirmed in writing by the consent holder and certified in writing by the Waikato Regional Council, prior to the implementation of any changes proposed.

9. The consent holder shall undertake all activities authorised by this consent in accordance with the certified CMP and any certified changes.

Advice Note:

The designations for the Hamilton Section of the Waikato Expressway also include conditions that require the preparation and implementation of a CMP. It is considered appropriate that one CMP be prepared by the Consent Holder/Requiring Authority which meets the conditions of this resource consent and the conditions of the designation.

10. The consent holder shall appoint a representative(s) prior to the exercise of this resource consent who shall be the Waikato Regional Council's principal contact person(s) in regard to matters relating to this resource consent. The consent holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted, prior to this resource consent being exercised. Should that person(s) change during the term of this resource consent, the consent holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council of the new representatives name and how they can be contacted.

11. Prior to exercising this consent the consent holder shall establish a sediment control team which is to be managed by an appropriately qualified person experienced in erosion and sediment control and associated environmental issues. The sediment control team shall consist of personnel who have clearly defined roles and responsibilities to monitor compliance with the consent conditions and will be available to meet with the Waikato Regional Council monitoring personnel on a weekly basis, or as otherwise agreed in writing, to review erosion and sediment control issues. The person managing the sediment control team shall:

- a) Be experienced in erosion and sediment control implementation and monitoring;
- b) Be recognised by his/her peers as having a high level of knowledge and skill as appropriate for the role;

- c) Have completed recognised training in erosion and sediment control; and
- d) Be approved in writing by the Waikato Regional Council.

12. The consent holder shall arrange and conduct a pre-construction site meeting and invite, with a minimum of 10 working days notice, the Waikato Regional Council, the site representative(s) nominated under conditions 10 and 11, the contractor, and any other party representing the consent holder prior to any work authorised by this consent commencing on site.

Advice Note:

In the case that any of the invited parties, other than the site representative, does not attend this meeting, the consent holder will have complied with this condition, provided the invitation requirement is met.

Erosion and Sediment Control

13. The erosion and sediment control measures to be included in the CMP shall as a minimum be based upon and incorporate all the relevant principles and practices for the activity authorised by this consent and contained within the Waikato Regional Council document titled “*Erosion and Sediment Control – Guidelines for Soil Disturbing Activities*” (Technical Report No. 2009/02 – dated January 2009), and shall include, but not be limited to, the following;

- a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site, including flocculation if required;
- b) The design criteria and dimensions of all key erosion and sediment control structures;
- c) A site plan of a suitable scale to identify:
 - i. The locations of waterways;
 - ii. The locations of permanent stream diversions in the Mangaonua and Mangaharakeke/Mangaone gullies;
 - iii. The extent of soil disturbance and vegetation removal;
 - iv. Any “no go” and/or buffer areas to be maintained undisturbed adjacent to watercourses;
 - v. Areas of cut and fill;
 - vi. Locations of topsoil stockpiles;
 - vii. All key erosion and sediment control structures;
 - viii. The boundaries and area of catchments contributing to all stormwater impoundment structures;
 - ix. The locations of all specific points of discharge to the environment;
 - x. The location and details of stream stabilisation works in areas of damming, diversion or clearing; and
 - xi. Any other relevant site information
- d) Construction timetable for the erosion and sediment control works and the bulk earthworks proposed;
- e) Timetable and nature of progressive site rehabilitation and re-vegetation proposed;
- f) Maintenance, monitoring and reporting procedures;
- g) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;

- h) Procedures and timing for review and/or amendment to the erosion and sediment control measures listed in the CMP; and
- i) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.

14. The works authorised by this consent shall be undertaken in such a manner so as to avoid causing any new or exacerbating any existing flooding effects on adjacent land.

15. All disturbed or cut vegetation, soil or debris shall be deposited or placed in a position where it will not enter any water body or cause diversion, damming or erosion of any waterway.

16. The consent holder shall ensure that, as far as practicable, all clean water run-off from stabilised surfaces including catchment areas above the site shall be diverted away from the exposed areas via a stabilised system to prevent erosion. The consent holder shall also ensure the outfall(s) of these systems are protected against erosion.

17. The consent holder shall ensure that all erosion and sediment control structures are inspected on a weekly basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls. A record shall be maintained of the date and time of inspections undertaken, any maintenance requirements identified, and of maintenance undertaken to all erosion and sediment control structures. Records associated with the maintenance of all erosion and sediment control structures shall be made available to the Waikato Regional Council at all reasonable times.

18. The consent holder shall, prior to bulk earthworks commencing in an area, submit to the Waikato Regional Council "As Built Certification Statements" signed by an appropriately qualified and experienced professional certifying that erosion and sediment control structures have been constructed in accordance with the certified CMP. Certified controls shall include clean water diversion channels/bunds, sediment retention ponds and decanting earth bunds. The As Built Certification Statements shall be supplied to the Waikato Regional Council within 5 working days of the completion of the construction of those controls. Information contained in the certification statement shall include at least the following:

- a) confirmation of contributing catchment areas;
- b) the location, capacity and design of each structure;
- c) position of inlets and outlets;
- d) stability of structures;
- e) measures to control erosion; and
- f) any other relevant matter.

Advice Note:

An example template and the information required for the As Built Certification Statement can be found on the Waikato Regional Council website www.waikatoregion.govt.nz/earthworks.

