

OTAGO REGIONAL COUNCIL

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of an application by
Port Otago Limited for
resource consents for
Project Next Generation

**CONDITIONS ATTACHED TO
DECISION OF COMMISSIONERS APPOINTED BY OTAGO
REGIONAL COUNCIL AND MINISTER OF CONSERVATION**

Volume 2 of 2

17 June 2011

Commissioners:

John Lumsden, Chair (Christchurch)
Hugh Leersnyder (Auckland)
Michael Johnston (Nelson)

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991 the Otago Regional Council grants consent to:

Name: Port Otago Limited

Address: 15 Beach Street, Port Chalmers, Dunedin

Purpose: for a coastal permit for the discharge into the Pacific Ocean of up to a maximum of 450,000 m³ per year of dredging spoil;

and

for disposal of dredging spoil derived from authorised dredging in and about the Otago Harbour in accordance with the following specific maximum annual discharge quantities at each location:

- Heyward Point Spoil Relocation area (200,000 m³)
- Aramoana Spit Relocation area (200,000 m³)
- Shelly Beach Renourishment area (50,000 m³)

Term: Expires on on 1 December 2011.

Location:

(i) Heyward Point 45° 45.07'S 170° 42.09'E
45° 44.95'S 170° 42.27'E
45° 44.44'S 170° 41.78'E
45° 44.63'S 170° 41.60'E (Area 38.2 ha approx.)

(ii) Aramoana Spit 45° 45.18'S 170° 42.74'E
45° 46.05'S 170° 42.93'E
45° 45.72'S 170° 42.47'E
45° 46.04'S 170° 42.47'E (Area 28.3 ha approx.)

(iii) Shelly Beach 45° 46.82'S 170° 42.56'E
45° 46.65'S 170° 42.79'E
45° 46.75'S 170° 42.96'E
45° 46.95'S 170° 42.77'E (Area 14.5 ha approx.)

Conditions:

1. Material discharged at the Shelly Beach renourishment area shall not be derived from any further up Otago Harbour than Taylers Bend, being that portion of the channel adjacent to Tayler Point, and, as far as is practicable, be only discharged on an ebb tide.
2. Material discharged shall only be derived from dredging that is authorised by the Coastal Plan or by a resource consent.
3. Any dredging spoil containing rock material (including spoil derived from removal of rotten rock ridges off Beach Street, Port Chalmers, Rocky Point or Acheron Head) shall only be discharged at the Heyward Point disposal site.

4. Except for rock material as specified in Condition 3 of this consent, material discharged from dredging activities undertaken in accordance with Consents 2010.193 & 2010.194 over any 12 month period shall contain a minimum of 90% sand.
5. Within 3 months of the commencement of this consent the consent holder shall commission a study by a suitably qualified person or organisation of sediment transport paths covering the coast between Taiaroa Head and Karitane Peninsula and the likely direction and rate of movement of the deposited dredgings. This study shall include a recommendation on any ongoing monitoring requirements. Prior to the study commencing the design of the study shall be presented to the consent authority for their approval. The study is to be reported in stages and to be completed within three years.
6. Within 3 months of the commencement of this consent the consent holder shall commission a study by a suitably qualified person or organisation to determine the relationship between dredging disposal at the Shelly Beach location and accretion of the beach. This study shall include a recommendation on any ongoing monitoring requirements. Prior to the study commencing the design of the study shall be presented to the consent authority for their approval. The study is to be reported in stages and to be completed within 3 years.
7. Within 3 months of the commencement of this consent the consent holder shall commission a study by a suitably qualified person or organisation of the effects on biota of dredge spoil dumping at and about the dumping sites. Prior to the study commencing the design of the study shall be presented to the consent authority for their approval. The study is to be reported in stages and to be completed within 3 years. The study shall include but not be limited to;
 - (a) an assessment of the effects on species diversity;
 - (b) an assessment of the effects on the number of each species; and
 - (c) recommending an ongoing biological monitoring programme.
8. The consent holder shall carry out the following monitoring of the exercise of this consent:
 - (a) The quantity of material discharged at each of the three disposal locations, the nature and type of this material, the areas from which the material was derived and the state of the tide when the material was dumped.
 - (b) The monitoring recommended in Conditions 5, 6, and 7.
9. All sampling and analyses undertaken in connection with this permit shall be performed by an IANZ registered laboratory or otherwise as specifically approved by the consent authority.
10. The consent holder shall establish a formal Working Party including representatives of Te Runanga Otakou, Kati Huirapa Runanga ki Puketeraki, Department of Conservation and Otago Regional Council which shall meet at least annually to discuss and review the annual monitoring report as specified under Condition 11 of this permit.

11. The consent holder shall provide a report to the consent authority every twelve months. This report shall include but not be limited to the following:
 - (a) Progress reports on the studies required in Conditions 5, 6, and 7 of this consent.
 - (b) Results of any monitoring done in the previous 12 months as required in Condition 8.
 - (c) Outcomes of the working group meetings over the previous 12 months.
 - (d) Recommendations on monitoring for the next 12 months.
 - (e) Recommendations on any mitigation required for any adverse effects that have arisen over the previous 12 months that are attributable to dredge spoil dumping.
12. At yearly intervals after the first 5 years of exercise of this permit the consent holder may, pursuant to Section 127 of the Resource Management Act 1991, apply to the consent authority for a review of the conditions for the purpose of determining whether the monitoring required under this consent should be changed.
13. The consent authority may within three months of each anniversary of the date of this consent, or within three months of receiving monitoring results under Condition 11 in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent for the purpose of determining if the conditions of this consent are adequate to deal with any adverse effects on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.

Issued at Wellington this 31st day of January 2002.

Reissued at Dunedin this..... day ofto reflect a variation to Conditions 2 and 4, the deletion of Condition 3 and the insertion of new Conditions 5 and renumbering of the remainder of conditions, together with minor typographical updates.

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To disturb and remove dredge material from the foreshore and seabed for the purpose of deepening and widening the Lower Harbour channel and the Port Chalmers swinging and berthing areas.
- Term:** Twenty (20) years from the date of commencement in accordance with s116 of the Resource Management Act 1991.
- Location:** Otago Harbour entrance channel from the Landfall Tower approximately 2.4 kilometres north of Tairaroa Head to the Port Chalmers swinging basin-
- Legal description:** Crown Land Seabed, Otago Harbour, Bed of Otago Harbour DP 3904, Sec 52 Blk I Lower Harbour West SD.
- Map reference:** Between approximately NZTM 2000 4931086N 1423206E and NZTM 2000 4923932N and 1415958E.
- Chart Reference:** Between approximately WGS84 (Chart) 45°45'04" S 170°43'37" E and 45°48'49" S 170°37'52" E.

Conditions:

Specific

1. This consent shall be exercised together with Consent 2010.195 and 2010.198.
- 1A For the purposes of these conditions the following definitions apply:
 - (a) "Incremental Capital Works" means dredging and ancillary works using trailing suction dredges each with a capacity of no more than 1000 cubic metres and/or a grab dredge or back hoe with capacities each of no more than 10 cubic metres, and includes maintenance dredging that is otherwise not permitted by the Regional Plan: Coast and a resource consent for disposal of maintenance dredging material, provided that the total annual quantity of dredge material from Incremental Capital Works is no more than 1.45 million cubic metres.
 - (b) "Major Capital Works" means dredging and ancillary works that are not Incremental Capital Works or part of the Maintenance Programme.

- (c) The definitions of Incremental Capital Works and Major Capital Works above do not include vessels navigating the shipping channel to or from dredging or disposal areas.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 – Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 13 of this consent. If there is an inconsistency the conditions and terms of this consent shall prevail. Specific supporting documents include those attached as Appendices 1, 2, 3, 4, 5 and 6 to this Coastal Permit.
4. The maximum deepening of the specified harbour channel, berths and swinging areas, including the over dredging allowance, authorised by this consent and shown in Appendices 1 and 5 are:
 - (a) Approach Channel – from the Landfall Tower to 2,500 chainage - to a depth of 18.5 metres below chart datum (17.5 metres declared depth plus 1.0 metre overdredge allowance);
 - (b) Lower Harbour Channel – from 2,500 chainage to 6,600 chainage - to a depth of 16.5 metres below chart datum (16.0 metres declared depth plus 0.5 metre overdredge allowance);
 - (c) Lower Harbour Channel from 6,600 chainage Port Chalmers and including the Port Chalmers Basin - to a depth of 15.5 metres below chart datum (15.0 metres declared depth plus 0.5 metre overdredge allowance); and
 - (d) Berths at the Multi-purpose Wharf – to a depth of 18.5 metres below chart datum prior to establishment of the rock buttress. After the rock buttress is constructed the depth shall be no more than 16.5 metres below chart datum (15.0 metre declared depth plus 1.5 metre overdredge and siltation allowance).
5. The maximum width of the specified harbour channel invert between the toe-lines, berths and swinging areas, at the maximum depths specified in Condition 4 above, authorised by this consent and shown in Appendices 1 and 5 are:
 - (a) Approach Channel – from the Landfall Tower to 2,500 chainage - to a maximum width of 250 metres measured perpendicular to the centreline;
 - (b) Lower Harbour Channel – from 2,500 chainage to 3,700 chainage - to a maximum width of 200 metres measured perpendicular to the centreline;
 - (c) Lower Harbour Channel – from 3,700 chainage to 6,500 chainage - to a maximum width of 255 metres measured perpendicular to the centreline;

- (d) Lower Harbour Channel – from 6,500 chainage to 11,500 chainage - to a maximum width of 200 metres measured perpendicular to the centreline; and
 - (e) Lower Harbour Channel – from 11,500 chainage to Port Chalmers and including the Port Chalmers Basin - to a maximum width of 530 metres measured perpendicular to the centreline.
6. The consent holder shall operate the dredging plant in accordance with the Environmental Management Plan, developed in accordance with Condition 13 of this consent.
 7. The consent holder shall not undertake Incremental Capital Works or Major Capital Works in the area adjacent to Taiaroa Head, and shown in Appendix 6 of this consent, between the 20 December and 10 January in the following year (inclusive).
 8. The consent holder shall not undertake Incremental Capital Works or Major Capital Works in the area adjacent to Taiaroa Head, and shown in Appendix 6 of this consent, between 1 October to 30 November and 1 January and 14 February of each year, except with the approval of the consent authority in consultation with the Department of Conservation.
 9. If the migratory population of godwits are present in the immediate area of the Aramoana sand flats shown in Appendix 6 of this consent, during the period 1 February to 31 March of each year, then Major Capital Works in the vicinity of the Aramoana sand flats are to be undertaken only when the tidal height is above half-tide (>1.0 metre above Chart Datum), except with the approval of the consent authority in consultation with the Department of Conservation.
 10. All activities other than Major Capital Works or the use of explosives shall comply with NZS 6803:1999 Construction Noise Standard.
 11. Major Capital Works between the hours of 7.30 am and 8.00 pm during weekdays and 7.30 am and 6.00 pm on Saturdays shall comply with NZS 6803:1999 Construction Noise Standard. At other times the dredge equipment shall operate such that the Construction Noise Standard night time level of 45 dBA L_{eq} shall not be exceeded within 15 metres of a residential dwelling, except:
 - (a) Where the residential dwelling has been acoustically treated; or
 - (b) Where the occupier of the residential dwelling has consented in writing to the work taking place.
 12. The consent holder shall measure the tidal height and associated currents in the following manner:
 - (a) For tidal height:
 - (i) From existing gauging stations at Dunedin, Port Chalmers and Spit;
 - (ii) These measurements shall be taken continuously throughout the Incremental Capital and Major Capital Works, and for at least one year following completion of dredging; and
 - (b) For current measurements:

- (i) At or near the Port Chalmers Swinging basin; and at Beacon Pile 1A opposite Harington Point.
- (ii) These measurements shall be taken at the commencement of Incremental Capital Works, throughout Major Capital Works, and periodically for at least one year following completion of dredging.
- (iii) The duration of the measurement shall be of sufficient time to accurately determine the tidal current regime.

Performance Monitoring

13. The consent holder shall prepare an Environmental Management Plan addressing both Incremental and Major Capital Works authorised by this consent, in consultation with the consent authority, and submit for review to the consent authority at least one month prior to any works commencing. The consent authority's review is for the purpose of certifying compliance and consistency with the consent conditions. The objectives of the Environmental Management Plan shall be to incorporate industry best practice, guide environmental management for the duration of consented activities, and to establish measures to avoid, remedy or mitigate any adverse environmental effects associated with consented activities. The Environmental Management Plan shall include, but not be limited to:

- (a) a list of key personnel and points of contact during the project;
- (b) a description of how stakeholders shall be kept informed and involved during the project and how complaints will be managed;
- (c) a description of the staging plan for the project, identifying the works and proposed duration of each stage;
- (d) a description of the dredging and disposal methodology;
- (e) a detailed monitoring plan that describes the scale and intensity of monitoring of potential adverse effects of the dredging on water quality, marine biota, coastal processes (including the potential effects on nationally recognised surf breaks) and noise for both Major Capital Works and Incremental Capital Works;
- (f) a description of what actions will be taken to adaptively manage the actual or potential effects of consented activities (including relating to noise, contamination, water quality, bathymetry, aquatic communities, and use of explosives) to satisfy consent conditions;
- (g) a summary and timetable of all reporting required under this Coastal Permit, Coastal Permits 2010.195 and 2010.198 and the Environmental Management Plan and the relevant periods that they cover;
- (h) the allocation of responsibility for updating the plan should future amendments be required; and
- (i) any items required to be included in an Environmental Management Plan from Coastal Permits 2010.195 and 2010.198.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

14. The consent holder shall:
 - (a) Prepare a report on the blasting methodology which shall include the programme and methodology for undertaking blasting works authorised by this consent. The methodology shall be approved by a suitably qualified expert and provided to the consent authority for review a minimum of one month before the commencement of blasting activities.
 - (b) Notify the consent authority in writing of the intention to undertake each campaign of blasting works at least one month before the commencement of blasting activities, specifying expected dates of commencement and duration.
15. The consent holder shall provide the consent authority with written notice of the intention to commence Incremental Capital Works authorised by this consent no less than one month before the work commences.
16. The consent holder shall provide the consent authority with written notice of the intention to commence Major Capital Works authorised by this consent no less than one month before the work commences.
17. The consent holder shall, prior to exercising the consent, provide the consent authority with a Dredging and Disposal Schedule containing details of:
 - (a) the intention to commence (or continue) dredging;
 - (b) the areas to be dredged;
 - (c) the periods during which dredging is expected to occur;
 - (d) a description of the equipment to be used for the dredging; and
 - (e) any restrictions that will apply to navigation during the dredging.

