

Eastland Port Ltd

Wharf 6 & Wharf 7 Redevelopment

Resource Consent Applications: Applicants Proposed Conditions

General Conditions (All Resource Consents)

1. The construction and operation of the redeveloped Wharf 6 and Wharf 7 areas shall be carried out in general accordance with the following resource consent application documents and plans; except where the proposal is modified by, or is required to comply with, any specific conditions of the resource consents.

Report or Plan	Prepared by:	Reference No	Version	Date
Wharf 6 & Wharf 7 Redevelopment Assessment of Environmental Effects	4Sight Consulting		Final	5-10-17
Wharf 6 & 7 Upgrade Engineering Report	Worley Parsons	301015-03380 – MA-REP 005	Final	13-09-17
Heritage Inventory and Whole of Port Archaeological Assessment	InSitu Heritage Ltd			30-09-15
Wharf 6 & 7 Redevelopment Assessment of Environmental Noise and Vibration Effects	Malcom Hunt Associates	974-12/004/10		September 2017
Wharf 6 & 7 Redevelopment Ecology and Water Quality Effects Report	4Sight Consulting		V1.2	27-09-17
Wharf 6 Upgrade - Site Plan	Worley Parsons	301015-03380– MA-DWG-0007	F	03-10-17
Wharf 6 Upgrade –Typical Sections	Worley Parsons	301015-03380– MA-DWG -008	D	03-10-17
Wharf 6 Upgrade –Lot Plan	Worley Parsons	301015-03380– MA-DWG -009	C	03-10-17
Wharf 7 Upgrade –Typical Sections	Worley Parsons	301015-03380– MA-DWG -015	B	03-10-17
Wharf 6 & 7 Upgrade –Site Plan	Worley Parsons	301015-03380– MA-DWG -016	B	03-10-17
Wharf 7 Upgrade –Lot Plan	Worley Parsons	301015-03380– MA-DWG -017	B	03-10-17
Wharf 6 & 7 Upgrade –Dredge Extents Plan	Worley Parsons	301015-03380– MA-DWG -018	B	03-10-17
Wharf 6 Refuelling Area Hardstand Stormwater Layout	Worley Parsons	301015-03380– MA-DWG -019	B	03-10-17
Wharf 6 Refuelling Area – Typical Stormater Detail	Worley Parsons	301015-03380– MA-DWG -020	B	03-10-17
Wharf 6 & 7 Upgrade Eastland Port Stormwater Catchment Area	Worley Parsons	301015-03380– MA-DWG -021	B	03-10-17

2. This consent is 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 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 this consent are to be fully met by the Consent Holder pursuant to Section 36 of the Resource Management Act 1991.

Port Liaison Group (PCLG)

4. The Consent Holder shall maintain a Port Liaison Group (PCLG) to provide an ongoing point of contact between the Consent Holder, the Council, adjacent landowners and occupiers and the community, in relation to the construction and operation of the wharves and to ensure that channels of communication are kept open. The Consent Holder shall send invitations for the first meeting of the PCLG within four (4) weeks of the commencement of this consent.
5. The Consent Holder shall invite all of the persons who lodged a submission on the application for this consent to attend the first meeting of the PCLG. At the time of this invitation the Consent Holder shall ask such persons whether they wish to receive further invitations to the PCLG meetings. If a positive response is received (whether by mail, email, telephone message or in person), that person shall be invited to PCLG meetings until the Consent Holder is advised that such invitations are no longer desired. The Consent Holder may also invite any other persons to provide assistance, to attend PCLG meetings.
6. The Consent Holder shall provide a venue for PCLG meetings, chair the meetings and ensure that minutes are taken and circulated to attendees. Invitations to PCLG meetings shall be sent four (4) monthly during the term of this consent (with 10 working days' notice given of the date, time and venue of the next PCLG meeting), unless the PCLG agrees by a majority vote at a PCLG meeting to reduce the frequency of meetings. The Consent Holder shall provide the Council, upon request, with copies of the minutes of any PCLG meetings held within the past twelve (12) months.
7. An invitation to a special PCLG meeting shall be sent by the Consent Holder around six (6) weeks prior to the commencement of earthworks, so that the PCLG can be informed about the proposed construction works and timetable, and any attendees can be provided with a copy of any draft or certified CMP available at that time.