Construction Stormwater Discharges

19. The consent holder shall ensure that all sediment-laden run-off from the site is treated by sediment retention structures. These structures are to be fully operational before bulk earthworks commence and shall be maintained to perform, as a minimum, at 80% of their operational capacity.

20. During the construction period, discharges from the work site shall not cause a conspicuous change in water colour or clarity in any flowing water body, after reasonable mixing and at a point 50 metres downstream of any point of discharge to the water body.

Flocculation

21. Flocculation bench testing shall be undertaken prior to bulk earthworks commencing to determine if flocculation will provide a benefit (i.e. improvement) to the quality of sediment retention pond discharges. Where testing shows flocculation will benefit the quality of sediment retention pond discharges, the consent holder shall include flocculation treatment in all sediment retention ponds for the purpose of reducing sediment discharges from the site, unless the Waikato Regional Council approves otherwise in writing.
22. Unless the Waikato Regional Council approves otherwise in writing, the consent holder shall take samples of the discharges from all sediment retention ponds on the site a minimum of once per month and after all rainfall events greater than 20 millimetres in the preceding 24 hours, excepting times when there are no discharges. The consent holder shall take the samples within four hours of becoming aware of a rainfall event greater than 20 millimetres in the preceding 24 hours.

Advice Note:

The purpose of this condition is to provide an opportunity for pond discharge sampling to be required if either flocculants are being used; due to potential overdosing pH/Al issues, or where the discharge from a pond is not acceptable and actions are required (potentially including the use of flocculants) to resolve that situation.

23. Any sampling required by this resource consent, the frequency of sampling, analyses and reporting may be altered or reduced with the written approval of the Waikato Regional Council.
24. If required, prior to the commissioning of any flocculation treatment system, the consent holder shall provide the Waikato Regional Council with a draft Flocculation Management Plan (FMP). The FMP shall be submitted to the Waikato Regional Council for approval – acting in a technical certification capacity - prior to bulk earthworks commencing. The FMP shall include as a minimum:
 - a) An analysis identifying which ponds require flocculation, this analysis taking into account;
 - i. The soil's reactivity to flocculants based on soil tests;
 - ii. The size of the contributing catchment that the pond is treating;
 - iii. The likely duration of the ponds use;
 - b) Specific design details of the flocculation system;
 - c) Monitoring (including pH and any other testing procedures), maintenance (including post-storm) and including a record system;
 - d) Details of optimum dosage (including assumptions);
 - e) Results of any initial flocculation trial;
 - f) A spill contingency plan; as set out within the requirements of condition 41;
 - g) Contact details of the person responsible for the operation and maintenance of the flocculation treatment system and the organisational structure to which this person shall report.
25. Any changes proposed to the FMP shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
26. Unless site specific analysis provides evidence to the contrary, as detailed in the FMP, the consent holder shall ensure that:
 - a) The soluble aluminium concentration of any sediment retention pond discharge shall not exceed 0.2 grams per cubic metre; and
 - b) The pH of any sediment retention pond discharge shall not be less than 5.5 or greater than 8.5 pH units.

27. Within one working day of taking any samples required, the consent holder shall have those samples analysed for suspended solids and turbidity and, if flocculants are being used to treat any sediment retention pond, pH, and soluble aluminium. The results of the analysis shall be forwarded to the Waikato Regional Council within 7 days of the consent holder receiving results of the analysis.
28. The consent holder shall undertake all activities authorised by this consent in accordance with the certified FMP and any certified changes.

Machinery

29. The consent holder shall ensure that all machinery used in the exercising of this consent is cleaned prior to being transported to/from the site to ensure that all seed and/or plant matter has been removed and documented in accordance with the document titled 'KEEP IT CLEAN - Machinery hygiene guidelines and logbook to prevent the spread of pests and weeds (June 2013)-<http://www.waikatoregion.govt.nz/Documents/Keepitclean.pdf>)

Stability

30. The consent holder shall ensure that cut slopes and fill sites are individually and appropriately assessed for stability during and following individual cutting and filling operations by a suitably qualified person, and to ensure that appropriate drainage is installed at each site.

Winter Works

31. The consent holder shall ensure that the site is appropriately stabilised by 30 April of each year unless otherwise approved in writing by the Waikato Regional Council. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural and including, pavement, metalling, hydro-seeding, re-vegetation and mulching) that will minimise erosion of exposed soil to the greatest extent practical.
32. Earthworks shall not be conducted during the period 1 May to 30 September inclusive during any year that this consent is current, apart from necessary maintenance works, unless approved in writing by the Waikato Regional Council.
33. Requests to undertake earthworks during the period 1 May to 30 September inclusive, for any year that this consent is current, shall be submitted in writing to the Waikato Regional Council by 1 April and shall be in the form of amendments to the certified CMP in accordance with condition 8 of this consent.

Advice Note:

In considering a request for the continuation of winter earthworks, the Waikato Regional Council will consider a number of factors; including:

- *The nature of the site and the winter soil disturbance works proposed;*
- *The quality of the existing/proposed erosion and sediment controls;*
- *The compliance history of the site/operator;*
- *Seasonal/local soil and weather conditions;*
- *Sensitivity of the receiving environment; and*
- *Any other relevant factor.*

Site Restoration and Removal of Controls

34. The removal of any erosion and sediment control measure from any area where soil has been disturbed as a result of the exercise of this consent shall only occur after consultation with, and written approval has been obtained from, the Waikato Regional Council - acting in a technical certification capacity. In this respect, the Waikato Regional Council will need to be satisfied as to:
 - a) The quality of the soil stabilisation and/or covering vegetation;

- b) The quality of the water discharged from the rehabilitated land; and
- c) The quality of the receiving water.