The schedule shall be updated:

- (a) monthly during Incremental Capital works; and
 - (b) ten days before the start of any Major Capital Works and monthly during those works.
18. The consent holder shall forward to the consent authority within three months of completion of the Major Capital Works, and annually for the Incremental Capital Works, a report summarising the results of all reporting that is required under this consent, Coastal Permits 2010.195 and 2010.198 and the Environmental Management Plan for the relevant periods. This should clearly focus on assessing the actual effects on the environment as a result of all works.
19. Within two years of completion of all Incremental and Major Capital works, the consent holder shall submit to the consent authority a report outlining the results of the tidal height and currents monitored in accordance with Condition 12 of this consent, and discuss any trends in the data and any identifiable links to the capital works that were undertaken.
20. The consent holder shall undertake bathymetric surveys of the foreshore and seabed and intertidal flats within the Lower Harbour at the locations specified in Appendix 5 of this consent. All bathymetric surveys shall have an accuracy of

0.1 metre vertically. If additional surveys or a different survey pattern is developed and contained within the Environmental Management Plan, this is to be in addition to the requirements of this consent. The bathymetric surveys shall be undertaken:

- (a) prior to the commencement of any Incremental Capital Works;
- (b) annually during Incremental Capital Works;
- (c) within six months of the completion of Incremental Capital Works;
- (d) within the period six months prior to the commencement of Major Capital Works;
- (e) every six months during the Major Capital Works; and
- (f) within six months of the completion of all Major Capital Works.

The results of each survey shall be submitted to the consent authority within three months of the survey being undertaken.

- 21. By 1 December 2030, the consent holder shall submit a report to the consent authority that summarises the results of all bathymetric surveys undertaken in accordance with this consent and shall clearly indicate the degree of change to the foreshore and seabed as a result of the discharges authorised by this consent and detail the actual effects on the environment of the works.
- 22. The consent holder shall maintain a record of the following information for the incremental and major capital works dredging works:
 - (a) Volume of dredged material removed in each episode.
 - (b) GPS location or chart reference of each disposal event and the associated disposal site.
 - (c) Cumulative total volumes of dredged material disposed of from the issue of this consent.
 - (d) GPS location and chart reference of the area (including start and end points) of the dredging where the material is sourced.
 - (e) The date and time of dredging and the associated disposal.

The record shall be kept and submitted to the consent authority in report format on a five yearly basis (with the first report required by 1 March 2016) and at anytime on request.

- 22A Prior to any incremental or capital dredging within 200 metres of the Long Mac groyne commencing, the consent holder shall undertake research into the coastal processes and the function of Long Mac as it was immediately after its construction, and as it is now. If the research indicates that Long Mac has been or is working to provide protection to either the spit tip, Aramoana Ecological Area or maintain alignment of the harbour channel, then the consent holder shall apply for any necessary approvals and, if granted, undertake works necessary for the Long Mac to continue in this function without compromise to its structural integrity with a deepened channel.

General

- 23. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present at the consent holder's

office and on the dredge/s carrying out the works at all times while the work is being undertaken.

24. The consent holder shall limit the use of explosives to between the hours of 7.30 am and 6.00 pm, Monday through Saturday, with no blasting to take place on Sundays.
25. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
26. During the exercise of this consent, the consent holder shall ensure that the effects of the Incremental and Capital Works on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
27. The consent holder shall ensure that no fuel or oils enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall immediately notify the consent authority.
28. If the consent holder:
 - (a) Discovers koiwi tangata (human skeletal remains), or Maori artefact material, the consent holder shall without delay:
 - (i) Notify the tangata whenua and New Zealand Historic Places Trust and, in the case of skeletal remains, the New Zealand Police.
 - (ii) Stop work within the immediate vicinity of the discovery to allow a site inspection by the New Zealand Historic Places Trust and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive; if a thorough site investigation is required, and whether an Archaeological Authority is required.
 - (iii) Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation.

Site work shall not recommence until authorised by the consent authority, following consultation with the New Zealand Historic Places Trust, tangata whenua, and in the case of skeletal remains, the NZ Police, provided that any relevant statutory permissions have been obtained.

- (b) Discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) Stop work within the immediate vicinity of the discovery or disturbance; and
 - (ii) Advise the New Zealand Historic Places Trust, and in the case of Maori features or materials, the tangata whenua, and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and

- (iii) Arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work shall not recommence until authorised by the consent authority.

29. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
- (a) ensuring that the monitoring regime is appropriate; or
 - (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage. Including, but not limited to:
 - (i) the effects of the exercise of this consent on the ecology and water quality of the Otago Harbour; or
 - (ii) the effects of the exercise of this consent on the ecology and water quality of the offshore areas of the Pacific Ocean; or
 - (iii) the appropriate mitigation of the environmental effects of the activity having regard to the available dredging technology; or
 - (iv) the appropriate mitigation of the environmental effects of the activity having regard to the available deposition technology; or
 - (c) addressing the contents of the Environment Management Plan; or
 - (d) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Consultation

- 30 Within three months of the commencement of this consent, the consent holder shall invite a cross section of the Lower Harbour and Otago coastal communities and organisations, generally as described in Section 8.2 of the Assessment of Environmental Effects lodged in support of this consent, to form the “Project Consultative Group” (PCG).
- (a) The purpose of the PCG is to facilitate consultation between the wider users of Otago Harbour and its surrounds and the consent holder during the Incremental Capital and Major Capital Works.
 - (b) The consent holder shall invite members of the PCG to meetings as follows:
 - (i) Annually to discuss and review the monitoring reports produced under the relevant sections of condition(s) of this consent for the Incremental Capital Works;
 - (ii) At monthly intervals during the undertaking of the Major Capital Works.
 - (c) The PCG meetings shall be conducted in accordance with the consultation section of the Environment Management Plan.
 - (d) The consent holder shall invite representatives of the consent authority to all meetings of the PCG.
 - (e) The consent holder shall keep minutes of the meetings held in accordance with clause (c) and shall forward them to all attendees.

- (f) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the PCG at the meetings held in accordance with clause (c).

Kai Tahu Engagement

31. Within three months of the commencement of this consent, the consent holder shall invite representatives of the local hapu, iwi and the East Otago Taiapure Committee to join a “Manawhenua Consultation Group” (MCG).

- (a) The purpose of the MCG, the meetings that will be held with the MCG, and the consent holder’s obligations to the MCG shall be described in the consultation section of the Environmental Management Plan but shall be designed to:
 - (i) Facilitate consultation between the MCG and Port Otago Ltd during the Incremental and Major Capital Works.
 - (ii) Consult the MCG on the design of the monitoring programmes, including the development of cultural health indicators for key species of importance to Kāi Tahu.
 - (iii) Review monitoring reports during and after completion of the Incremental and Major Capital Works. If necessary technical expertise shall be made available by the consent holder to interpret the monitoring data.
 - (iv) Identify methods to avoid, remedy or mitigate any adverse effects of Project Next Generation on the cultural values, interests, and associations of the MCG with the Otago Harbour and Te Tai o Arai Te Uru (Otago Coastal Marine Area).
- (b) The consent holder shall, not less than three months before, and at least once every three months when Major Capital works are being undertaken in accordance with this resource consent and Consent 2010.193, invite the MCG to a meeting to discuss any matter relating to the exercise and monitoring of the consents.
- (c) The consent holder shall, in complying with the notification requirements of this consent to the consent authority, or when monitoring or research activities are being planned, or when results are to be submitted in accordance with this resource consent, invite the MCG to a meeting to discuss any matter and share this information prior to submitting the information to the consent authority. The information shall be provided to the MCG sufficiently in advance of the meeting so that the MCG has time to review and consider it.
- (d) Notwithstanding clause (b) and clause (c) the consent holder shall, at least once per calendar year, invite representatives of the consent authority and the MCG to a meeting to discuss any matter relating to the exercise and monitoring of this consent. At this time the consent holder shall, in addition to any matters relating to the exercise and monitoring of this consent, use its best endeavours to inform the MCG of the likely dredging to be undertaken in the following year.
- (e) The consent holder shall keep minutes of the meetings held in accordance with clause (b), (c) and (d) and shall forward them to all attendees.
- (f) The meetings required by clause (b), (c) and (d) need not occur if the MCG notify the consent holder (for clause (b), (c) and (d)) and the consent authority (for clause (d)) that the meeting is not required.

- (g) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the MCG concurrently with them being submitted to the consent authority.

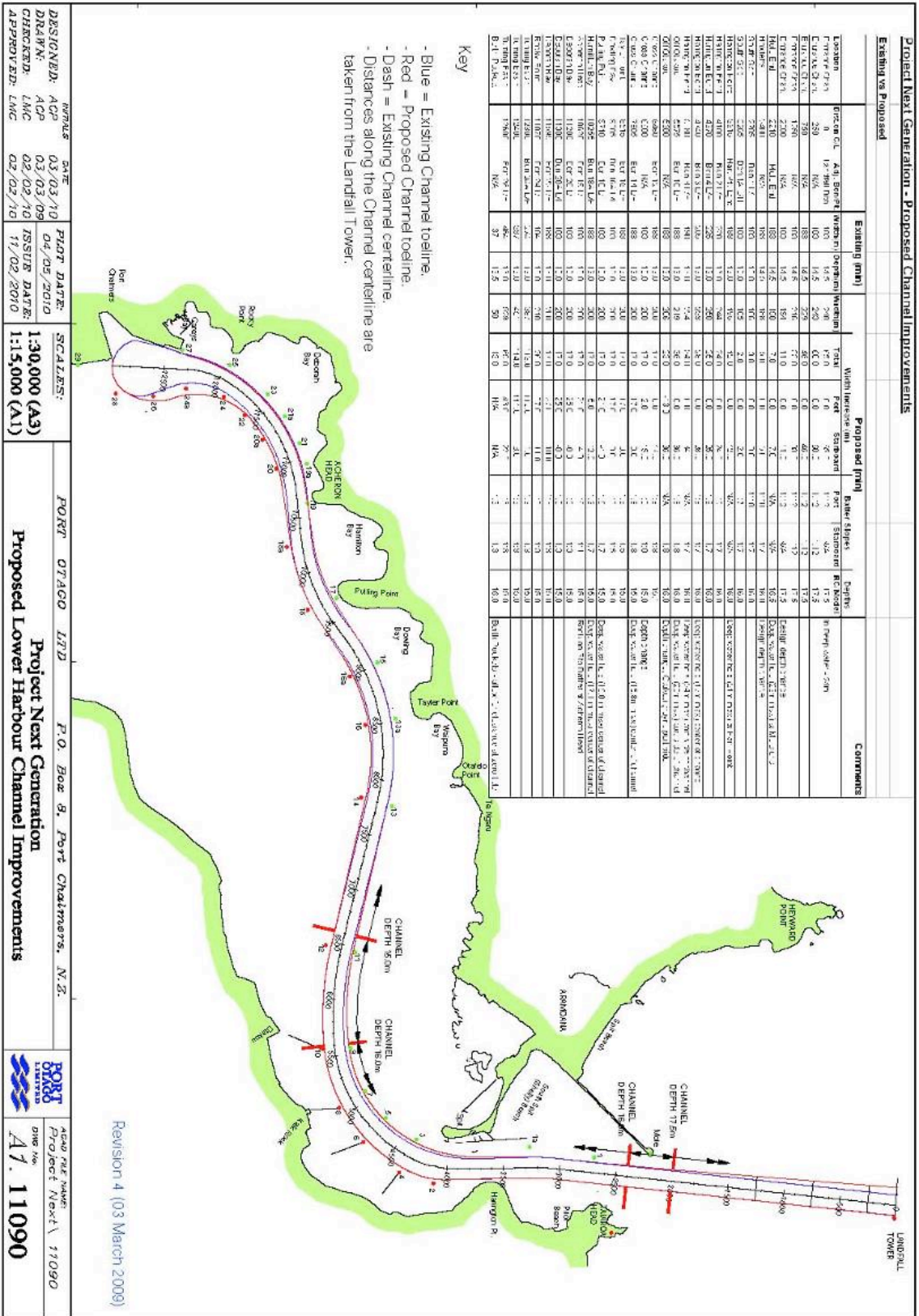
Technical Group

- 32. (a) The consent holder shall establish a Technical Group with the following brief:
 - (i) to meet and receive monitoring data and reports from the physical and biological monitoring undertaken as part of Project Next Generation dredging, and present and future maintenance dredging;
 - (ii) on an ongoing basis to evaluate the physical and biological impacts of the Project Next Generation on the Lower Otago Harbour and the receiving waters offshore on an ongoing basis;
 - (iii) to make recommendations to the consent holder and/or the consent authority on management actions to ameliorate the adverse effects of dredging and disposal as part of the Project Next Generation project; and
 - (iv) to make recommendations to the consent holder and/or the consent authority on appropriate changes to the physical and biological monitoring framework to ensure that it delivers timely focused results for the improved management of the project.
- (b) Changes to the Environmental Management Plan in response to recommendations of the Technical Group shall be reasonably considered by the consent holder and implemented to the extent practicable. Any changes to the Environmental Management Plan shall be submitted to the consent authority to ensure that it complies with the conditions of consent.
- (c) The Technical Group shall have but not be limited to the following membership:
 - (i) representatives of Otakou and Puketeraki runanga;
 - (ii) a representative of the Department of Conservation;
 - (iii) a representative of Port Otago Limited; and
 - (iv) a representative of Otago Regional Council.
- (d) A suitably qualified technical representative nominated by the local fishing industry shall be invited to be a member of the Technical Group. The Technical Group may also co-opt additional members to ensure that it has the requisite skills to be able deliver on its brief.
- (e) The Technical Group shall be serviced by the consent holder and shall meet as frequently as necessary, but not less than yearly, to undertake its functions listed in subsection (a) of this condition.

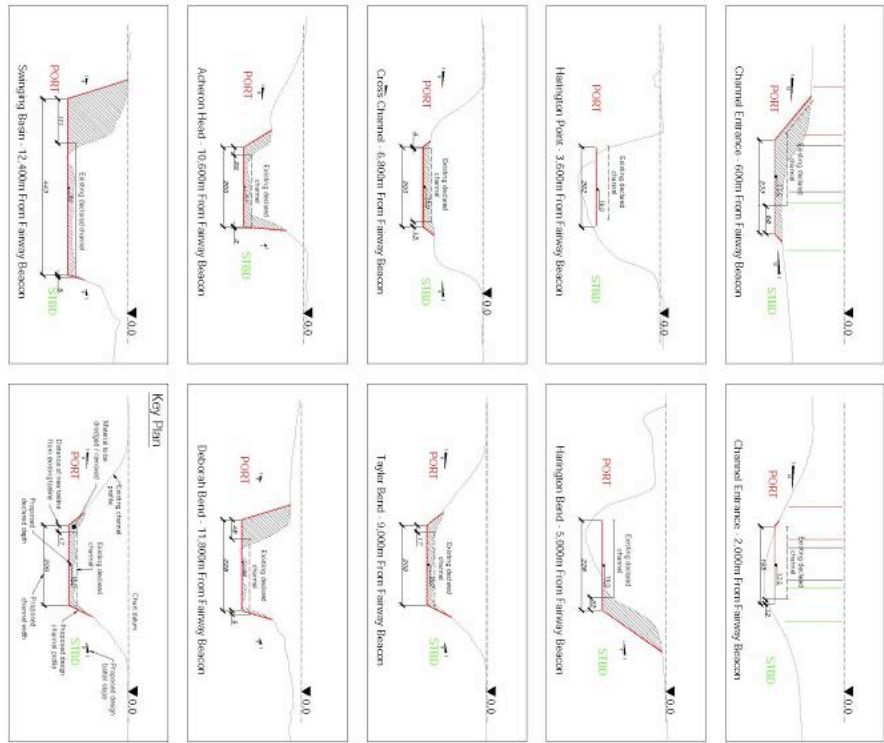
The reports described in 32(a) above are those specified under the conditions of the following consents.