Construction Management Plan (CMP)

8. Not less than two (2) weeks prior to commencement of construction works onsite, the Consent Holder shall submit to the Council's Consents Manager, for certification a Construction Management Plan (CMP) demonstrating how the wharf redevelopment is to be constructed in accordance with the relevant consent conditions, including the following matters:
 - (i) Contractor(s), key personnel and contact details;
 - (ii) Consent holder project manager and contact details;
 - (iii) Construction hours, programme and methods;
 - (iv) Compliance with consent conditions;
 - (v) Engineering plans of the proposed works;
 - (vi) Soil contamination and any required Remediation Action Plan and Validation reporting and associated management measures;
 - (vii) Building demolition and removal of associated materials;
 - (viii) Construction materials and storage, including refuse;
 - (ix) Earthworks management, erosion and sediment control;

- (x) Stormwater treatment and discharge methods;
- (xi) Construction dust;
- (xii) Construction traffic management and parking following consultation with adjacent property owners/occupiers and the Council/road managers;
- (xiii) Construction noise and vibration, including any best practicable options;
- (xiv) Accidental archaeological discovery procedures;
- (xv) Communication with the Council;
- (xvi) Communication with adjacent landowners and occupiers;
- (xvii) Communication with the Port Liaison Group; and
- (xviii) Procedures for dealing with any complaints.

9. Any amendment to the CMP as the Consent Holder deems necessary to undertake construction works onsite, shall be made with prior written approval of the Consents Manager.

Construction Activity Notification and Monitoring

10. No less than one (1) week prior to commencement of construction works the Consent Holder shall hold a pre-start meeting on the site to which representatives of Council and contractors are invited.
11. A sign shall be placed on the site perimeter fence(s) adjacent Rakaiatane 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.
12. The Consent Holder shall visually monitor the dust, sediment and stormwater discharges from the construction site and maintain a record of the visual inspections and any associated follow up procedures. The visual monitoring record shall be made available to the Council upon request.
13. 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 compliant records shall be made available to the Council upon request.

Demolition and Building Works

14. A suitably qualified person with appropriate geotechnical experience approved by the Council shall supervise, monitor, and inspect the demolition works, along with all proposed building works. This is to confirm that they generally meet the design specifications outlined in the Worley Parsons Wharf 6 and Wharf 7 Upgrade Engineering Report submitted with the applications and referenced in Condition 1.
15. The consent holder shall obtain any necessary building consent(s) before any associated building construction occurs. All building works shall be engineer designed by a CPEng engineer with calculations, design and a PS1 Producer Statement submitted with the application. A geotechnical report completed by a suitably qualified geotechnical professional shall also be included with the building consents. The geotechnical report and associated building designs may be subject to peer review.
16. Advice Note: The Peer review will be at the consent holders expense. The building consent(s) must be submitted within sufficient time to allow for processing and issuing before the work is intended to start. If work commences before the building consent for the works has been issued it will be subject to the stop work provisions of the Notice to Fix Procedures of the Building Act.

Heritage NZ Archaeological Authority Procedures

17. The Consent Holder shall comply with all the conditions 1-7 as held within the Archaeological Authority dated 21 March 2016 issued by Heritage New Zealand Pouhere Taonga.
18. The Consent Holder shall during the period of construction, on a once monthly basis, inform the Council of the archaeological investigation and monitoring procedures being undertaken in accordance with the 21 March 2016 Heritage NZ Archaeological Authority (No.2016/820) issued by Heritage NZ under the Heritage NZ Pouhere Taonga Act 2014.

Advice Note: The Consent Holder has through In-Situ Heritage obtained an Archaeological Authority from Heritage NZ Pouhere Taonga that recognises that archaeological material may be found on the site and sets out the procedures to be followed by contractors and an archaeologist approved by Heritage NZ Pouhere Taonga.

Earthworks, Erosion and Sediment Control

19. Not less than two (2) weeks prior to commencement of construction works onsite, the Consent Holder shall submit to the Council's Consents Manager, for certification an Erosion & Sediment Control Plan (E&SCP). The ES&CP shall cover the following matters:
 - (i) The staging of the earthworks, sheet piling and reclamation works;
 - (ii) The location and extent of the temporary land based drying and storage areas;
 - (iii) The temporary silt control measures to be taken to limit the discharge of silt laden runoff into the coastal marine area; and
 - (iv) The protocols surrounding the use of a geotextile curtain to confine the silt laden runoff associated with the reclamation activities to the immediate works area within the coastal marine area;

Advice Note: The E&SCP may form part of the CMP and be submitted to Council at the same time.