35. The consent holder shall ensure those areas of the site where earthworks have been completed are stabilised against erosion as soon as practically possible and within a period not exceeding 14 calendar days after completion of any works authorised by this consent. Stabilisation shall be undertaken by providing adequate measures (vegetative and/or structural) that will minimise sediment runoff and erosion to the satisfaction of the Waikato Regional Council - acting in a technical certification capacity.

36. Re-vegetation and/or stabilisation of all disturbed areas is to be completed in accordance with the measures detailed in the document titled "*Erosion and Sediment Control – Guidelines for Soil Disturbing Activities*" (Technical Report No. 2009/02 – dated January 2009) and the approved CMP.

37. The consent holder shall undertake maintenance at those areas of the site where earthworks have been completed as necessary until vegetation is established.

Cleanfill/Overburden

38. All material deposited during the exercising of this resource consent shall meet the definition of cleanfill contained in the glossary of terms in the Waikato Regional Plan and comply with the Acceptance Criteria specified in Tables 1, 2 and 3 below:

Table 1: Acceptance Criteria for Heavy Metals

Parameter	Concentration (mg/kg)
As	20
Cd	1
Cr	56
Cu	120
Hg	1
Ni	33
Pb	78
Zn	175

Table 2: Acceptance Criteria for Volatile Organic Compounds (VOCs)

VOCs	Concentration (mg/kg)
Benzene	1.1
Toluene	68
Ethylbenzene	53
Xylenes	48

Table 3: Acceptance Criteria for Semi-Volatile Organic Compounds (SVOCs)

SVOCs	Concentration (mg/kg)
Naphthalene	7.2
Acenaphthylene	50
Acenaphthene	90
Fluorene	80
Hexachlorobenzene	0.02
Phenanthrene	90
Anthracene	800
Fluoranthene	320
Pyrene	160
Benzo[a]pyrene	0.2
Gamma BHC (Lindane)	0.02
Heptachlor	0.02
Aldrin	0.02
Dieldrin	0.02
Sum of DDT, DDD and DDE	0.5
Sum of PAHs	80

39. If required by the Waikato Regional Council in writing, the consent holder shall undertake soil testing to define the concentrations of contaminants in the cleanfill and overburden imported to the site and as a consequence may be required to remove material from the site to an authorised landfill.

Contaminated Land

40. The consent holder shall ensure that any discharge from the remediation of contaminated land complies with the following:

- a) Any discharge to air arising from the activity shall comply with the conditions and standards and terms in Section 6.1.8 of the Waikato Regional Plan 2012;
- b) No contaminants from the remediation of the contaminated land shall be discharged into water or onto land unless discharged to a landfill authorised in Section 5.2.7 of the Waikato Regional Plan 2012;
- c) The Waikato Regional Council shall be provided with the following reports prepared in compliance with Contaminated Land Management Guideline No.1: Reporting on Contaminated Sites in New Zealand (Ministry for the Environment, Wellington, NZ, updated October 2003) prior to commencement of land remediation:
 - i. detailed site investigation report; and
 - ii. site remedial action plan;
- d) After remediation is completed, copies of the following reports prepared in compliance with Contaminated Land Management Guideline No.1: Reporting on Contaminated Sites in New Zealand (Ministry for the Environment, Wellington, NZ, updated October 2003) must be provided to the Waikato Regional Council:
 - i. site validation report;
 - ii. ongoing monitoring and management plan;
- e) Any updates of these reports shall be provided to the Waikato Regional Council if a change in investigation, remediation and monitoring strategy occurs

Hazardous Substances, Contaminated Sites and Spill Response

41. With respect to hazardous substances and contaminated sites, the CMP shall include, but not be limited to, the following matters:

- i. a list of the hazardous materials and their quantities kept on site and their storage details;
- ii. the prevention measures that will be undertaken on site in order to avoid a spill of hazardous materials;
- iii. the equipment available to contain and/or remove spills of hazardous materials;
- iv. specific procedures and measures that will be undertaken when machinery is operating within close proximity to water bodies that are designed to minimise the risk of any spillages or significant leakages of hazardous materials entering the waterbody;
- v. specific procedures and measures that will be undertaken if unrecorded contaminated sites are uncovered during the course of works;
- vi. the training staff will receive in the use of hazardous materials spill prevention, containment and clean up measures and associated equipment;
- vii. how the disposal of any contaminated materials arising from spills, leakages or unrecorded contaminated sites of hazardous materials will be undertaken;

- viii. the procedures involved in reporting of any such incidents to the Waikato Regional Council; and,
- ix. review procedures.

42. The Consent Holder shall notify the Waikato Regional Council as soon as is practicable, and as a minimum requirement within 12 hours, of the consent holder becoming aware of a discovery or spill of hazardous materials, fuel, oil, hydraulic fluid or other similar contaminants. The consent holder shall, within 7 days of the incident occurring, provide a written report to the Waikato Regional Council, identifying the possible causes, steps undertaken to remedy the effects of the incident and any additional measures that will be undertaken to avoid future spills.