- (a) 2000.472_VI, Condition 11;*
- (b) 2010.193, Conditions 18, 20 and 21;*
- (c) 2010.194, Conditions 9, 11 and 12;*
- (d) 2010.195, Conditions 11, 12 and 13*
- (e) 2010.197, Condition 8; and*
- (f) 2010.198, Conditions 9,10,11,12, 13 and 13A.*

Appendix 1 Coastal Permit 2010.193 Monitoring Locations for turbidity meters plan A1 11251



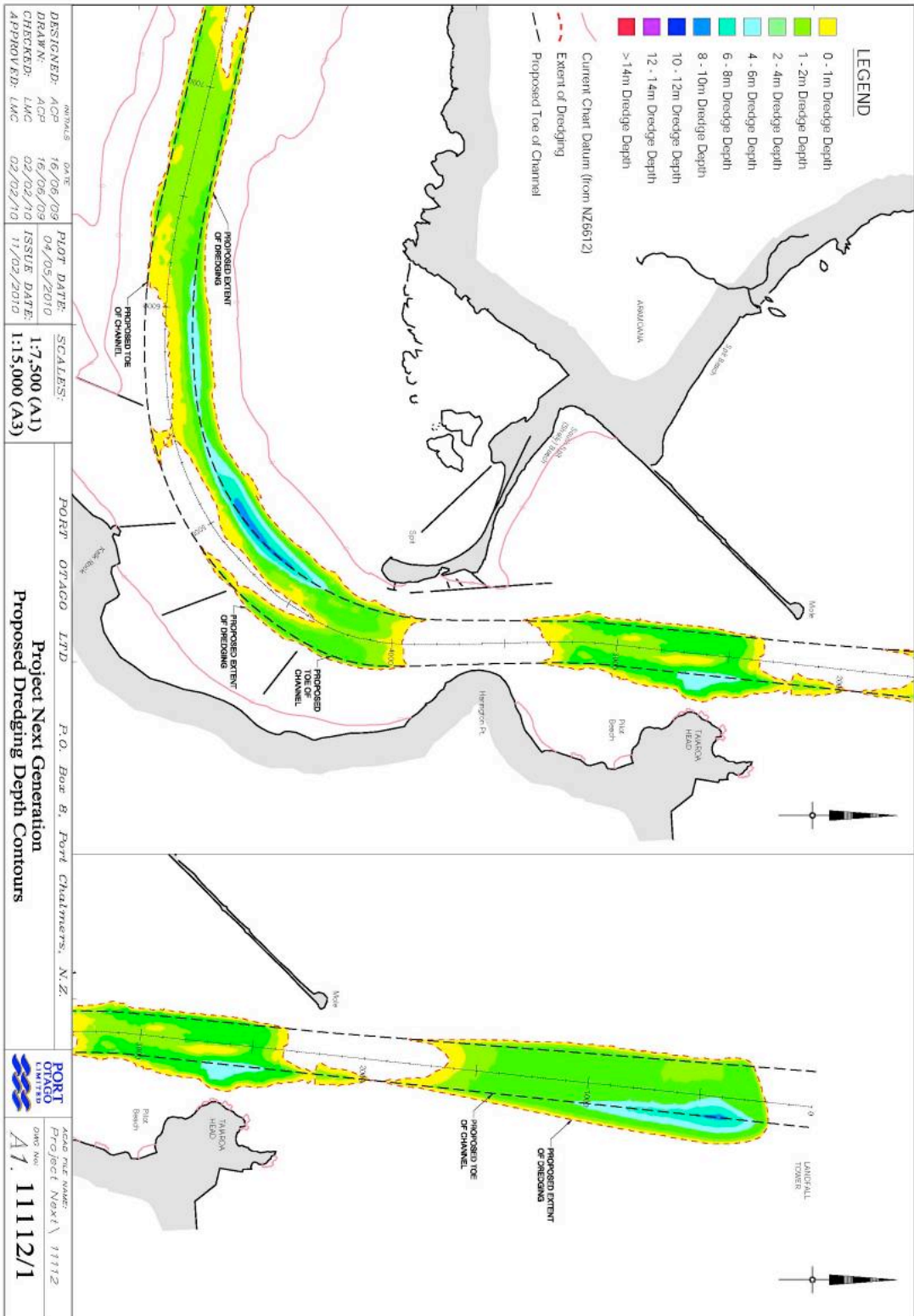
Appendix 2 Coastal Permit 2010.193 Proposed Channel Design – Typical Cross sections Plan 11090/1



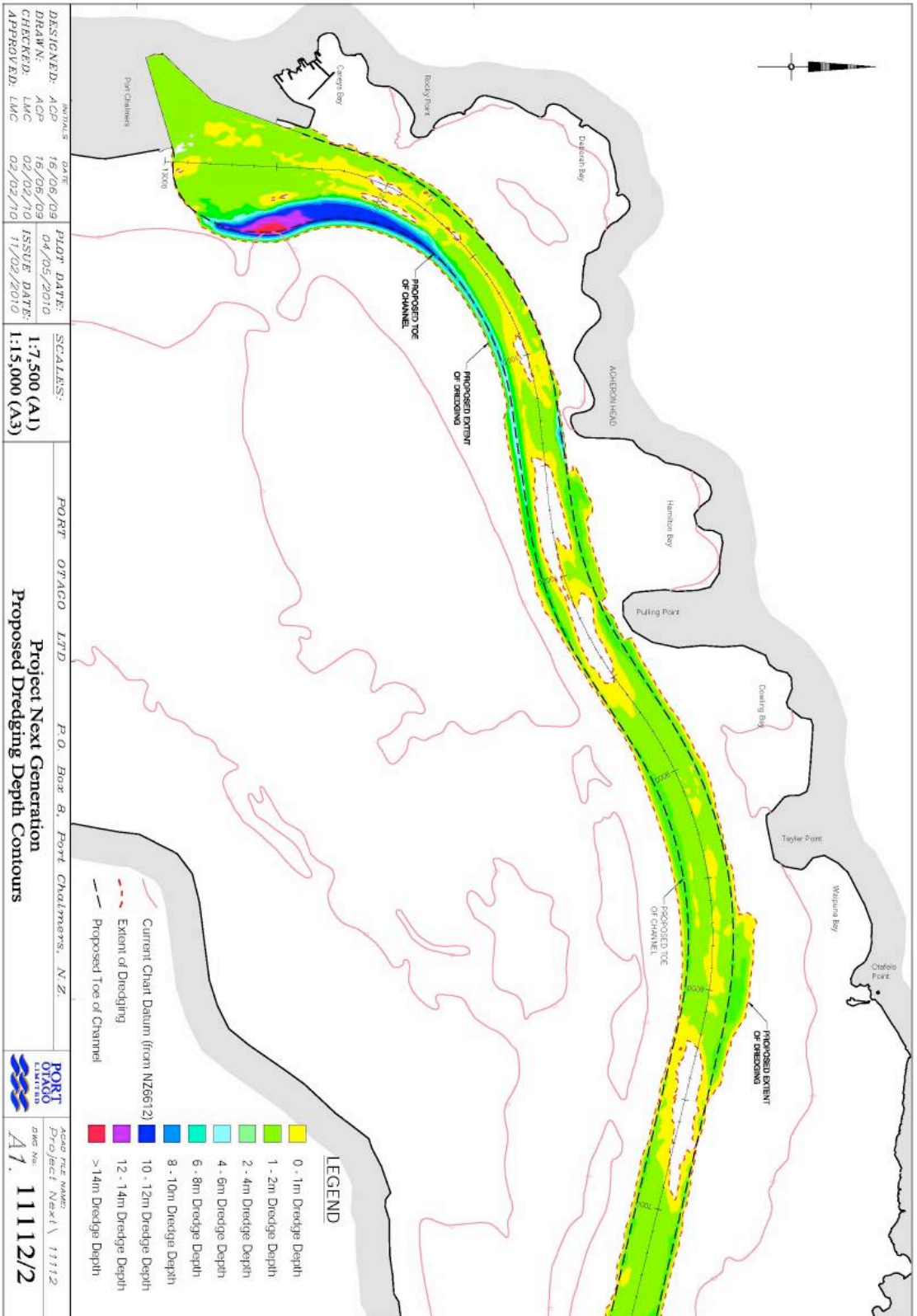
Vertical Exaggeration 10x

DESIGNER: ACP DRAWN: LMC CHECKED: LMC APPROVED: LMC	DATE: 25/03/09 DATE: 04/05/2010 DATE: 11/02/2010	PILOT DATE: 04/05/2010 ISSUE DATE: 11/02/2010	SCALES: 1:5000 Ht (A1) 1:5000 Vt (A1)	PORT OF ACO LTD Project Next Generation Proposed Design Channel - Typical Claim Cross Sections	F.O. Boe B, Port Chalmers, N.Z.		ACOO REF: NAKO Project Next 11090_1 SHEET NO: 41. 11090/1
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Appendix 3 Coastal Permit 2010.193 Proposed Dredging Depth Contours Plan 11112/1