20. Earthworks on the site shall be undertaken in a manner to control silt contaminated stormwater in accordance with the Auckland Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region (GD05) 2016 or its equivalent.
21. Temporary silt detention controls (including silt fences and hay bales) shall be installed where there is a potential discharge effect from land disturbance to the coastal marine area. Temporary silt detention controls shall also be installed directly down slope of any earthworks as an initial detention control.
22. Earthworks shall not be conducted during the period of 1 June to 30 September inclusive, of any year that this consent is current, apart from minor maintenance work, unless Council approved erosion and sediment control measures are in place.

Advice Note: Changes to consent conditions may be applied for under Section 127(1) (b) of the RMA 1991.

23. 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.

Advice Note: This consent does not cover fill placement, spoil disposal, or earthworks outside the consent area as depicted on the plans received in the application. The fill material carted off site, may require a separate land disturbance consent for disposal of fill material unless the disposal is at an already approved 'bulk fill' or 'clean fill' site, or unless it is permitted under the Tairāwhiti Resource Management Plan.

24. All disturbed areas (excluding cut faces) of land resulting from the activity shall be hard surfaces or have a groundcover established to the satisfaction of the Council, such as by mulching, hydro-seeding or by sowing in a grass/legume seed mix or other methods, during the Autumn or Spring immediately following the completion of the activity, whichever is the sooner and again as needed to give an erosion resistant cover within 12 months of the land disturbance ceasing.
25. 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.
26. At all times, the timing of construction shall be restricted to a period when ground conditions are such that spoil can be excavated and compacted and that stripping, benching and filling can occur without wheeled vehicles causing rutting or puddling greater than 300mm deep.

Contaminated Site Management

27. The Consent Holder shall submit a Detailed Site Management Plan (DSI) on possible contamination of some of the soils on the site to the Council for approval, at least four (4) weeks before any earthworks are undertaken. The DSI shall be prepared in general accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines No.5. Site Investigation and Analysis of Soils 2011.
28. Should the DSI identify contaminants above typical background levels then the Consent Holder shall submit a Site Management Plan (SMP) and a Remediation Action Plan (RAP) to the Council for approval, at least two (2) weeks before any earthworks and associated remediation works are undertaken. The SMP and RAP shall be prepared in general accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines No.5. Site Investigation and Analysis of Soils 2011.
29. The earthworks on the site shall be undertaken in accordance with the DSI, including any recommended site remediation works.
30. If any site remediation works are required then a Post Remediation Works Validation Report (PRWVR) to the Council within three (3) months of the earthworks and associated remediation works being completed. The PRWVR shall be prepared in general accordance with the Ministry for the Environment (MfE) Contaminated Land Management Guidelines No.5. Site Investigation and Analysis of Soils 2011.

Construction Dust Management

31. Dust from construction activities shall be controlled in accordance with the Ministry for the Environment 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 not 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 Council's Consents Manager.

Construction Vibration Management

32. Construction work on the site shall be designed and conducted to ensure that vibration levels do not exceed the levels specified in Rule C11.2.15.4 of the Tairāwhiti Resource Management Plan and the associated provisions in British Standard BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites –Part 2 Vibration Annex B.

Construction Noise Management

33. Construction work on the site shall be designed and conducted to ensure that noise measured at any dwelling does not exceed the limits in the table above from NZS 6803:1999 Acoustics - Construction Noise. Noise levels shall be measured and assessed in accordance with NZS 6803:1999 Acoustics -Construction Noise.

Time Period	Weekdays (dB)		Saturdays (dB)		Sundays & Public Holidays (dB)	
	LA eq	LA max	LA eq	LA max	LA eq	LA max
0630-0730	55	75	45	75	45	75
0730-1800	70	85	70	85	55	85
1800-2000	65	80	45	75	45	75
2000--630	45	750	45	75	45	75

Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics -Construction Noise.