Dust

43. With respect to dust management, the CMP shall include, but not be limited to, the following matters:

- a) Measures to be employed on site to minimise dust emissions to air. Any monitoring shall be on the basis of real time and measurements shall be in the form of Total Suspended Particulate Matter (TSP). The results from the monitoring should be assessed against an effect level of 80 $\mu\text{g}/\text{m}^3$, as a 24-hour average;
- b) Identification of roles and positions of responsibility;
- c) A list and map of all potentially sensitive locations along the alignment;
- d) Reporting procedures;
- e) Plan review procedures;
- f) Complaint receipt and response procedures; and
- g) Identification of any locations within the project area where water storage for dust suppression will be provided.

44. The CMP shall include monitoring of TSP at 223 Osborne Road and 265 Osborne Road.

45. The consent holder shall record the following in a daily log:

- a) Any dust control equipment malfunctions and remedial actions taken;
- b) Any visible emission of dust and the source;
- c) Wind speed and direction;
- d) The frequency of water cart use and the volume of water applied;
- e) The volume of water used for dust suppression other than water cart usage; and
- f) The date and signature of the person entering the information.

46. There shall be no discharge of airborne particulate matter that causes an adverse effect beyond the boundary of the site.

47. Should airborne particulate matter resulting from the exercise of this consent generate a complaint, the consent holder shall provide a written report to the Waikato Regional Council within five (5) working days of the complaint being made known to the consent holder. The report shall specify:

- (a) the cause or likely cause of the event and any factors that influenced its severity;
- (b) the nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
- (c) the steps to be taken in future to prevent recurrence of similar events.

Advice Note:

Chapter 6.4 of the Waikato Regional Plan 2012 provides guidance on the assessment of the effect of odour and dust emissions.

Ecological Management and Restoration Plan

48. The consent holder shall develop an Ecological Management and Restoration Plan (EMRP). This EMRP shall be prepared by an appropriately qualified and experienced ecologist/s and the Plan's purpose shall be to avoid, remedy, or mitigate adverse ecological effects associated with the Project on terrestrial, wetland and perennial stream habitats and nationally "Threatened" or "At Risk" species associated with these habitat types, including long-tailed bats, Black Mudfish, other indigenous fish, other indigenous lizards, Little Shag and any rare or uncommon plants. The EMRP shall be submitted to the Waikato Regional Council for approval in a technical certification capacity that it addresses condition 48 (a) to (g), at least 40 working days prior to the commencement of works. Any subsequent changes proposed to the EMRP shall be confirmed in writing by the consent holder and certified in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed. The EMRP shall include, but not be limited to, the following matters:

- a) Measures to be undertaken by the consent holder to minimise potential adverse effects on the stand of kahikatea trees in the Mangaonua gully including: measures to identify and minimise the trees that are to be removed; measures to protect the trees that are to remain, including delineation and protection of root zones, avoidance of fill placement in root zones, avoidance of foot traffic and machinery use in root zones, avoidance of bark and branch damage; and, monitoring of the kahikatea for a minimum of three years following completion of the bridge construction works in the gully to determine whether the works have adversely affected their health, and if so, the remedial measures to be adopted.
- b) The consent holder shall use an appropriately qualified and experienced ecologist(s) to design, implement and undertake a pre-construction survey and salvage programme targeting "Threatened" and "At Risk" birds and lizards, and "Threatened", "At Risk" or locally uncommon plants, which may be found within the locality, as residents or seasonally in the case of fauna. "Threatened" and "At Risk" species are listed in the Department of Conservation New Zealand Threat Classification System (Townsend *et al.* 2008¹, Robertson *et al.* 2012², & Hitchmough *et al.* 2010³, de Lange *et al.* 2013⁴) and any subsequent published updates. At least 40 working days prior to the commencement of works, the consent holder shall provide to Waikato Regional Council a report detailing the results of the pre-construction survey(s). This report is to include but not be limited to:
 - i. The habitat requirements of the species identified in clause b) above likely to be found within the locality;
 - ii. The location and relative abundance of the species identified in clause b) above found during the survey;
 - iii. Methods to avoid, remedy or mitigate adverse effects on any species identified in clause b) above and their habitats; and
 - iv. Timing for any further surveys and translocation options (if required).
- c) Details of restoration and habitat enhancement measures that will aim to achieve no net loss of terrestrial, wetland and stream biodiversity values or natural habitat along the Expressway route (including all perennial waterways and wetlands, seepage zones and

¹ Townsend A.J.; de Lange P.J.; Duffy C.A.J.; Miskelly C.M.; Molloy J.; Norton D.A. 2008: *New Zealand Threat Classification System Manual*. Department of Conservation, Wellington, New Zealand.

² Robertson H.A., Dowding J.E., Elliot G.P., Hitchmough R.A., Miskelly C.M., O'Donnell C.F.J., Powlesland R.G., Sagar P.M., Scofield R.P., and Taylor G.A. 2012: Conservation status of New Zealand Birds 2012. *New Zealand Threat Classification Series 4*. Department of Conservation, Wellington. 22pp..

³ Hitchmough R.A., Hoare J.M., Jamieson H., Newman D., Anderson P.J., Lettink M., and Whitaker A.H. 2010: *Conservation Status of New Zealand Reptiles*, 2009, New Zealand Journal of Zoology, 37: 3, 203-224.