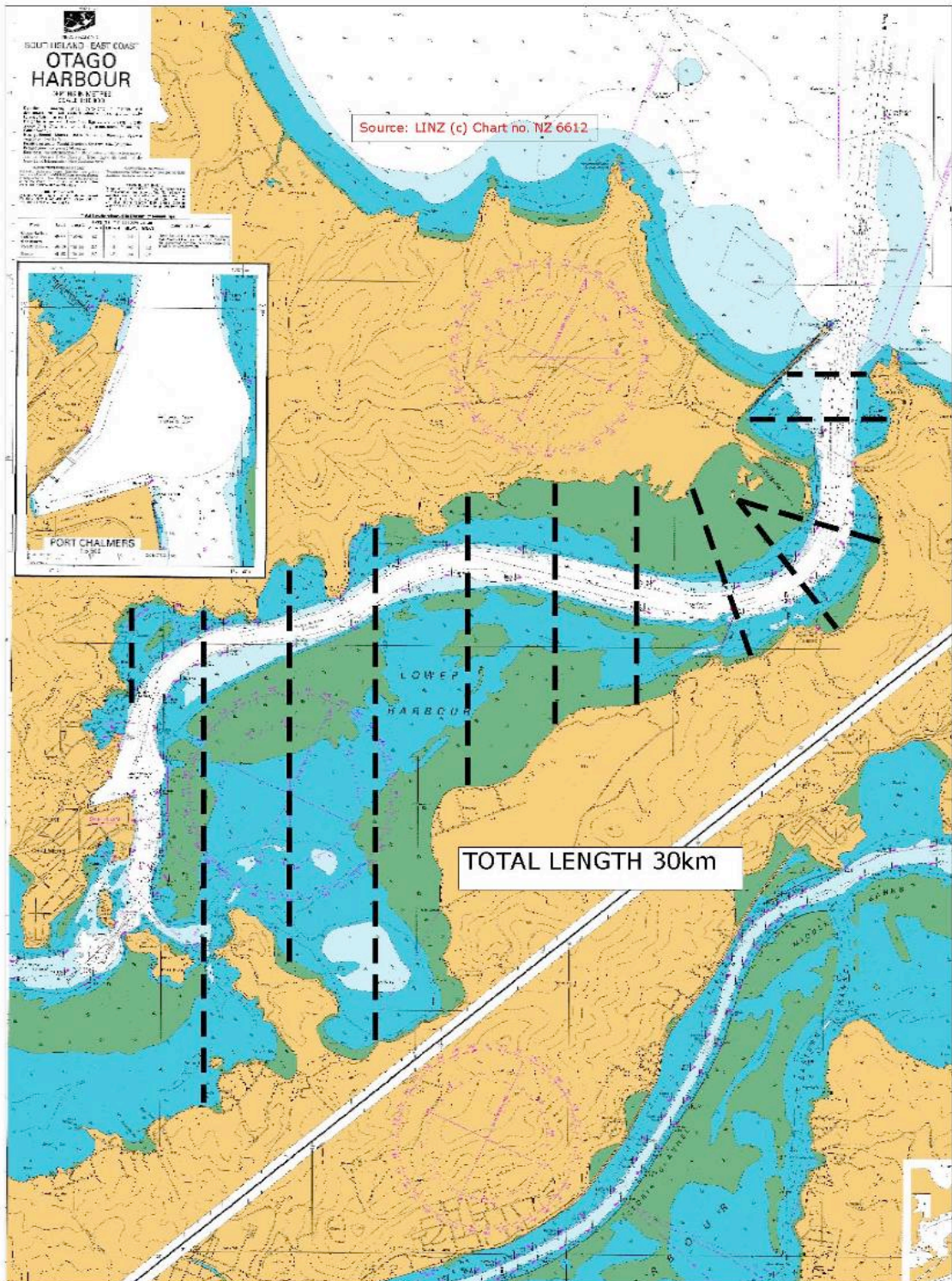


Appendix 4 Coastal Permit 2010.193 Proposed Dredging Contours Plan 11112/2



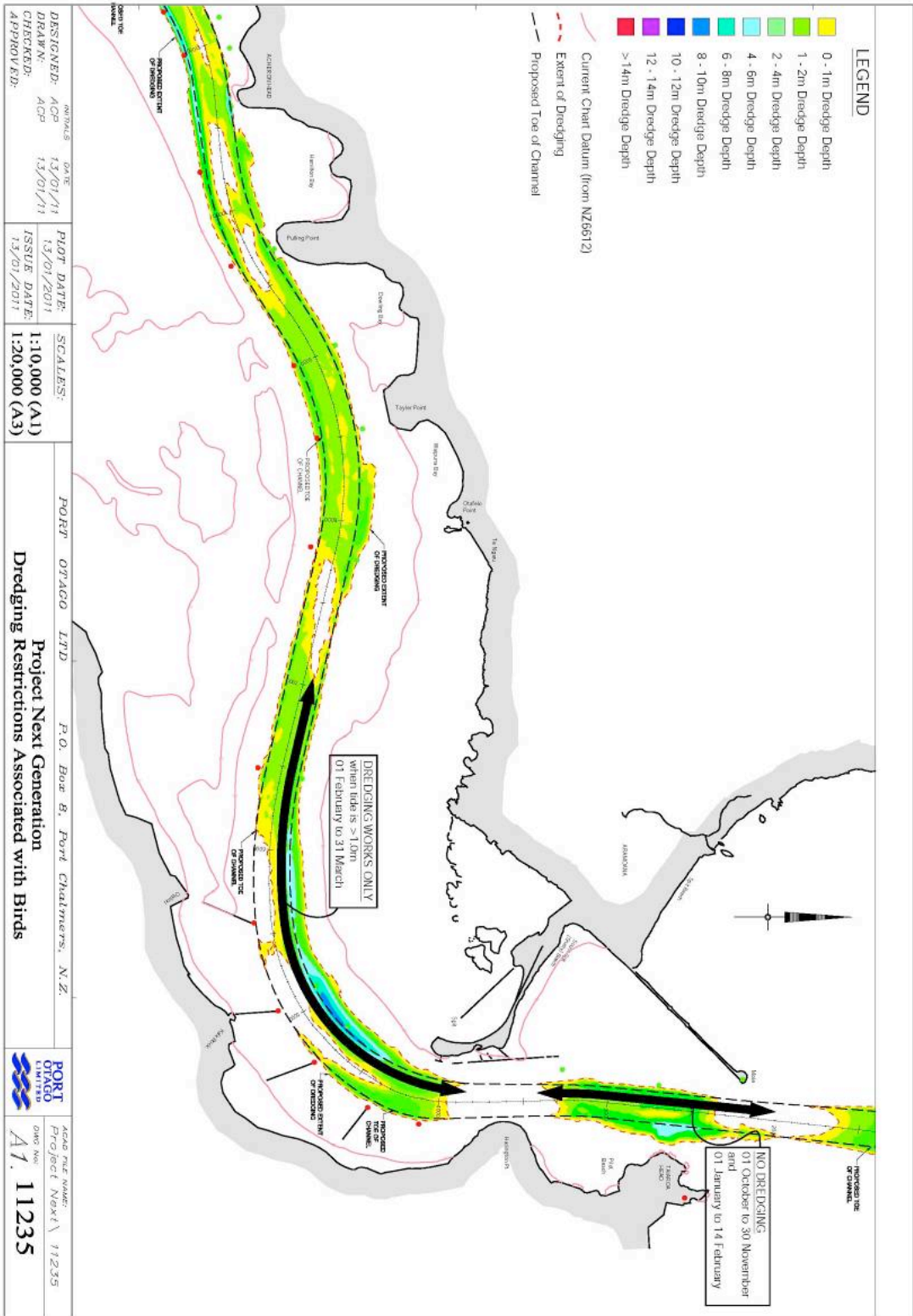
DESIGNED: ACP	DATE: 15/08/09	PLANT DATE: 04/05/2010	SCALE: 1:7,500 (A1)	PORT OF TAGO LTD P.O. Box 8, Port Chalmers, N.Z. Project Next Generation Proposed Dredging Depth Contours
DRAWN: ACP	DATE: 15/08/09	ISSUE DATE: 11/02/2010	SCALE: 1:15,000 (A3)	
CHECKED: LMC	DATE: 02/02/10			
APPROVED: LMC	DATE: 02/02/10			
PORT OF TAGO LIMITED ACP FILE NAME: Project Next \ 11112 DWG No: 11112/2 A1				

Appendix 5
Coastal Permit 2010.193
Lower Harbour Channel Bathymetric Survey Plan Set-Out Plan 11206/2



Project Next Generation
Scale 1:50000 In Harbour Bathymetric Survey Transects A4 11206/2

Appendix 6 Coastal Permit 2010.193 Dredging Restrictions Associated with Birds Plan 11235



COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To disturb and remove dredge material from the foreshore and seabed for the purpose of maintenance dredging of the Lower Harbour channel and the Port Chalmers swinging and berthing areas.
- Term:** Thirty-five (35) years from the date of commencement in accordance with s116 of the Resource Management Act 1991.
- Location:** Otago Harbour entrance channel from the Landfall Tower approximately 2.4 kilometres north of Tairaroa Head to the Port Chalmers swinging basin.
- Legal description:** Crown Land Seabed, Otago Harbour, Bed of Otago Harbour DP 3904, Sec 52 Blk I Lower Harbour West SD.
- Map reference:** Between approximately NZTM 2000 4931086N 1423206E and NZTM 2000 4923932N 1415958E.
- Chart Reference:** Between approximately WGS84 (Chart) 45°45'04" S 170°43'37" E and 45°48'49" S 170°37'52" E.

Conditions:

Specific

1. This consent shall be exercised together with Coastal Permit 2010.196.
- 1A For the purposes of these conditions Maintenance is defined as existing maintenance dredging and future maintenance dredging works required to maintain the deepened harbour channels and excludes vessels navigating the shipping channel to or from dredging or disposal areas.
2. If this consent is not given effect to within a period of fifteen years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent does not authorise the use of explosive blasting.
4. This consent shall be exercised in accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 – Project Description – Deepening, Widening and Maintaining Lower Harbour Channel,

Swinging Area and Berths - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 7 of this consent. If there is an inconsistency the conditions and terms of this consent shall prevail.

5. Maintenance dredging of the specified harbour channel, berths and swinging areas, is authorised to the following maximum depths, including the over dredging allowance:
 - (a) Approach Channel – from the Landfall Tower to 2,500 chainage - to a depth of 18.5 metres below chart datum (17.5 metres declared depth plus 1.0 metre overdredge allowance).
 - (b) Lower Harbour Channel – from 2,500 chainage to 6,600 chainage - to a depth of 16.5 metres below chart datum (16.0 metres declared depth plus 0.5 metre overdredge allowance).
 - (c) Lower Harbour Channel from 6,600 chainage Port Chalmers and including the Port Chalmers Basin - to a depth of 15.5 metres below chart datum (15.0 metres declared depth plus 0.5 metre overdredge allowance).
 - (d) Berths at the Multi-purpose Wharf – to a depth of 18.5 metres below chart datum prior to establishment of the rock buttress, after the rock buttress is constructed the depth shall be no more than 16.5 metres below chart datum (15.0 metres declared depth plus 1.5 metres overdredge and siltation allowance).

6. Maintenance dredging of the specified harbour channel, berths and swinging areas to the maximum depths specified in Condition 5 above, is authorised to the following maximum widths:
 - (a) Approach Channel – from the Landfall Tower to 2,500 chainage - to a maximum width of 250 metres measured perpendicular to the centreline.
 - (b) Lower Harbour Channel – from 2,500 chainage to 3,700 chainage - to a maximum width of 200 metres measured perpendicular to the centreline.
 - (c) Lower Harbour Channel – from 3,700 chainage to 6,500 chainage - to a maximum width of 255 metres measured perpendicular to the centreline.
 - (d) Lower Harbour Channel – from 6,500 chainage to 11,500 chainage - to a maximum width of 200 metres measured perpendicular to the centreline.
 - (e) Lower Harbour Channel – from 11,500 chainage to Port Chalmers and including the Port Chalmers Basin - to a maximum width of 530 metres measured perpendicular to the centreline.

Performance Monitoring

7. The consent holder shall prepare an Environmental Management Plan addressing the maintenance works authorised by this consent in consultation with the consent authority, and submit it for review to the consent authority at least one month prior to any works commencing. The consent authority's review is for the purpose of certifying compliance and consistency with the consent conditions. The objectives of the Environmental Management Plan shall be to incorporate industry best practice, guide environmental management for the duration of maintenance works, and to establish measures to avoid, remedy or mitigate any adverse environmental effects associated with it. The purpose of the

Environmental Management Plan shall include but not be limited to, the following:

- (a) a list of key personnel and points of contact;
- (b) a description of how stakeholders will be kept informed and involved during the maintenance program and how complaints will be managed;
- (c) a description of the staging plan for the maintenance, if known, which shall identify the works and proposed duration of each stage;
- (d) a description of the dredging and disposal locations, methodology and associated Permits;
- (e) a detailed monitoring plan, which describes the scale and intensity of monitoring of potential adverse effects on water quality, marine biota and coastal processes.
- (f) a description of what actions will be taken to adaptively manage the actual or potential effects of consented activities to satisfy consent conditions; and
- (g) a summary and timetable of all reporting required under this consent, Coastal Permit 2010.196 and the Environmental Management Plan and the relevant periods that they cover;
- (h) the allocation of responsibility for updating the plan should future amendments be required; and
- (i) any items required to be included in an Environmental Management Plan from Coastal Permit 2010.196.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

8. The consent holder shall provide the consent authority with an annual updated Maintenance Dredging and Disposal Schedule containing details of:
 - (a) the intention to commence (or continue) dredging;
 - (b) the areas to be dredged in the forthcoming period;
 - (c) the periods during which dredging is expected to occur in each specified area;
 - (d) a description of the equipment to be used for the dredging; and
 - (e) any restrictions that will apply to navigation during the dredging.
9. The consent holder shall forward to the consent authority an annual report summarising all reporting required under this consent or the Environmental Management Plan for the maintenance works.
10. The consent holder shall maintain a record of the following information for the maintenance dredging works:
 - (a) volume of dredged material removed in each episode;
 - (b) GPS location or chart reference of each disposal event and the associated disposal site; and
 - (c) cumulative total volumes of dredged material disposed of from the issue of this consent.

The record shall be kept and submitted to the consent authority in report format on a five yearly basis (with the first report required by 1 March 2016) and at anytime on request.

11. The consent holder shall undertake bathymetric surveys of the foreshore and seabed and intertidal flats within the Lower Harbour at the locations specified in Appendix 1 of this consent. All bathymetric surveys shall have an accuracy of 0.1 metres vertically. If additional surveys or a different survey pattern is developed and contained within the Environmental Management Plan, this is to be in addition to the requirements of this condition. The bathymetric surveys shall be undertaken at three yearly intervals for the duration of this consent. The results shall be summarised in a report to be submitted to the consent authority within three months of the completion of each survey.
12. By 1 December 2020, 1 December 2030 and 1 December 2045 the consent holder shall submit a report to the consent authority that summarises the results of all bathymetric surveys undertaken in accordance with this consent and shall clearly indicate the degree of change to the foreshore and seabed as a result of the dredging authorised by this consent and detail the actual effects on the environment of the works.

General

13. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present at the consent holder's office and on the dredge/s carrying out the work on site at all times while the work is being undertaken.
14. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
15. During the exercise of this consent, the consent holder shall ensure that the effects of the maintenance works on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
16. The consent holder shall ensure that no fuel or oils, enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
17. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
 - (a) ensuring that the monitoring regime is appropriate; or
 - (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage. Including, but not limited to the appropriate mitigation of the

- environmental effects of the activity having regard to the available dredging technology; or
- (c) addressing the contents of the Environment Management Plan; or
 - (d) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Technical Group

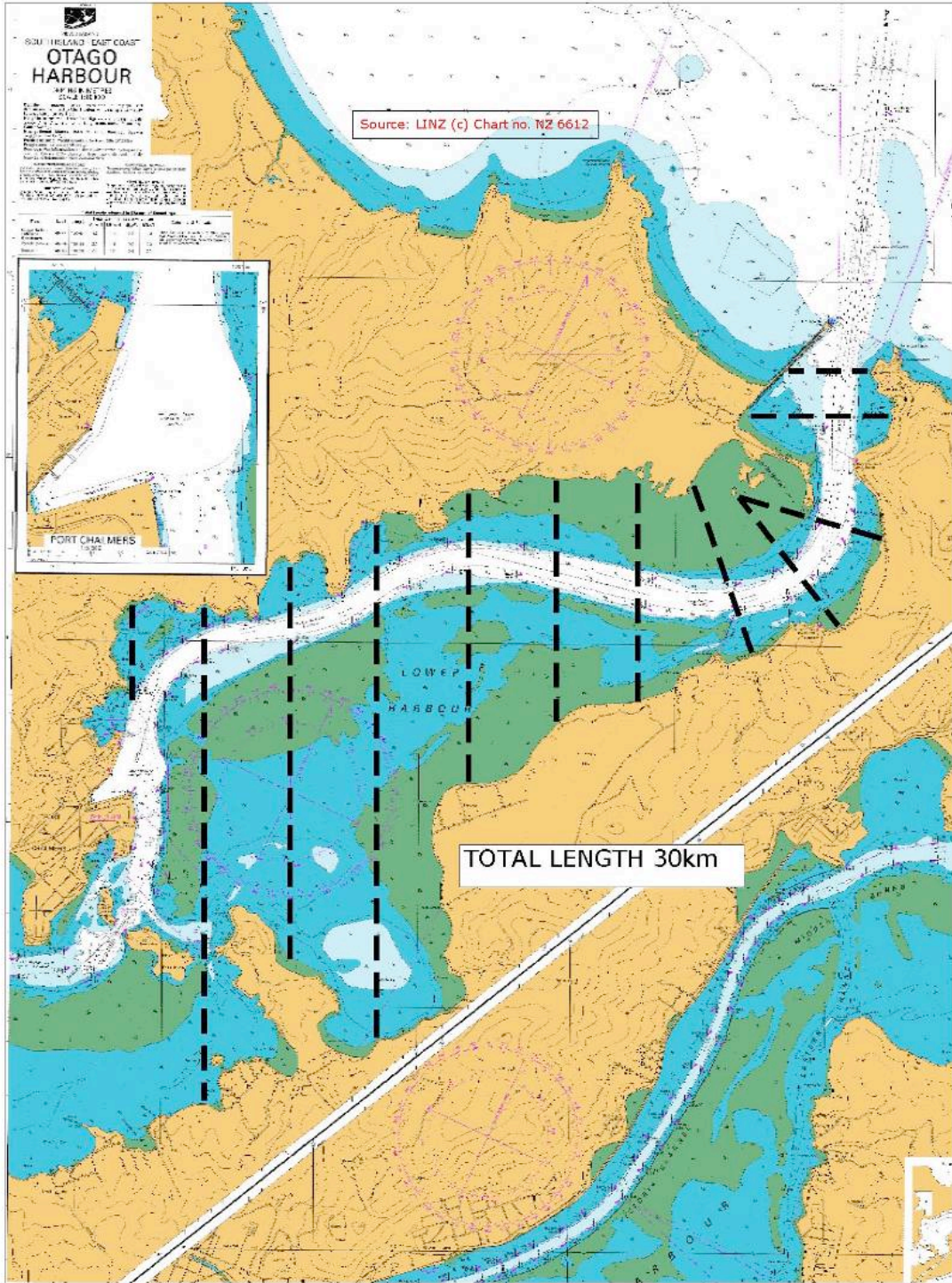
18. The consent holder shall establish a Technical Group with the following functions:
- (a) to meet and receive monitoring data and reports from the physical and biological monitoring undertaken as part of Project Next Generation dredging, and present and future maintenance dredging;
 - (b) on an ongoing basis to evaluate the physical and biological impacts of Project Next Generation on the Lower Harbour and the receiving waters offshore on an ongoing basis;
 - (c) to make recommendations to the consent holder and/or the consent authority on management actions to ameliorate the adverse effects of dredging and disposal as part of Project Next Generation; and
 - (d) to make recommendations to the consent holder and/or the consent authority on appropriate changes to the physical and biological monitoring framework to ensure that it delivers timely focused results for the improved management of the project.
19. Changes to the Environmental Management Plan in response to recommendations of the Technical Group shall be reasonably considered by the consent holder and implemented to the extent practicable. Any changes to the Environmental Management Plan shall be submitted to the consent authority to ensure that it complies with the conditions of consent.
20. The Technical Group shall have the following membership:
- (a) representatives of Otakou and Puketeraki runanga;
 - (b) a representative of the Department of Conservation;
 - (c) a representative of Port Otago Limited; and
 - (d) a representative of Otago Regional Council.
21. A suitably qualified technical representative nominated by the local fishing industry shall be invited to be a member of the Technical Group. The Technical Group may also co-opt additional members to ensure that it has the requisite skills to be able deliver on its functions.
22. The Technical Group shall be serviced by the consent holder and shall meet as often as is reasonably necessary, but not less than yearly, to undertake its functions listed in Condition 18 above.