Construction Traffic Management

34. Construction traffic to and from the Wharf 6 and Wharf 7 area and associated site shall be managed in accordance with the Council certified Construction Traffic Management Plan to ensure the following;
- (i) All trucks and other heavy vehicles associated with construction activities use the route(s) specified in the CMP.
 - (ii) The maintenance of safe pedestrian access and thoroughfare on all footpaths adjacent to the site;
 - (iii) The maintenance of safe vehicular access and thoroughfare on all roads adjacent to the site; and

Provision of As-Built Plans to Council

35. The Consent Holder shall within three (3) months of completion of construction submit to the Council As-Built plans and a report of the completed works.

Wharf 6 & Wharf 7 Environmental Management Plan (EMP)

36. Not less than one (1) month prior to completion of construction, the Consent Holder shall submit to Council an Environmental Management Plan (EMP) demonstrating how the redeveloped Wharf 6 and Wharf 7 areas are to be managed in accordance with the relevant consent conditions, including the following matters:
- (i) Port Operations Manager and contact details;
 - (ii) Bark and Other Debris: Management practices to reduce or restrict log bark and other debris that may become suspended within the stormwater runoff;
 - (iii) Dust: Measures to control dust, including monitoring of weather, mitigation methods such as watering, sprinkler system, sweeping and signage;
 - (iv) Noise: Measures required to ensure compliance with the specified noise emission limits;

- (v) Site security: Measures to limit public access to the wharves for human health and safety reasons;
- (vi) Fuel supply: Measures to monitor use of the facility and fuel spill contingency planning;
- (vii) Stormwater system maintenance: Measures involved in the regular management of the site stormwater drainage network and associated treatment devices;
- (viii) Stormwater quality monitoring: A programme to monitor stormwater quality within the stormwater drainage network and the receiving environment;
- (ix) Contingency plans to deal with any pollution incidents and any dust, noise or stormwater discharges that exceed the 'thresholds' specified in this consent; and
- (x) The recording of any complaints of an environmental nature and the procedures for effectively dealing with them, including advising the Council.

- 37. The EMP shall be certified by Council's Consent Manager and shall be adhered to at all times.
- 38. The EMP shall be reviewed by the Consent Holder yearly for the first two (2) years of the operation of the wharves and then at five (5) yearly intervals thereafter.
- 39. The Consent Holder may offer a review of the EMP at any time to deal with any particular issue that may arise in connection with operation of the wharves and require an amendment to the EMP. Any revised EMP shall be recertified by the Council's Consent Manager.

Review of Consent Conditions

- 40. 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,
 - (i) at monthly intervals during the construction of the redeveloped wharves and associated infrastructure as authorised by this consent,
 - (ii) within one month after the first anniversary of the commencement of the redeveloped wharves use, and
 - (iii) thereafter within one month after each subsequent anniversary, for the following reasons:
 - 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 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:
 - Dust and noise emissions;
 - Juvenile crayfish settlement devices; and
 - Stormwater management and water quality.

Land Use Consent

Wharf 7 Noise Management Plan

41. A Noise Management Plan (NMP) prepared by a suitably qualified and experienced person, shall be submitted to Council's Consent Manager for certification at least 1 month prior to commencement of operations on the redeveloped Wharf 6 and 7 areas. The objective of then NMP is to set out the methods and procedures necessary to ensure that the noise levels from the wharf operations are minimised as far as practicable. The NMP shall include but not be limited to noise mitigation measures such as:
- (i) Maintenance of surfaces to avoid the unnecessary generation of noise from vehicles travelling on rough surfaces
 - (ii) Speed restriction on site for the purpose of noise management and for the reduction of braking and acceleration noise
 - (iii) Methods to prohibit the use of audible warning devices (including reverse alarms) as far as practicable
 - (iv) Vehicle operation guidelines to minimise noise emissions
 - (v) Maintenance of machinery to minimise noise emissions
 - (vi) Education of staff to minimise noise emissions.

Noise Emissions

Essential Port Activities

42. Noise from Essential Port Activities within the Wharf 6 and Wharf 7 areas shall be managed so that the contribution to total cumulative noise from all essential port activities being carried out in the port are compliant with the noise limits set out in Rule 11.12.7.1 of the District Plan (version updated 15 March 2013), except that noise from the wharf areas shall not be assessed within any site zoned Port Management or Heritage Reserve. This exception does not apply to the requirements of Condition 44.