⁴ de Lange P.J., Rolfe J.R., Champion P.D., Courtney S.P., Heenan P.B., Barkla J.W., Cameron E.K., Norton D.A., and Hitchmough R.A. 2013: Conservation status of New Zealand vascular plants, 2012. New Zealand threat classification series. Department of Conservation, Wellington.

gully seeps), as a result of the Expressway construction, including impacts on instream habitat resulting from bridge, culvert and road construction. This is to include procedures to ensure that the gully wetlands lost during construction of the Mangaonua and Mangaone bridges are replaced by wetland habitat of an equivalent or greater area. These details shall be provided in implementation plans and shall include, but may not be limited, to the following:

- i. A minimum of 10.2 ha of ecological restoration within or contiguous with the Mangaonua and Mangaone gullies, including provisions to match restored vegetation communities to the landforms and substrate conditions at the sites following completion of construction.
- ii. For the gully floors and gully sides, in the Mangaonua and Mangaone gullies, completion of construction works including the restoration of natural landforms and substrate hydrology to all areas not permanently occupied by the constructed footprint of the Expressway.
- iii. For both the Mangaonua and Mangaone gullies a strong focus on the restoration of gully swamp forest, with a major kahikatea component, with a minimum of 4 ha to be established on the gully slopes and gully floors, in total (noting that this is part of the overall minimum of 10.2 ha to be restored). Subject to compliance with condition 15, logs from the mature kahikatea that are lost due to the project construction activities shall be placed in areas that will be subject to gully swamp forest restoration to further enhance the biodiversity of those area(s).
- iv. Plantings contiguous with and, as much as it is practicable to do so, designed to buffer the margins of the stand of mature kahikatea trees immediately adjacent to the Expressway.
- v. Wetland or seepage restoration to be undertaken in the Mangaonua and Mangaone gullies, with the areas to be restored to be specified in the ERMP. The balance of indigenous planting shall comprise mixtures of indigenous species ecologically appropriate for the landforms and habitats to be restored.
- vi. Details of the restoration and habitat enhancement measures involving indigenous revegetation to be provided in implementation plans, and where relevant, shall generally align with Wall, K and B.D. Clarkson 2006: Gully restoration guide: a guide to assist in the ecological restoration of Hamilton's gully system. Third Revised Edition. Hamilton City Council (or an updated version) and include, but may not be limited to, the following:
 - A) Design details for the stormwater treatment wetlands located adjacent to the Mangaone and Mangaonua gullies to provide indigenous wetland and terrestrial plantings, accepting that the plantings are not to conflict with the primary function of the wetlands as stormwater treatment systems. Plantings undertaken within these specific stormwater treatment systems are to be linked to and integrated with gully restoration plantings and other restoration works.
 - B) The use of eco-sourced indigenous plant species, to be matched to the habitats and site conditions where planting is to be undertaken;
 - C) The nature of any restorative planting to be undertaken, including details of timing, species, source of planting material, extent, percentage of cover provided by canopy, and location;
 - D) The use of kahikatea in plantings, in suitable sites, noting that kahikatea takes many years to provide canopy cover in revegetation plantings, and other

species will need to be planted with the kahikatea to provide additional canopy cover and closure;

- E) Monitoring and maintenance programmes for all indigenous planting until 90% indigenous canopy cover is achieved on the north facing gully slopes on pumice soils, and 90% indigenous canopy cover on the gully floor and gully terraces, except where mature exotic trees are retained for bat habitat roosting;
- F) The nature of any weed and/or pest control considered appropriate (timing, extent and location);
- G) The nature and extent of stock-proof fencing that is to be established along the margins of restoration areas;

vii. Design and construction of wetlands to provide habitat suitable for mudfish where wetlands discharge into the Mangaonua or Mangaone/Mangaharakeke Stream gullies in the event that mudfish are discovered during construction and impacted by the works, accepting that design for the benefit of mudfish must not conflict with the primary function of the wetlands as stormwater treatment devices;

viii. Procedures for capture and relocation of Black Mudfish;

ix. Procedures for capture and relocation of fish associated with temporary and permanent stream diversions.

Advice Note:

In relation to condition 48(c)(i), the 10.2ha of restoration area has been determined through consultation with TWWG and through the ecological assessment.

The restoration area provides for both ecological mitigation and for offsetting cultural effects.

A further 1.3ha of land may be added to the total restoration area, but this is subject to private landowner agreement and is therefore not included in the total area referenced in the condition.

- d) Protocols and detailed methods for addressing responses to discoveries of indigenous fish and indigenous lizards during construction. These provisions shall include, as a minimum, procedures to be followed upon discovery of fish or lizards in situations where they will be destroyed if construction work continues at the site where a discovery is made, including techniques to be used to capture/contain fish and lizards and their relocation to a site(s) containing suitable habitat not to be affected by construction works.
- e) Procedures for implementing, monitoring and review of the EMRP.
- f) The consent holder shall engage an appropriately qualified and experienced bat ecologist to develop a Bat Management Plan. This plan shall address mitigation to be undertaken within, and near, the road footprint to avoid, remedy or mitigate any adverse effects from the construction and operation of the road on long-tailed bats and include, but may not be limited to, the following:
 - i. Details of measures to avoid, minimise and monitor roost removal and habitat loss (including specific minimum standards developed by an appropriately qualified and experienced bat ecologist for roost tree identification and monitoring of roost trees before their removal, recognising the limitations for determining roost tree occupancy in some situations), as well as habitat replacement and enhancement;