The reports described in Condition 18 above are those specified under the conditions of the following consents.

- (a) 2000.472_VI, Condition 11;*
- (b) 2010.193, Conditions 18, 20 and 21;*
- (c) 2010.194, Conditions 9, 11 and 12;*

- (d) 2010.195, Conditions 11, 12 and 13*
- (e) 2010.197, Condition 8; and*
- (f) 2010.198, Conditions 9,10,11,12, 13 and 13A.*

Appendix 1
Coastal Permit 2010.194
Bathymetric Survey Pattern – In Harbour Transects Plan 11206/2



COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To discharge dredging decant water and all associated contaminants for the purpose of deepening and widening the Lower Harbour channel and the Port Chalmers swinging and berthing areas.
- Term:** Twenty (20) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Otago Harbour entrance channel from the Landfall Tower approximately 2.4 kilometres north of Tairaroa Head to the Port Chalmers swinging basin-
- Legal description:** Crown Land Seabed, Otago Harbour, Bed of Otago Harbour DP 3904, Sec 52 Blk I Lower Harbour West SD
- Map reference:** Between approximately NZTM 2000 4931086N 1423206E and NZTM 2000 4923932N 1415958E
- Chart Reference:** Between approximately WGS84 (Chart) 45°45'04" S 170°43'37" E and 45°48'49" S 170°37'52" E

Conditions:

Specific

1. This consent shall be exercised together with Coastal Permits 2010.193 and 2010.198.
- 1A For the purposes of these conditions the following definitions apply:
 - (a) "Incremental Capital Works" means dredging and ancillary works using trailing suction dredges each with a capacity of no more than 1000 cubic metres and/or a grab dredge or back hoe with capacities each of no more than 10 cubic metres, and includes maintenance dredging that is otherwise not permitted by the Regional Plan: Coast and a resource consent for disposal of maintenance dredging material, provided that the total annual quantity of dredge material from Incremental Capital Works is no more than 1.45 million cubic metres.
 - (b) "Major Capital Works" means dredging and ancillary works that are not Incremental Capital works or part of the Maintenance Programme.

- (c) The definitions of Incremental Capital Works and Major Capital Works above do not include vessels navigating the shipping channel to or from dredging or disposal areas.
- 2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
- 3. This consent shall be exercised in accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 – Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 13 of Coastal Permit 2010.193. If there is an inconsistency the conditions and terms of this consent shall prevail.
- 4. During the exercise of consent 2010.193, the consent holder shall place a turbidity meter or meters near (within 20 m of the boundary of) or in each of the following locations for monitoring regimes in accordance with Conditions 5 and 6 of this consent:
 - (a) the Harbour Seagrass beds;
 - (b) the Aramoana Ecological area;
 - (c) Quarantine or Pudding Island;
 - (d) Wellers Rock/Omate Beach; and
 - (e) the intertidal cockle beds opposite Acheron Head; and
 - (f) a control meter in the Upper HarbourThe approximate locations are shown in Appendix 1 of this consent.
- 5. The consent holder shall undertake fixed turbidity monitoring at the locations specified in Condition 4 and any additional monitoring locations specified in the Environmental Management Plan in the following manner:
 - (a) a minimum of the first six months from commencement of any Incremental Capital works authorised by Coastal Permit 2010.193; and
 - (b) if the report from Condition 11 of this Coastal Permit indicates further monitoring is required, this must be undertaken for a minimum of 6 months commencing upon submission of the report from Condition 11 to the consent authority; and
 - (c) so as to obtain monitoring results that are representative of any effects resulting from the works, when the monitoring specified in (a) and (b) above is undertaken the consent holder shall ensure that Incremental Capital Works are periodically undertaken within the vicinity of the monitoring areas identified in Condition 4 of this consent.
- 6. The consent holder shall undertake fixed turbidity monitoring in accordance with Condition 4 of this consent and any additional monitoring locations specified in the Environmental Management Plan, three months prior to the commencement of Major Capital dredging authorised by Coastal Permit 2010.193 and ensure this monitoring is continuous until three months after the completion of all Major Capital works.

7. If the following response limits are exceeded at the turbidity meters required by Condition 4, the following associated response limit management actions shall be complied with:

Monitoring Location	Response Limits		Management Action	
	1	2	Response Limit 1 reached	Response Limit 2 reached
Turbidity meter placed in a location in the Harbour seagrass beds	12 NTU (6 hourly average)	17 NTU (6 hourly average)	Notify ORC within 24 hours of exceedance. Check equipment/data accuracy to verify exceedance.	Undertake all actions as set out when Response limit 1 is reached
Turbidity meter placed in a location adjacent to the Aramoana Ecological area	19 NTU (6 hourly average)	24 NTU (6 hourly average)	Review natural events and areas of dredging activity with an expert advisor.	Undertake management of dredging process to reduce turbidity. This could include: § Relocation of dredge § Reduce dredging frequency § Suspend dredging
Turbidity meters placed in the following locations § Quarantine or Pudding Island § Wellers Rock/ Omate Beach	19 NTU (6 hourly average)	24 NTU (6 hourly average)	Assess impact of ongoing dredging operation. Assess need for additional monitoring	Operate dredge in non overflow mode
Turbidity meter placed in location within the intertidal cockle beds opposite Acheron Head.	35 NTU (6 hourly average)	50 NTU (6 hourly average)		

8. The discharge of contaminants shall not exceed the following environmental limits as a result of the works authorised by Coastal Permit 2010.193 and this Coastal Permit 2010.195:

Monitoring Location	Environmental Limit
Turbidity meter placed in a location in the Harbour seagrass beds	25 NTU (6 hourly average) 15 NTU (2 week moving average)
Turbidity meter placed in a location adjacent to Aramoana Ecological area	35 NTU (6 hourly average)
Turbidity meters placed in the following locations § Quarantine or Pudding Island § Wellers Rock/ Omate Beach	35 NTU (6 hourly average)
Turbidity meter placed in location within the intertidal cockle beds opposite Acheron Head.	70 NTU (6 hourly average)

9. The consent holder shall operate the dredging plant in accordance with the Environmental Management Plan.

Performance Monitoring

10. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permits 2010.193 the following details for the works authorised by this consent. The discharge component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the discharge occurs;
 - (b) methods to be implemented to minimise the discharge and associated plumes of sediment laden water;
 - (c) details of when turbidity monitoring will be undertaken and whether it is fixed or mobile;
 - (d) a description of the types of turbidity meters and their functionality and calibration requirements including frequency of scheduled calibration/servicing;
 - (e) a confirmation of the relationship between turbidity and suspended solids concentrations established by a sampling protocol and programme, which is specified by the Technical Group.
 - (f) a description and map of the locations of a turbidity monitors including the control monitor and their associated Coastal Permit numbers;
 - (g) a contingency plan for the breakdown of one or more turbidity monitors; and
 - (h) response limits and management actions imposed by this consent;
 - (i) details of the scope of any biological monitoring surveys.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority prior to those changes being implemented.

11. The consent holder shall have the data from the fixed turbidity monitors from Conditions 5a and 5b and any measurement or photographs undertaken as specified in the Environmental Management Plan reviewed by a suitably qualified expert to assess the need for continued monitoring during Incremental Capital works. A report shall be prepared by the consent holder incorporating the results of the independent review and a discussion of future or continued monitoring requirements. This report shall be submitted to the consent authority within two months of the end of the monitoring period required by Conditions 5(a) or 5(b).
12. On completion of turbidity monitoring in accordance with Conditions 5(a), 5(b), 5(c) and 6, the consent holder shall prepare a report summarising:
 - (a) the results of the turbidity data;
 - (b) any photographs or additional monitoring results undertaken in accordance with the Environmental Management Plan;
 - (c) the results of any surveys undertaken to verify the hydrodynamic modelling predictions associated with various items of dredging plant and the schedule of works;

to determine the actual effects on water quality and on the coastal marine area including biota as a result of the Incremental and Major Capital works authorised by Coastal Permits 2010.193 and 2010.198 and this Coastal Permit 2010.195. This report shall also confirm the results of any surveys undertaken to verify the hydrodynamic modelling predictions associated with various items of dredging plant.

13. The consent holder shall commission a suitably qualified person or organisation to undertake biological monitoring surveys of the foreshore, seabed and intertidal flats within the Lower Harbour and including the Port Chalmers swinging and berthing areas and the approach channel. If additional surveys are developed and contained within the Environmental Management Plan, this is to be in addition to the requirements of this condition. The surveys shall be undertaken at the following time periods:
 - (a) at least 3 months prior to the commencement of any Incremental Capital works as a baseline survey;
 - (b) 3-yearly intervals during the Incremental Capital works;
 - (c) a maximum of 36 months after the completion of Incremental Capital works;
 - (d) at least three months prior to the commencement of Major Capital works;
 - (e) 12-monthly during Major Capital works; and
 - (f) 12-monthly for a maximum of three 12-month periods after the completion of Major Capital works.

The results presented in a report submitted to the consent authority within 3 months of each survey being undertaken.

General

14. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present at the consent holder's office and on the dredge/s carrying out the work at all times while the work is being undertaken.
15. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
16. During the exercise of this consent, the consent holder shall ensure that the effects of the discharge on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
17. The consent holder shall ensure that no fuel or oils enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
18. Whilst undertaking Major Capital works the consent holder shall ensure that all practicable measures are taken to minimise sediment from being suspended in water in the coastal marine area.

19. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
- (a) ensuring that the monitoring regime is appropriate; or
 - (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - (c) addressing the contents of the Environment Management Plan; or
 - (d) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Consultation

- 20 Within three months of the commencement of this consent, the consent holder shall invite a cross section of the Lower Harbour and Otago coastal communities and organisations, generally as described in Section 8.2 of the Assessment of Environmental Effects lodged in support of this consent, to form the “Project Consultative Group” (**PCG**).
- (a) The purpose of the PCG is to facilitate consultation between the wider users of Otago Harbour and its surrounds and Port Otago Ltd during the Incremental Capital and Major Capital Works.
 - (b) The consent holder shall invite members of the PCG to meetings as follows:
 - (i) Annually to discuss and review the monitoring reports produced under the relevant sections of condition(s) of this consent for the Incremental Capital Works;
 - (ii) At monthly intervals during the undertaking of the Major Capital Works.
 - (c) The PCG meetings shall be conducted in accordance with the consultation section of the Environmental Management Plan.
 - (d) The consent holder shall invite representatives of the consent authority to all meetings of the PCG.
 - (e) The consent holder shall keep minutes of the meetings held in accordance with clause (c) and shall forward them to all attendees.
 - (f) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the PCG at the meetings held in accordance with clause (c).

Kai Tahu Engagement

21. Within three months of the commencement of this consent, the consent holder shall invite representatives of the local hapu, iwi and the East Otago Taiapure Committee to join a “Manawhenua Consultation Group” (**MCG**).
- (a) The purpose of the MCG, the meetings that will be held with the MCG, and the consent holder’s obligations to the MCG shall be described in the consultation section of the Environmental Management Plan but shall be designed to:

- (i) Facilitate consultation between the MCG and Port Otago Ltd during the Incremental and Major Capital Works.
 - (ii) Consult the MCG on the design of the monitoring programmes, including the development of cultural health indicators for key species of importance to Kāi Tahu.
 - (iii) Review monitoring reports during and after completion of the Incremental and Major Capital Works. If necessary technical expertise shall be made available by the consent holder to interpret the monitoring data.
 - (iv) Identify methods to avoid, remedy or mitigate any adverse effects of Project Next Generation on the cultural values, interests, and associations of the MCG with the Otago Harbour and Te Tai o Arai Te Uru (Otago Coastal Marine Area).
- (b) The consent holder shall, not less than three months before, and at least once every three months when Major Capital Works are being undertaken in accordance with this resource consent and invite the MCG to a meeting to discuss any matter relating to the exercise and monitoring of the consent.
 - (c) The consent holder shall, in complying with the notification requirements of this consent to the consent authority, or when monitoring or research activities are being planned, or when results are to be submitted in accordance with this resource consent, invite the MCG to a meeting to discuss any matter and share this information prior to submitting the information to the consent authority. The information shall be provided to the MCG sufficiently in advance of the meeting so that the MCG has time to review and consider it.
 - (d) Notwithstanding clause (b) and clause (c) the consent holder shall, at least once per calendar year, invite representatives of the consent authority and the MCG to a meeting to discuss any matter relating to the exercise and monitoring of this consent. At this time the consent holder shall, in addition to any matters relating to the exercise and monitoring of this consent, use its best endeavours to inform the MCG of the likely dredging to be undertaken in the following year.
 - (e) The consent holder shall keep minutes of the meetings held in accordance with clause (b), (c) and (d) and shall forward them to all attendees.
 - (f) The meetings required by clause (b), (c) and (d) need not occur if the MCG notify the consent holder (for clause (b), (c) and (d)) and the consent authority (for clause (d)) that the meeting is not required.
 - (g) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the MCG concurrently with them being submitted to the consent authority.