Advice Note: For the purposes of this condition "Essential Port Activities" shall have the same meaning as set out in Chapter 24 of the District Plan (version updated 13 January 2014) "Non-Essential Port Activities" are those activities which are not "Essential Port Activities" as described above.

Non-Essential Port Activities

43. Noise from non-essential Port Activities within the Wharf 6 and Wharf 7 areas shall comply with the following limits at any site zoned Amenity Commercial when measured in accordance with NZS6802:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with NZS6802:2008 Acoustics – Environmental Noise:
- (i) Monday to Sunday 7.00 am to 10.00pm LAeq(15 min) - 60 dB
 - (ii) Monday to Sunday 10.00pm to 7.00am LAeq(15 min) - 50 dB
 - (iii) Monday to Sunday 10.00pm to 7.00am LAm_{ax} - 75 dB
44. The average maximum noise level (L10) as measured at or within the boundary of any site zoned Heritage, Amenity and Recreation Reserve shall not exceed the following limits:
- (i) 75dBA at all times.

Noise Monitoring

45. Within three (3) months of the re-commencement of log vessel and other operations on the Wharf 6 and Wharf 7 areas, monitoring shall be undertaken of short term noise levels (LAeq[15 min] and LAm_{ax}) during representative daytime and night periods when Essential Port Activities and typical Non-essential Port Activities are being carried out. Monitoring results are to be provided to the Consent Authority within two (2) weeks of the results being

available. All noise measurements, assessments and the reporting of measurement results shall be in accordance with the requirements of NZS6801:2008 and NZS6802:2008.

Advice Note: For the purposes of this condition "Essential Port Activities" shall have the same meaning as set out in Part E of the Tairāwhiti Resource Management Plan.

Coastal Permit

Stormwater Discharge into the Coastal Marine Area

46. The stormwater discharge into the coastal marine area (being from the combined Wharfside logyard and Wharf 6/7 area outfall) shall, after reasonable mixing, meet the following standards for Class SC classified water in the Proposed Regional Coastal Environment Plan:
- (i) The natural water temperature shall not be changed by more than 30 Celsius;
 - (ii) 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;
 - (iii) 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
 - (iv) The natural colour and clarity of the waters shall not be changed to a conspicuous extent.

Stormwater Discharge Monitoring

47. The stormwater discharge shall be monitored and reported on to the Council as part of the Wharfside logyard stormwater monitoring programme. Details of the monitoring shall be included in the certified Wharf 6 and Wharf 7 EMP.

Juvenile Crayfish Settlement Devices

48. The Consent Holder shall not less than 2 weeks prior to construction of the reclamations submit to the Council's Consents Manager for certification a confirmed design and deployment plan for crayfish pueruli settlement habitat on the reclamations in conjunction with Dr Andrew Jeffs of Auckland University.
49. The approved design and deployment plan shall be implemented and operational before the first peak crayfish settlement period (May to September) following completion of the reclamations. A report on this matter shall be submitted to the Council's Consents Manager for certification by the end of the following October.
50. The juvenile crayfish settlement devices shall be monitored for a period of 5 years and then reviewed. An annual monitoring report shall be submitted to the Council's Consents Manager by March 31st each year. The monitoring report shall contain information on inspection dates, observations, conclusions on the effectiveness of the devices, and any changes to the devices.

Area of Capital and Maintenance Dredging

51. The capital and maintenance dredging authorised by this consent is generally limited to the Wharf 6 and 7 operating area, shown on WorleyParsons plan submitted with the applications and referenced in Condition 1.

Management of Capital and Maintenance Dredging Operations

- 52. The capital and maintenance dredging operations shall be carried out so that there is no conspicuous change in the colour and visual clarity of the seawater 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.

Sediment Quality Monitoring Programme

- 53. The consent holder shall, annually in February or March, arrange representative sampling and analysis of metals and a metalloid (arsenic) within the sediments to be maintenance dredged. The sampling shall be related to the port wide sediment quality sampling programme involving the three sites shown in the figure below. A Standard Operating Procedure for the sampling and analysis is to be provided to the Council before provided the work is undertaken.



Maintenance Dredging Area & Sediment Sampling Sites

- 54. The sediment sampling and analysis shall involve the metals and metalloid (arsenic) identified in Table 1 below. The results shall be carried with reference to the ANZECC Guidelines for Marine Water Quality 2000 Table 3.5.1 Recommended Interim Sediment Quality Guidelines – Low Trigger Value also listed below in order to assess the suitability of the dredged sediments for offshore disposal.