- ii. Details of the provision of alternative roosting sites (including where possible advanced planting of indigenous or exotic trees for roost habitat) and artificial bat roosts, that are considered suitable for that purpose by an appropriately qualified and experienced bat ecologist, installed at least six months prior to the removal of trees where bat roosts are likely to occur along the alignment;
- iii. Details of measures to minimise habitat fragmentation and other barriers to bat movement. Possible mitigation methods include the creation of bat crossing points such as “hop-overs” for bats to be formed with planting and/or earthworks, installation of bridge/tunnels/culverts, reducing the effect of road lighting by creating ‘dark zones’ at key bat habitats, aligning street lights in particular ways or the installation of baffles on lighting columns to reduce the ‘spill’ of light away from the road, accepting that lighting design for the benefit of bat movement must not conflict with the primary function of lighting for safety reasons along the Expressway;
- iv. Details of measures to reduce mortality of bats from potential collisions with vehicles as bats travel along flyways that cross the Expressway. Possible mitigation methods could include the creation of “hop-overs” for bats, as outlined above, and the use of downward-oriented street lights to discourage bats from flying low across the road, the establishment of buffer zones along the Expressway route during and after construction (e.g. hedgerows) to encourage bat avoidance of the road and maintaining important bat flyway navigational references, if deemed appropriate by an appropriately qualified and experienced bat ecologist;
- v. Details of measures to minimise disturbance from construction activities within the vicinity of any active roosts that are discovered, or already known, until such roosts are confirmed to be vacant of bats, as determined by an appropriately qualified and experienced bat ecologist using current best practice;
- vi. Details of a monitoring programme to identify and assess changes in bat activity and behavioural patterns that may occur as a result of construction and operation of the Hamilton Section of the Waikato Expressway at all locations where bats are detected during comprehensive pre-construction baseline distribution surveys required by condition 48(f)(vii). The monitoring programme should be sufficiently robust to inform the mitigation design and subsequent assessment of the effectiveness of mitigation.
- vii. Pre-construction baseline distribution surveys shall include surveys using appropriate techniques to assess bat distribution and behaviour within areas of potential bat habitat along the entire Hamilton Section of the Waikato Expressway alignment. A minimum of two surveys shall be undertaken during the months of November to April inclusive for a minimum of two monitoring seasons, immediately prior to construction commencing. Monitoring for the surveys should take place on nights when the temperature remains above ten degrees for the first two hours after sunset and little precipitation occurs. Temperature and precipitation must be recorded.
- viii. The consent holder shall engage an appropriately qualified and experienced bat ecologist(s) to assess and report on the effectiveness of measures to avoid, remedy and mitigate effects on the bats resulting from the establishment of the Hamilton Section of the Waikato Expressway. Such monitoring shall occur annually during the months of November to April inclusive, as a minimum, and the monitoring data shall initially be assessed and reported on annually for the first five years from the commencement of works authorised by this resource consent, and thereafter at five- yearly intervals for a period of 15 years from the commencement of works authorised by this consent. Where measures are found to be ineffective, the ecologist(s) shall make recommendations for additional measures to avoid, remedy and mitigate effects resulting from the establishment of the Hamilton Section of the Waikato

Expressway. Reports shall be provided to Waikato Regional Council and the Department of Conservation within two months of the completion of each assessment, and the matters contained within these reports shall be considered in accordance with the procedures for review of the EMRP required by condition 48e).

- ix. The consent holder shall implement the recommendations made by the ecologist referred to in condition 48(f)(viii) which are specified in the EMRP following review in accordance with condition 48(e) where it is practicable to do so.
- g) Measures proposed to minimise potential adverse effects on the Little Shag colony located on the Mangaonua Stream, and monitoring of nesting activity for a minimum of three years following completion of works to determine whether the works have adversely affected nesting activity. The purpose of this condition is to provide information on the effects of road construction on the colony of nesting birds, and inform future assessments of effects for other projects.

Advice Note:

The requirements of condition 48 are in addition to any obligations of the consent holder in respect of absolutely protected wildlife under the Wildlife Act 1953.

- 49. The consent holder shall provide a draft of the EMRP, or any proposed changes to the EMRP to the Department of Conservation for comment at least 20 working days prior to it being submitted to the Waikato Regional Council for certification. The consent holder shall consider for incorporation into the final version of the EMRP, or any final version of proposed changes to the EMRP any comments/suggested amendments provided by the Department of Conservation. If those comments/amendments are not incorporated into the final EMRP or final version of the proposed changes, the consent holder shall forward copies of the comments/amendments to Waikato Regional Council. The Waikato Regional Council may consider any comments or suggested amendments from the Department of Conservation and may require the consent holder to further amend the EMRP, or any proposed changes to it, before certifying the EMRP, or proposed changes.
- 50. The consent holder shall undertake all activities authorised by this consent in accordance with the approved EMRP.

The consent holder shall ensure that a copy of the certified EMRP, including any certified amendments, is kept onsite and this copy is updated within 5 working days of any amendments being certified.

Advice Note:

The consent holder has undertaken to work with the Waikato Regional Council and the Department of Conservation to develop a Memorandum of Understanding addressing the establishment and implementation of a South Hamilton Bat Population Enhancement Plan. The purpose of this Plan is to promote the conservation of the local long-tailed bat population.