Technical Group

22. The consent holder shall establish a Technical Group with the following functions:

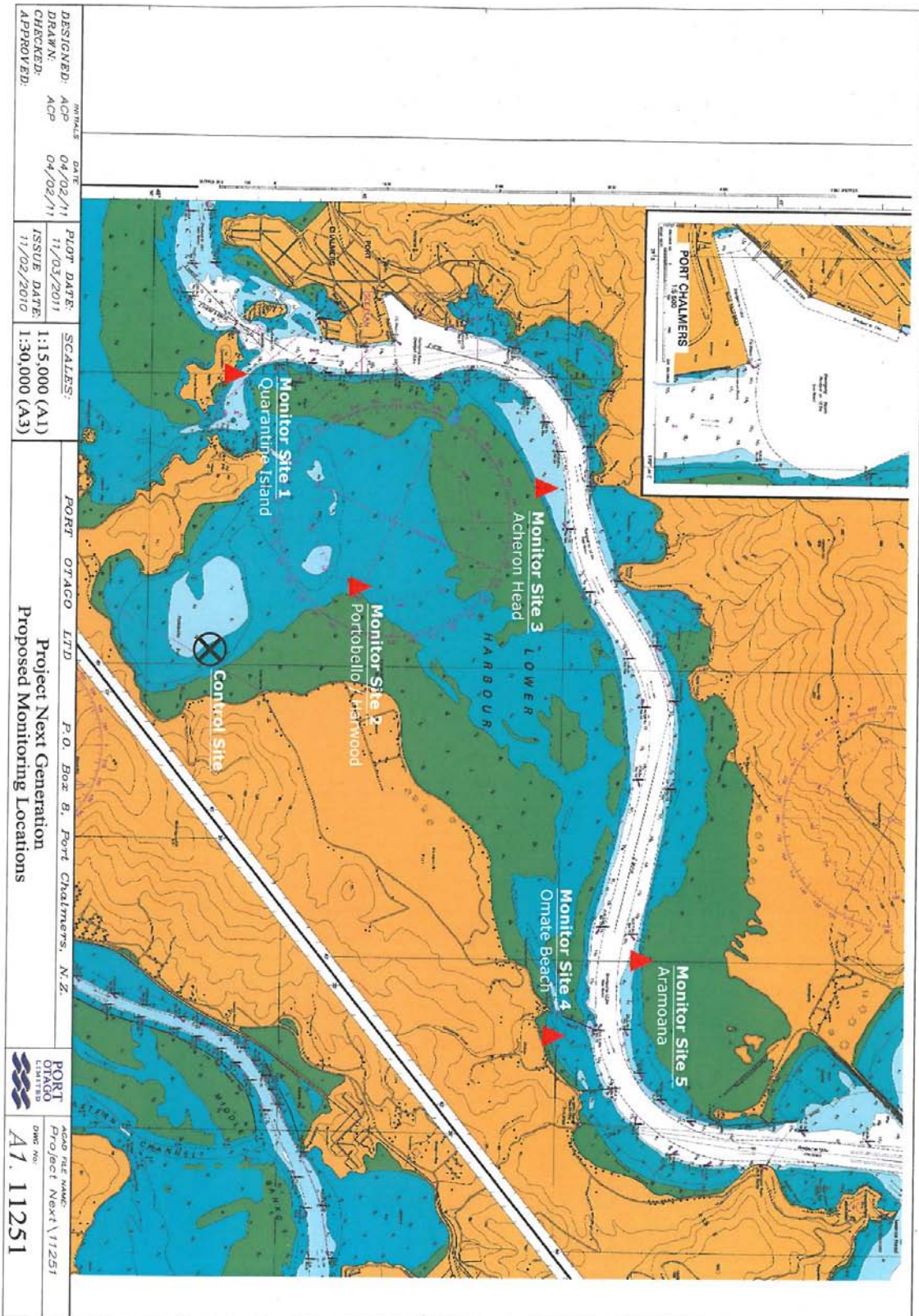
- (a) to meet and receive monitoring data and reports from the physical and biological monitoring undertaken as part of Project Next Generation dredging, and present and future maintenance dredging;

- (b) to evaluate the physical and biological impacts of Project Next Generation on the Lower Harbour and the receiving waters offshore on an ongoing basis;
 - (c) to make recommendations to the consent holder and/or the consent authority on management actions to ameliorate the adverse effects of dredging and disposal as part of Project Next Generation; and
 - (d) to recommend to the consent holder and/or the consent authority on appropriate changes to the physical and biological monitoring framework to ensure that it delivers timely focused results for the improved management of the project.
23. Changes to the Environmental Management Plan in response to recommendations of the Technical Group shall be reasonably considered by the consent holder and implemented to the extent practicable. Any changes to the Environmental Management Plan shall be submitted to the consent authority to ensure that it complies with the conditions of consent.
24. The Technical Group will have the following membership:
- (a) representatives of Otakou and Puketeraki runanga;
 - (b) a representative of the Department of Conservation;
 - (c) a representative of Port Otago Limited; and
 - (d) a representative of Otago Regional Council.
25. A suitably qualified technical representative nominated by the local fishing industry shall be invited to be a member of the Technical Group. The Technical Group may also co-opt additional members to ensure that it has the requisite skills to be able deliver on its brief.
26. The Technical Group shall be serviced by the consent holder and shall meet as often as necessary, but not less than yearly, to undertake its functions listed in Condition 22 above.

The reports described in Condition 22 above are those specified under the conditions of the following consents.

- (a) 2000.472_VI, Condition 11;*
- (b) 2010.193, Conditions 18, 20 and 21;*
- (c) 2010.194, Conditions 9, 11 and 12;*
- (d) 2010.195, Conditions 11, 12 and 13*
- (e) 2010.197, condition 8; and*
- (f) 2010.198, Conditions 9,10,11,12,13 and 13A.*

Appendix 1
Coastal Permit 2010.195
Monitoring locations for turbidity meters plan A1 11251



DESIGNED: ACP
 DRAWN: ACP
 CHECKED: ACP
 APPROVED: ACP

DATE: 04/02/11
 DATE: 04/02/11

PLOT DATE: 11/03/2011
 ISSUE DATE: 11/02/2010

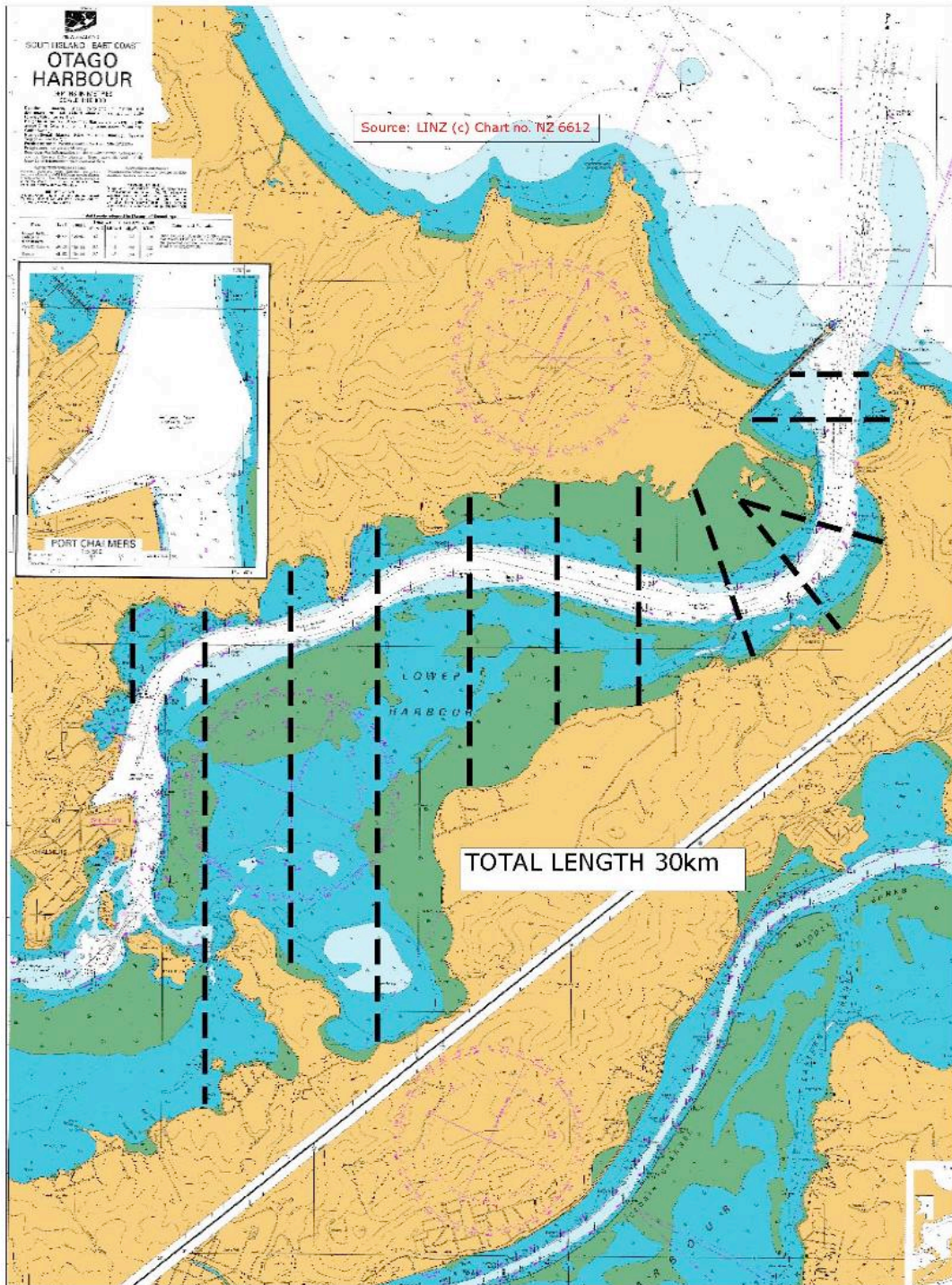
SCALE: 1:15,000 (A1)
 SCALE: 1:30,000 (A3)

PORT: OTAGO LTD
 F.O. Box 8, Port Chalmers, N.Z.
 Project Next Generation
 Proposed Monitoring Locations



ADD RES NAME: PROJECT NEXT\11251
 DWG No: A1. 11251

Appendix 2
Coastal Permit 2010.195
Bathymetric Survey Pattern –In Harbour Transects Plan 11206/2



Project Next Generation
Scale 1:50000 In Harbour Bathymetric Survey Transects A4 11206/2

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To discharge dredging decant water and associated contaminants for the purpose of maintenance dredging of the Lower Harbour channel and the Port Chalmers swinging and berthing areas.
- Term:** Thirty-five (35) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Otago Harbour entrance channel from the Landfall Tower approximately 2.4 kilometres north of Tairaroa Head to the Port Chalmers swinging basin-
- Legal description:** Crown Land Seabed, Otago Harbour, Bed of Otago Harbour DP 3904, Sec 52 Blk I Lower Harbour West SD.
- Map reference:** Between approximately NZTM 2000 4931086N 1423206E and NZTM 2000 4923932N 1415958E.
- Chart Reference:** Between approximately WGS84 (Chart) 45°45'04" S 170°43'37" E and 45°48'49" S 170°37'52" E.

**Conditions:
Specific**

1. This consent shall be exercised together with Consent 2010.194.
- 1A For the purposes of these conditions the Maintenance is defined as existing maintenance dredging and future maintenance dredging works required to maintain the deepened harbour channels and excludes vessels navigating the shipping channel to or from dredging or disposal areas.
2. If this consent is not given effect to within a period of fifteen years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 – Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths - application document entitled Project Next

Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 7 of Coastal Permit 2010.194. If there is an inconsistency the conditions and terms of this consent shall prevail.

4. The consent holder shall operate the dredging plant in accordance with the Environmental Management Plan required by Condition 5 of this consent.

Performance Monitoring

5. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.194 the following details for the works authorised by this consent. The discharge component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the discharge occurs;
 - (b) methods to be implemented to minimise the discharge and associated plumes of sediment laden water;
 - (c) a confirmation of the relationship between turbidity and suspended solids concentrations established by a sampling protocol and programme which is specified by the Technical Group; and
 - (d) management actions imposed by this consent.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

General

6. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.
7. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
8. During the exercise of this consent, the consent holder shall ensure that the effects of the discharge on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
9. The consent holder shall ensure that no fuel or oils enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall immediately notify the consent authority.
10. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:

- (a) ensuring that the monitoring regime is appropriate; or
- (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- (c) addressing the contents of the Environment Management Plan; or
- (d) ensuring the conditions of this consent are consistent with any National Environmental Standards.

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To disturb the foreshore and seabed and deposit up to 30,000 cubic metres of rock rip rap to form a rock buttress and revetment for the purpose of improving foreshore and seabed stability under the container wharf and the extended Multi-purpose Wharf and their associated berths
- Term:** Ten (10) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Port Chalmers, Otago Harbour: located between the southeast end of the Port Chalmers container wharf and the northeast corner of Boiler Point, midpoint being approximately 450 metres northeast of the intersection of Beach Street and George Street, Port Chalmers
- Legal description:** Crown Land Seabed, Bed of Otago Harbour DP 3904
- Map reference:** Approximate midpoint NZTM 2000 4924419N 1415706E
- Chart Reference:** Approximate midpoint WGS84 (Chart) 45°48'33" S 170°37'41" E

**Conditions:
Specific**

1. This consent shall be exercised together with Coastal Permit 2010.200 and 2010.203.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths and Section 2.4 – Project Description – Multipurpose Wharf extension and Fishing Jetty - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan required by Coastal

Permit 2010.200. If there is an inconsistency the conditions and terms of this consent shall prevail.

4. The consent holder shall ensure that all machinery associated within the deposition of rock rip rap is operated in accordance with the Environmental Management Plan specified in Condition 6 of this consent.
5. The generation of noise as a result of construction activity shall not exceed the New Zealand Construction Noise Standard NZS 6803 (1999).

Performance Monitoring

6. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.200 the following details for the works authorised by this consent. The disturbance component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the disturbance occurs;
 - (b) a description of the sources and sizes of rock to be used;
 - (c) construction methods to be implemented to minimise the disturbance and associated plumes of sediment laden water; and
 - (d) methods to be implemented to relocate resident crustaceans from the site and remove any mammals, birds or fish from the site before and during works.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

7. The consent holder shall provide the consent authority with written notice of the intention to commence works authorised by this consent not less than one month before the work commences.
8. The consent holder shall undertake a habitat survey of the site to receive the rock rip rap and shall include a minimum area of 20 metres surrounding the site, at least three months prior to commencement of works. The habitat survey shall be reported to the consent authority within two months of the survey being undertaken.

General

9. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
10. During the exercise of this consent, the consent holder shall ensure that the effects of the activities on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
11. The consent holder shall ensure that no fuel or oils enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the

event of contamination, the consent holder shall instigate remedial action and shall immediately notify the consent authority.

12. The consent holder shall ensure that the disturbance of the coastal marine area associated with the works shall be restricted to that area necessary to do the work.
13. To the extent practicable works shall not be carried out within a 20 metre radius of the end of the Boiler Point walkway identified in Appendix 1 on Public Holidays or the period between 20 December and 10 January in the following year (inclusive).
14. If the consent holder:
 - (a) Discovers koiwi tangata (human skeletal remains), or Maori artefact material, the consent holder shall without delay:
 - (i) Notify the tangata whenua and New Zealand Historic Places Trust and in the case of skeletal remains, the New Zealand Police.
 - (ii) Stop work within the immediate vicinity of the discovery to allow a site inspection by the New Zealand Historic Places Trust and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive; if a thorough site investigation is required and whether an Archaeological Authority is required.
 - (iii) Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation.

Site work shall not recommence until authorised by the consent authority, following consultation with the New Zealand Historic Places Trust, Tangata whenua, and in the case of skeletal remains, the NZ Police, provided that any relevant statutory permissions have been obtained.