Table 1: ANZECC Marine Water Quality Guidelines

Parameter	Recommended Interim Sediment Quality Guidelines (ISQG) Low Trigger Value (mg/kg)
Arsenic	20
Cadmium	1.5
Chromium	80
Copper	65
Lead	50
Mercury	0.15
Nickel	21

Silver	1
Zinc	200

Advice Note: The ISQG - Low guideline values 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 as outlined in clauses (e) and (f).

55. All sampling and analysis shall be carried out by suitably qualified independent contractors and analytical laboratories approved by the consent authority 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.
56. A report presenting and interpreting the results of each sediment metals and metalloids monitoring survey with reference to the ANZECC trigger value guidelines shall be prepared by an independent contractor(s), and a copy forwarded to the consent holder, the Council and Port Community Liaison Group within 20 working days of completion of the laboratory analysis.
57. Where an ANZECC trigger value guideline is exceeded in a particular survey, further sampling shall be undertaken to verify the exceedance and background concentrations in other parts of Poverty Bay will be established. If background levels in other parts of Poverty Bay are also above the trigger value guideline then no further action is required. If the background levels are below the trigger value guideline limit, then 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.
58. Where an ANZECC trigger value guideline is exceeded in two or more surveys and for which background levels do not also exceed the guideline sediment limit, then a sediment quality survey shall be undertaken to representatively determine metal concentrations in the sediments at the Offshore Disposal Ground (ODG). The results of the ODG survey shall be reported to the Council within 20 working days of completion of the laboratory analysis. The report shall assess the significance of the results in relation to the continued use of the ODG, along with any recommended measures to avoid remedy or mitigate any adverse effects that are assessed to be of a more than minor nature.

Annual Capital and Maintenance Dredging & Disposal Report

59. The consent holder shall submit to the Council and the Port Community Liaison Group before the 30th of June each year a report on the years capital and maintenance dredging and disposal operations, along with the results of the sediment and water quality monitoring required under the specific conditions of these consents.

Review of Sediment and Water Quality Monitoring Programme

60. The consent holder may as part of the any sediment or water quality monitoring report submitted to the Council request changes to the nature of the testing, analysis and reporting to the Council where the concentrations of metalloids/metals have over a significant period of time been consistently below the ANZECC guideline trigger values.

Advice Note: This condition is simply intended to enable the consent holder to not test for certain parameters where they are consistently below the ANZECC trigger value guidelines. They are not intended to give the consent holder the ability to alter the

frequency of the testing nor the ANZECC trigger values, which can only be changed through an application under Section 127 of the RMA.

Limits on Night Time Noise Emissions

61. The noise emitted by capital and maintenance dredging activities occurring between 10pm and 7am the following day shall comply with the following limits;
- (i) The average sound level (L_{eq}) shall not exceed 60dBA when measured at any point beyond the 65dBA noise contour depicted within the figure below from the Tairawhiti Resource Management Plan; and
 - (ii) The night time maximum sound level (L_{max}) shall not exceed 85dBA at any point beyond the 65dBA noise contour depicted within the figure below from the Tairawhiti Resource Management Plan.

The measurement and assessment of noise emissions shall be in accordance with NZS 6809:1999 Acoustics - Port Noise Management and Land Use Planning.



Tairawhiti Resource Management Plan 65dBA Noise Contour Map

Area of Dredgings Disposal

62. All dredged material shall be disposed of within the Offshore Spoil Disposal Ground identified by the following NZTM co-ordinates and shown in the figure below.

Northings	Eastings
5703102	2032605
5704450	2034095
5702065	2034417
5702583	2034951



Offshore Spoil Disposal Ground Plan

Spread of Dredged Material

63. The dredged material shall be evenly discharged so as to spread over the Offshore Spoil Disposal Ground 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 annually by the 31st of October in the year in which the disposal occurs until this consent expires.

Management of Dredge Disposal Operations

64. 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.

Disposal Ground Surveys and Monitoring

The conditions are expected to be the same as the current maintenance dredging and disposal consents, subject to any refinements arising from the current MetOceans investigations (expected to be completed this year and further advice provided)