Gully Restoration

- 51. Prior to the commencement of construction, and following consultation with the Tangata Whenua Working Group (TWWG), the consent holder shall engage an appropriately qualified ecologist(s) to prepare a Gully Restoration Strategy (GRS). The purpose of the GRS is to develop and implement a Plan for restoration works in the Mangaonua and Mangaharakeke/Mangaone gullies. The GRS will cover the Mangaonua and Mangaharakeke/Mangaone Gullies, from the point where the Expressway crosses through to the confluence with the Waikato River, and shall include but not be limited to:

- a) The identification of key restoration areas/zones and the restoration objectives for each of these areas, including identification of plant species that would be appropriate;
- b) High level suggestions on how to go about undertaking restoration;
- c) Identification of potential funding sources; and
- d) Identification of likely costs.

Advice Note:

The GRS is a desktop exercise, and does not involve any physical restoration of the gully systems.

- 52. Once completed, the GRS shall be provided to the TWWG.
- 53. The consent holder shall prepare a Gully Restoration Implementation Plan (GRIP), identifying restoration works to be undertaken within the areas identified in Appendix 4 of Appendix 7 of the Water AEE (Appendix I, Volume 2B of the application as lodged, November 2013). The GRIP shall be consistent with the GRS, and EMRP, and be prepared in general accordance with the Gully Restoration Guide (Wall and Clarkson, 2006). The GRIP shall include, but not be limited to:
 - a) A detailed restoration methodology consistent with the requirements of the EMRP, and timeline (including how it will fit with the wider construction methodology stated in the CMP certified under condition 8);
 - b) The identification of plant species to be used including:
 - a. plants for cultural practices such as Rongoa Maori;
 - b. locally sourced plant species; and
 - c. plants that will support and enhance the habitat of indigenous fauna including bats;
 - c) Identification of habitats to be restored (such as habitats for bats) – consistent with the ERMP; and
 - d) Demonstration that the restoration works to be undertaken are consistent with any restoration objectives identified in the GRS required by condition 51.
- 54. At least 40 working days prior to undertaking construction works associated with this Project, the consent holder shall submit the GRIP to the Waikato Regional Council for approval in a technical certification capacity that the GRIP satisfies the requirements of condition 53. Any changes proposed to the GRIP shall be confirmed in writing by the consent holder and certified in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
- 55. The consent holder shall undertake all activities authorised by this consent in accordance with the certified GRIP and any certified changes.
- 56. The consent holder shall ensure that a copy of the certified GRIP, including any certified amendments, is kept on-site and this copy is updated within 5 working days of any amendments being certified.

Complaints

- 57. If any complaints are received by the consent holder regarding the activities authorised by this consent, the consent holder shall notify the Waikato Regional Council of those complaints as soon as practicable and no later than one working day. When/if complaints are received, the consent holder shall record the following details in a Complaints Log:
 - (a) Time and type of complaint, including details of the incident, e.g. duration, any effects noted;

- (b) Name, address and contact phone number of the complainant provided;
- (c) Location from which the complaint arose;
- (d) The weather conditions and wind direction at the time of any dust complaint;
- (e) The likely cause of the complaint;
- (f) The response made by the consent holder including any corrective action undertaken by the consent holder in response to the complaint; and
- (g) Future actions proposed as a result of the complaint.

The register shall be available to the Waikato Regional Council at all reasonable times. Complaints received by the consent holder that may indicate non-compliance with the conditions of this resource consent shall be forwarded to the Waikato Regional Council in writing within 24 hours of the complaint being received.

Archaeology

- 58. Prior to the commencement of construction the consent holder shall provide the Waikato Regional Council with evidence that Archaeological Authorities under the Heritage New Zealand Pouhere Taonga Act 2014 have been obtained from Heritage New Zealand as appropriate, to modify, damage or destroy any of the known archaeological sites likely to be affected during the construction works. Alternatively, the consent holder shall provide evidence that Archaeological Authorities are not necessary. As a minimum when assessing whether Authorities are required, consideration should be given to:
 - (i) The unrecorded ditch and bank in the vicinity of Cherry Lane
 - (ii) Those parts of Cambridge Road where pre-1900 fabric may exist
 - (iii) Whether archaeological monitoring is necessary in the vicinity of the recorded site S14/252
- 59. No later than 20 working days prior to the commencement of any earthworks or construction activities (excluding enabling works as defined in condition 6), the consent holder shall submit an Archaeological Site Management Plan (ASMP) prepared by a suitably qualified archaeologist, to the Waikato Regional Council for certification. The ASMP shall be prepared following consultation with the Hamilton Section TWWG and Heritage New Zealand. The purpose of the ASMP is to describe the measures that will be taken to avoid or mitigate effects on archaeological sites within the designation. As a minimum, the ASMP shall include the following:
 - (a) Measures that will be taken to protect archaeological sites from damage during construction (unless an authority has been obtained from Heritage New Zealand to destroy, damage or modify the site);
 - (b) Details of any archaeological investigations or monitoring required by any authority to destroy, damage or modify archaeological sites, or evidence required under condition 58;
 - (c) An Accidental Discovery Protocol (noting that where any part of the site is operating under an Authority from Heritage New Zealand, the ADP protocols contained within that Authority shall take precedence) so that in the event that any archaeological sites, remains, artefacts, taonga (Maori artefacts) or koiwi are unearthed, dislodged, uncovered or otherwise found or discovered during the earthworks ("Discovery"), the consent holder shall:
 - (i) Advise tangata whenua, the project archaeologist, and the Waikato Regional Council as appropriate, within one day of the Discovery;

- (ii) Cease works in any part of the project site affected by the Discovery;
- (iii) Contact the NZ Police, Coroner and Heritage New Zealand as appropriate;
- (iv) Undertake specific preservation measures to address any Discovery that includes water-logged or wet archaeological materials.
- (v) Works shall not recommence in the parts of the project site affected by the Discovery until all necessary statutory authorisations or consents have been obtained; and
- (vi) Address any other relevant matters in accordance with NZ Transport Agency's Minimum Standard Z/22 – Accidental Discovery Procedures.