- (b) Discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) Stop work within the immediate vicinity of the discovery or disturbance; and
 - (ii) Advise the New Zealand Historic Places Trust, and in the case of Maori features or materials, the tangata whenua, and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and
 - (iii) Arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work shall not recommence following until authorised by the consent authority.

15. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:

- (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- (b) addressing the contents of the Environment Management Plan; or
- (c) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Technical Group

16. The consent holder shall establish a Technical Group with the following functions:

- (a) to meet and receive monitoring data and reports from the physical and biological monitoring undertaken as part of the Project Next Generation dredging, and present and future maintenance dredging;
- (b) on an ongoing basis to evaluate the physical and biological impacts of Project Next Generation on the Lower Otago Harbour and the receiving waters offshore on an ongoing basis;
- (c) to make recommendations to the consent holder and/or the consent authority on management actions to ameliorate the adverse effects of dredging and disposal as part of Project Next Generation; and
- (d) to make recommendations to the consent holder and/or the consent authority on appropriate changes to the physical and biological monitoring framework to ensure that it delivers timely focused results for the improved management of the project.

17. Changes to the Environmental Management Plan in response to recommendations of the Technical Group shall be reasonably considered by the consent holder and implemented to the extent practicable. Any changes to the Environmental Management Plan shall be submitted to the consent authority to ensure that it complies with the conditions of consent.

18. The Technical Group shall have the following membership:

- (a) representatives of Otakou and Puketeraki runanga;
- (b) a representative of the Department of Conservation;
- (c) a representative of Port Otago Limited; and
- (d) a representative of Otago Regional Council.

19. A suitably qualified technical representative nominated by the local fishing industry shall be invited to be a member of the Technical Group. The Technical Group may also co-opt additional members as necessary to ensure that it has the requisite skills to be able deliver on its brief.

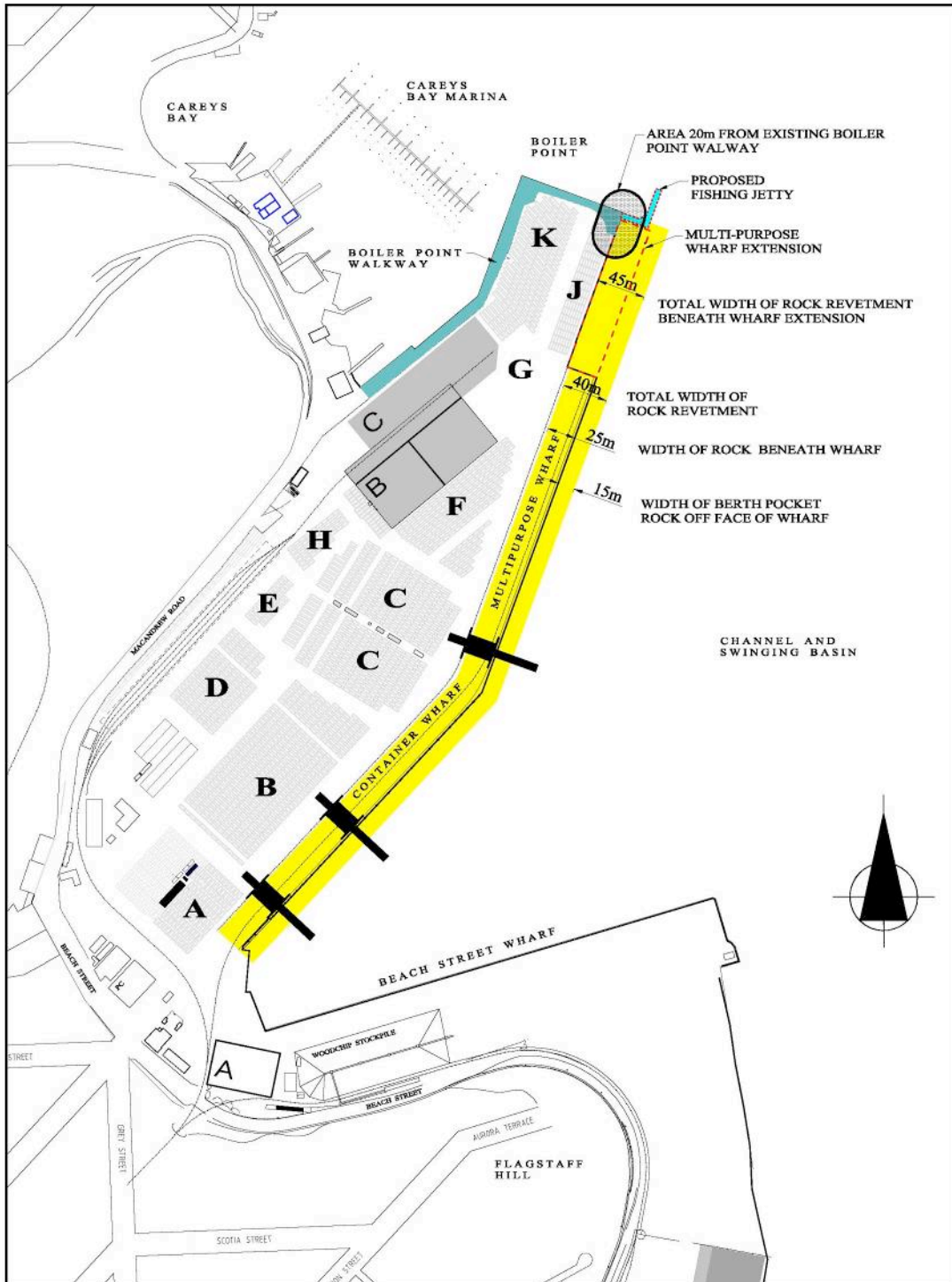
20. The Technical Group shall be serviced by the consent holder and shall meet as frequently as necessary to undertake its functions listed in Condition 16 above.

The reports described in Condition 16 above are those specified under the conditions of the following consents.

- (a) 2000.472_VI, Condition 11;
- (b) 2010.193, Conditions 18, 20 and 21;

- (c) 2010.194, Conditions 9, 11 and 12;*
- (d) 2010.195, Conditions 11, 12 and 13*
- (e) 2010.197, Condition 8; and*
- (f) 2010.198, Conditions 9,10,11,12, 13 and 13A.*

Appendix 1
Coastal Permit 2010.197
Location of Multipurpose Wharf Extension, Fishing Jetty and Rock Revetment
A1 11250



Port Otago Next Generation -
 Location of Multi-Purpose Wharf Extension,
 Fishing Jetty and Rock Revetment Work

Approx. Scale 1:3000

A3 11250

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To deposit dredge material sourced from the Otago harbour channel for the purpose of deepening and widening the Lower Harbour channel and the Port Chalmers swinging and berthing areas.
- Term:** Twenty (20) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** *Disposal Site A0*: Pacific Ocean, approximately 6.3 kilometres north east of Taiaroa Head.
- Legal description:** Crown Land seabed
- Map reference:** Approximate midpoint NZTM 2000 4932950N 1428763E.
- Chart Reference:** Approximate midpoint WGS84 (Chart) 45°44'8" S 170°47'56" E.

Conditions:

Specific

1. This consent shall be exercised together with Coastal Permits 2010.193 and 2010.195.
- 1A For the purposes of these conditions the following definitions apply:
 - (a) "Incremental Capital Works" means dredging and ancillary works using trailing suction dredges each with a capacity of no more than 1000 cubic metres and/or a grab dredge or back hoe with capacities each of no more than 10 cubic metres, and includes maintenance dredging that is otherwise not permitted by the Regional Plan: Coast and a resource consent for disposal of maintenance dredging material, provided that the total annual quantity of dredge material from Incremental Capital Works is no more than 1.45 million cubic metres.
 - (b) "Major Capital Works" means dredging and ancillary works that are not Incremental Capital works or part of the Maintenance Programme.
 - (c) The definitions of Incremental Capital Works and Major Capital Works above do not include vessels navigating the shipping channel to or from dredging or disposal areas.

2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991
3. This consent shall be exercised in general accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 – Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths and Section 2.3 Disposal of Dredged Material - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Coastal Permit 2010.193. If there is an inconsistency the conditions and terms of this consent shall prevail.
4. The minimum depth below chart datum of site A0 as a result of deposition authorised by this consent is 25 metres.
5. The total volume of material deposited at the disposal site A0 (identified in Appendix 1 of this consent) shall not exceed 7.2 million cubic metres.
6. Material discharged shall only be derived from dredging that is authorised by the Coastal Permits 2010.193 and 2010.195 and, apart from natural biological matter such as shells, shall exclude material greater than 2 millimetres in particle size.
7. The material shall be disposed of to ensure as far as practicable even distribution of the material over the disposal site A0.
- 7A The consent holder shall ensure that aggregations of feeding birds and marine mammals which might be present in the disposal ground are avoided at all times by ensuring that a competent observer is on board the dredge and that the dredge's Master takes advice from this observer to avoid, as far as is practicable, any feeding birds and marine mammals.

Performance Monitoring

8. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.193 the following details for the works authorised by this consent. The deposition component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the deposition occurs;
 - (b) a detailed monitoring plan which describes the scale and intensity of monitoring of potential adverse effects of the disposal on water quality, marine biota and coastal processes (including the potential effects on nationally recognised surf breaks) for both the Major Capital Works and the Incremental Capital Works;
 - (c) methods to be implemented to minimise the risks and effects on public safety and that of marine biota in particular the method detailed in Condition 7A of this consent;

- (d) methods to be implemented to manage the discharge and associated plumes of sediment laden water from the deposition;
- (e) a timetable of the frequency and dates of bathymetric surveys as required by this consent;
- (f) details of the scope of any biological monitoring surveys;
- (g) results of the records kept in accordance with Condition 9 of this consent; and
- (h) a description of management and monitoring of Site A0 and those areas affected by Site A0 as shown in the bathymetric surveys undertaken under Condition 10 of this consent.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority prior to those changes being implemented.

9. The consent holder shall record the following information in relation to the disposal of material at Site A0:
- (a) the volume and nature (as defined by approximate portion of clay, silt and sand) of dredge material in each disposal event;
 - (b) the GPS location of chart reference of the event;
 - (c) the date and time of disposal;
 - (d) a cumulative total of the volumes of disposal from the commencement of the consent;
 - (e) GPS location and chart reference of the area (including start and end points) of the dredging where the material is sourced.; and
 - (f) the date and time of dredging and the associated disposal.

The records shall be kept and submitted in report format to the consent authority on a five-yearly basis (with the first being required to be submitted by 1 March 2016) and at any time upon request.

10. The consent holder shall undertake bathymetric surveys of the seabed of the offshore disposal site at locations as specified in Appendix 2 of this consent. All bathymetric surveys shall have an accuracy of 0.1 metres vertically. If additional surveys or a different survey pattern is developed and contained within the Environmental Management Plan, this is to be in addition to the requirements of this consent. The bathymetric surveys shall be undertaken at the following time periods:
- (a) For Incremental Capital Works:
 - (i) Prior to the commencement of any Incremental Capital Works in accordance with the high intensity survey plan (A) specified in Appendix 2.
 - (ii) Once annually during Incremental Capital works in accordance with the high intensity survey plan (A) specified in Appendix 2.
 - (iii) Thereafter annually during Incremental Capital works in accordance with the low intensity survey plan (B) specified in Appendix 2.
 - (iv) Within six months of the completion of all Incremental Capital works in accordance with the low intensity survey plan (B) specified in Appendix 2.

- (b) For Major Capital Works, all in accordance with the high intensity survey plan (A) specified in Appendix 2.
 - (i) Within the period six months prior to the commencement of Major Capital Works.
 - (ii) Every three months during the Major Capital Works.
 - (iii) Within six months of the completion of all Major Capital Works.
 - (iv) On an annual basis for three years following completion of capital dredging.

The results summarised in a report to be submitted to the consent authority within three months of the completion of each survey.

- 11. Within 2 years of completion of all Incremental Capital and Major Capital Works the consent holder shall submit a report to the consent authority that summarises the results of all bathymetric surveys undertaken in accordance with this consent and shall clearly indicate the degree of change to the seabed in the surveyed areas and discuss the impacts of deposition authorised by this consent and detail the actual effects on the environment of the works.
- 12. The consent holder shall commission a suitably qualified person or organisation to undertake a comprehensive baseline biological monitoring survey at least three months prior to commencement of Incremental Capital Works and Major Capital Works. The extent of the baseline survey shall focus on the zone indicated in blue on drawing A1. 11254 as specified in Appendix 3, but should also gather information about meaningful parameters at sites near Shag Point and Pipikaretu Point (as control sites). The details of this baseline survey shall be included in the Environmental Management Plan which is to be developed in consultation with the Technical Group before being submitted to the consent authority. The baseline biological monitoring survey shall be reported to the consent authority once completed.
- 13. Within 3 months of the completion of the baseline survey required by Condition 12, the consent holder shall commission a an ongoing study by a suitably qualified person or organisation to monitor the effects on the biological and physical environment of dredge material deposited at Site A0. The aim of monitoring shall be to provide a clear understanding of the degree and extent of impacts to a standard that will enable decisive and timely decisions about dredge disposal management. The extent of monitoring shall cover the zone defined above in Condition 12 and shall expand if impacts are shown to extend beyond this area. Prior to the study commencing the Technical Group shall be consulted on the design. The study shall include but not be limited to:
 - (a) the effects on species diversity;
 - (b) the long term effects on threatened species that frequent the area;
 - (c) an assessment of the effects on the number of each species;
 - (d) setting out a comprehensive biological monitoring programme covering appropriate physical and biological parameters, including indicator species; and
 - (e) measurement of turbidity, water clarity and sediment movement in order to further understand re-suspension and enable ground truthing of the sediment plume modelling.

Monitoring of indicators shall be at a frequency appropriate for detecting change in the indicator and a monitoring plan shall be included in the Environmental Management Plan.

- 13A The Technical Group shall meet at least every 6 months or sooner if there is any aberration from expected variation in any of the monitored parameters. Any exceedance of threshold levels set in the Environmental Management Plan identified from the monitoring shall be reported to the consent authority immediately and acted upon through the Environmental Management Plan. A report shall be provided to the consent authority at yearly intervals for the duration of the works outlining the results from monitoring the effects of Incremental Capital Works and Major Capital Works and allowing a review of the effectiveness of the monitoring.
14. An ongoing biological monitoring survey shall be undertaken, and reported to the consent authority, at three yearly intervals for the duration of the consent to monitor the effects of Incremental Capital Works and Major Capital Works on species diversity and community composition and species abundance. The monitoring plan shall be included in the Environmental Management Plan
15. Monitoring shall continue for three years following completion of either the Incremental Capital or Major Capital dredging operation (whichever is completed later).
16. Results from all monitoring undertaken pursuant to Conditions 13-15 shall be reported to the consent authority on an annual basis.