- (d) The roles and responsibilities associated with managing the archaeological aspects of the Project;
- (e) Provision for training contractors in the archaeological requirements of the Project;
- (f) Provision for any revisions required to the ASMP during the course of the Project. Any required revisions to the ASMP (excluding revisions relating to matters covered by condition 59(b)) shall not be implemented by the consent holder until approved in writing by the Waikato Regional Council. The Waikato Regional Council shall respond to the request for a revision to the ASMP within 10 working days or another time period agreed between all parties;
- (g) Reporting requirements.

60. Twenty (20) working days prior to the consent holder providing the ASMP or any revisions in accordance with condition 59(f) to Waikato Regional Council, a draft version of the plan shall be provided to the TWWG established pursuant to condition 66 and to Heritage New Zealand for their review. The consent holder shall consider any feedback provided and will provide a written response within the finalised ASMP detailing:

- (a) Whether any feedback has been provided by the TWWG and the Heritage New Zealand;
- (b) Where feedback has been provided, how it has been incorporated into the ASMP; and
- (c) Where feedback has been provided but not been incorporated into the ASMP, the reasons why not.

61. The consent holder shall implement the certified ASMP in giving effect to this Project.

Transmission Lines

62. With respect to electrical infrastructure, the consent holder (following consultation with Transpower New Zealand Ltd) shall prepare and include in the CMP, the following:

- a) Methods and measures:
 - i. To ensure that the existing high voltage infrastructure can be accessed for maintenance at all reasonable times, or emergency works at all times, during construction activities;
 - ii. To appropriately manage the effects of dust and any other material potentially resulting from construction activities and able to cause material damage, beyond normal wear and tear, to the overhead transmission lines;
 - iii. To ensure that no activity is undertaken during construction that would result in ground vibrations and/or ground instability likely to cause material damage to the transmission lines, including support structures; and

- iv. To ensure that changes to the drainage patterns and runoff characteristics do not result in adverse effects from stormwater on the foundations for any high voltage transmission line support structure.
- b) Sufficient detail to confirm that all works will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

63. All activities undertaken on the site, including the construction of new buildings/structures, earthworks (filling and excavations) and/or the operation of mobile plant must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

64. The consent holder shall ensure that access to high voltage transmission lines for maintenance work (at all reasonable times) and for emergency works (at all times) is not adversely affected by the activities authorised by the consents.

65. The consent holder shall ensure that all trees and vegetation planted comply with the Electricity (Hazards from Trees) Regulations 2003.

Tangata Whenua

66. (a) Not less than 6 months prior to the commencement of construction, the consent holder shall invite mandated representatives of Ngaati Hauaa, Ngaati Koroki Kahukura, Ngaati Mahanga, Ngaati Wairere and Waikato Tainui to participate in a Tangata Whenua Working Group (TWWG), the purpose of which is to facilitate consultation between the consent holder and tangata whenua in respect of the activities authorised by these consents.

(b) Provided that the invitation to participate in the TWWG has been accepted and the group has been established, then following consultation with the TWWG, the consent holder shall prepare a Waikato-Tainui Mitigation Plan (WTMP). The purpose of the WTMP is to specify and record a range of reasonable and tangible initiatives to address the matters included in the Position Statement (Appendix C of the consent application) and dated November 2013 that relate to the activities authorised by this consent.

(c) No less than 30 working days prior to the consent holder providing the WTMP to Waikato Regional Council, the consent holder shall provide a draft version of the WTMP to the TWWG for their review. The consent holder will consider any feedback provided and will provide a written response within the finalised WTMP detailing:

- i. Whether any feedback has been provided by the TWWG; and
- ii. Where feedback has been provided, how it has been incorporated into the WTMP; and
- iii. Where feedback has been provided but not been incorporated into the WTMP, the reasons why not.

(d) Prior to construction commencing, the consent holder shall submit a copy of the WTMP to the Waikato Regional Council for its information.

(e) The consent holder shall implement the WTMP as part of the construction of the Expressway.

Advice Note:

Waikato Tainui and the NZTA have already established a high level contract enabling a partnership to be established for the Hamilton Section of the Waikato Expressway. Through that process, an appointee from Waikato Tainui established responsibility

for determining who the project team should engage with and how that should occur. As a result, a Hamilton Section specific Tangata Whenua Working Group (TWWG) was established in late 2011. The TWWG comprises members from Ngaati Hauaa, Ngaati Koroki Kahukura, Ngaati Mahanga, Ngaati Wairere and Waikato Tainui. It is anticipated that this existing group could fulfil the role specified in these conditions

Review

67. The Waikato Regional Council may during the June to July (inclusive) period in 2015 and in the same period every year thereafter serve notice on the consent holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:

- (a) to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
- (b) if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to avoid, remedy or mitigate adverse effects on the environment; or
- (c) to review the adequacy of and the necessity for monitoring undertaken by the consent holder.

Advice Note:

Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administration

68. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.