General

17. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present at the consent holder's office and on the dredge/s carrying out the work at all times while the work is being undertaken.
18. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
19. During the exercise of this consent, the consent holder shall ensure that the effects of the discharge on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan.
20. The consent holder shall ensure that no fuel or oils, enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
21. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its

intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:

- (a) ensuring that the monitoring regime is appropriate; or
- (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; including but not limited to:
 - (i) the effects of the exercise of this consent on the ecology and water quality of Otago Harbour; or
 - (ii) the effects of the exercise of this consent on the ecology and water quality of the offshore areas of the Pacific Ocean; or
 - (iii) the effects of the exercise of this consent on the surf breaks of national significance identified in the NZCPS (2010) which are in the vicinity of the disposal site.
 - (iv) the appropriate mitigation of the environmental effects of the activity having regard to the available deposition technology; or
- (c) addressing the contents of the Environment Management Plan; or
- (d) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Consultation

22 Within three months of the commencement of this consent, the consent holder shall invite a cross section of the Lower Harbour and Otago coastal communities and organisations, generally as described in Section 8.2 of the Assessment of Environmental Effects lodged in support of this consent, to form the “Project Consultative Group” (PCG).

- (a) The purpose of the PCG is to facilitate consultation between the wider users of Otago Harbour and its surrounds and Port Otago Ltd during the Incremental Capital and Major Capital Works.
- (b) The consent holder shall invite members of the PCG to meetings as follows:
 - (i) Annually to discuss and review the monitoring reports produced under the relevant sections of condition(s) of this consent for the Incremental Capital Works;
 - (ii) At monthly intervals during the undertaking of the Major Capital Works.
- (c) The PCG meetings shall be conducted in accordance with the consultation section of the Environment Management Plan.
- (d) The consent holder shall invite representatives of the consent authority to all meetings of the PCG.
- (e) The consent holder shall keep minutes of the meetings held in accordance with clause (c) and shall forward them to all attendees.
- (f) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the PCG at the meetings held in accordance with clause (c).

Kai Tahu Engagement

23. Within three months of the commencement of this consent, the consent holder shall invite representatives of the local hapu, iwi and the East Otago Taiapure Committee to join a “Manawhenua Consultation Group” (MCG).
- (a) The purpose of the MCG, the meetings that will be held with the MCG, and the consent holder’s obligations to the MCG shall be described in the consultation section of the Environmental Management Plan but shall be designed to:
 - (i) Facilitate consultation between the MCG and Port Otago Ltd during the Incremental and Major Capital Works.
 - (ii) Consult the MCG on the design of the monitoring programmes, including the development of cultural health indicators for key species of importance to Kāi Tahu.
 - (iii) Review monitoring reports during and after completion of the Incremental and Major Capital Works. If necessary technical expertise shall be made available by the consent holder to interpret the monitoring data.
 - (iv) Identify methods to avoid, remedy or mitigate any adverse effects of Project Next Generation on the cultural values, interests, and associations of the MCG with the Otago Harbour and Te Tai o Arai Te Uru (Otago Coastal Marine Area).
 - (b) The consent holder shall, not less than three months before, and at least once every three months when Major Capital works are being undertaken in accordance with this resource consent and Consent 2010.193, invite the MCG to a meeting to discuss any matter relating to the exercise and monitoring of the consents.
 - (c) The consent holder shall, in complying with the notification requirements of this consent to the consent authority, or when monitoring or research activities are being planned, or when results are to be submitted in accordance with this resource consent, invite the MCG to a meeting to discuss any matter and share this information prior to submitting the information to the consent authority. The information shall be provided to the MCG sufficiently in advance of the meeting so that the MCG has time to review and consider it.
 - (d) Notwithstanding clause (b) and clause (c) the consent holder shall, at least once per calendar year, invite representatives of the consent authority and the MCG to a meeting to discuss any matter relating to the exercise and monitoring of this consent. At this time the consent holder shall, in addition to any matters relating to the exercise and monitoring of this consent, use its best endeavours to inform the MCG of the likely dredging to be undertaken in the following year.
 - (e) The consent holder shall keep minutes of the meetings held in accordance with clause (b), (c) and (d) and shall forward them to all attendees.
 - (f) The meetings required by clause (b), (c) and (d) need not occur if the MCG notify the consent holder (for clause (b), (c) and (d)) and the consent authority (for clause (d)) that the meeting is not required.
 - (g) The consent holder shall provide final copies of the reports prepared in accordance with these conditions to the MCG concurrently with them being submitted to the consent authority.

Technical Group

24. The consent holder shall establish a Technical Group with the following functions:
- (a) to meet and receive monitoring data and reports from the physical and biological monitoring undertaken as part of Project Next Generation dredging, and present and future maintenance dredging;
 - (b) on an ongoing basis to evaluate the physical and biological impacts of Project Next Generation on the Lower Otago Harbour and the receiving waters offshore;
 - (c) to make recommendations to the consent holder and/or the consent authority on management actions to ameliorate the adverse effects of dredging and disposal as part of Project Next Generation; and
 - (d) to make recommendations to the consent holder and/or the consent authority on appropriate changes to the physical and biological monitoring framework to ensure that it delivers timely focused results for the improved management of the project.
25. Changes to the Environmental Management Plan in response to recommendations of the Technical Group shall be reasonably considered by the consent holder and implemented to the extent practicable. Any changes to the Environmental Management Plan shall be submitted to the consent authority for review and certification to ensure that it complies with the conditions of consent.
26. The Technical Group shall have the following membership:
- (a) representatives of Otakou and Puketeraki runanga;
 - (b) a representative of the Department of Conservation;
 - (c) a representative of Port Otago Limited; and
 - (d) a representative of Otago Regional Council.
27. A suitably qualified technical representative nominated by the local fishing industry shall be invited to be a member of the Technical Group. The Technical Group may also co-opt additional members to ensure that it has the requisite skills to be able deliver on its brief.
28. The Technical Group will be serviced by the consent holder and shall meet as frequently as is reasonably necessary to undertake its functions listed in Condition 24 of this consent.

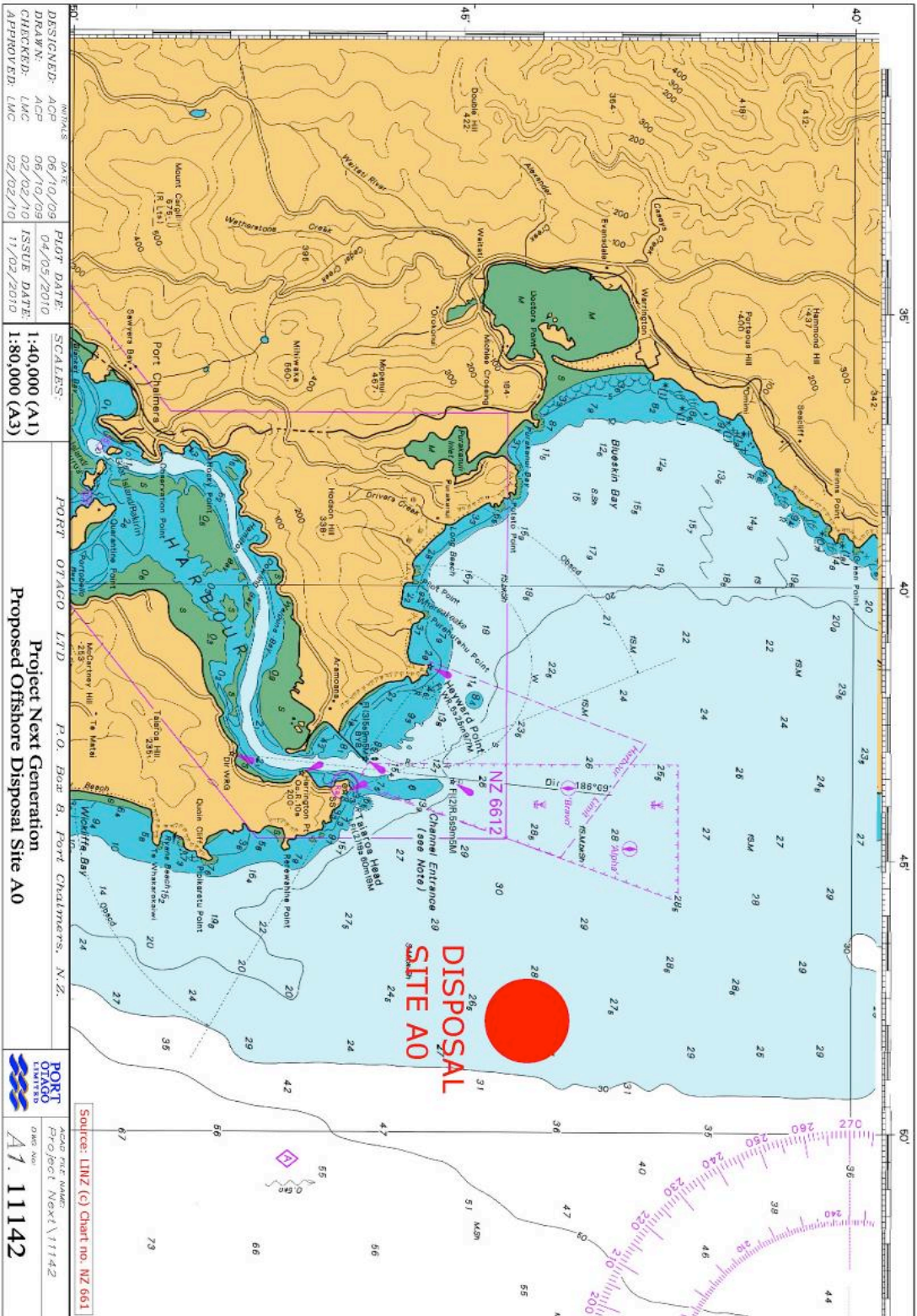
The reports described in Condition 24 above are those specified under the conditions of the following consents.

- (a) 2000.472_VI, Condition 11;*
- (b) 2010.193, Conditions 18, 20 and 21;*
- (c) 2010.194, Conditions 9, 11 and 12;*
- (d) 2010.195, Conditions 11, 12 and 13*
- (e) 2010.197, Condition 8; and*
- (f) 2010.198, Conditions 9,10,11,12,13 and 13A.*

Appendix 1

Coastal Permit 2010.198

Proposed Offshore Disposal Site Plan 11142

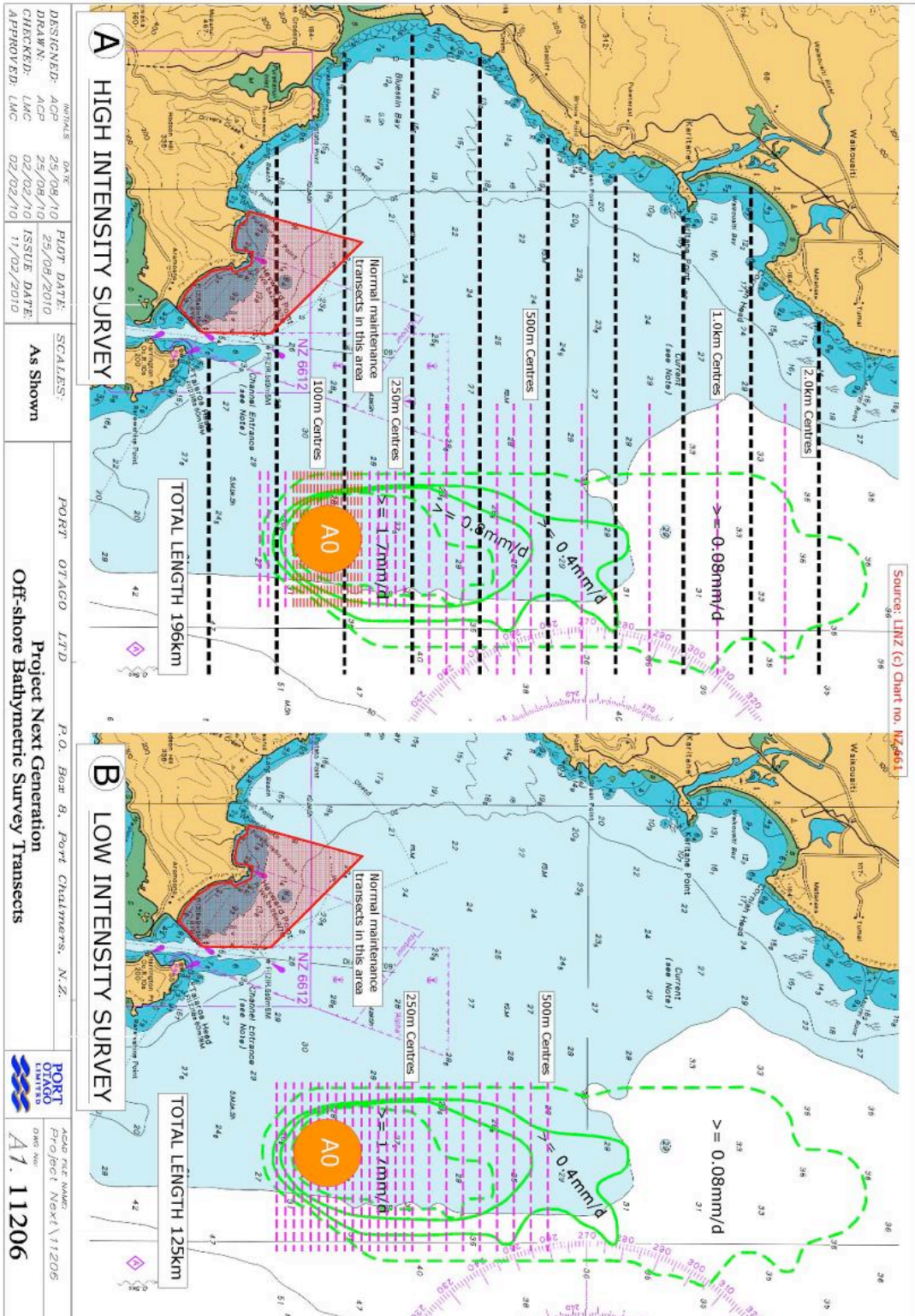


DESIGNED:	DATE:	PILOT DATE:	SCALE(S):
ACP	06/10/09		1:40,000 (A1)
DRAWN:	06/10/09	04/05/2010	1:80,000 (A3)
CHECKED:	02/02/10	11/02/2010	
APPROVED:	02/02/10		

PORT OF TAGO LTD
 P.O. Box 81, Port Chalmers, N.Z.
 Project Next Generation
 Proposed Offshore Disposal Site A0


 PORT OF TAGO LTD
 Project Next 11142
 Source: LINZ (c) Chart no. NZ 661
 Date: 07/11/14
11142

Appendix 2 Coastal Permit 2010.198 Offshore Biological Monitoring Zone Plan 11254



DESIGNED: ACP 25/08/10
 DRAWN: ACP 25/08/10
 CHECKED: LMC 02/02/10
 APPROVED: LMC 02/02/10

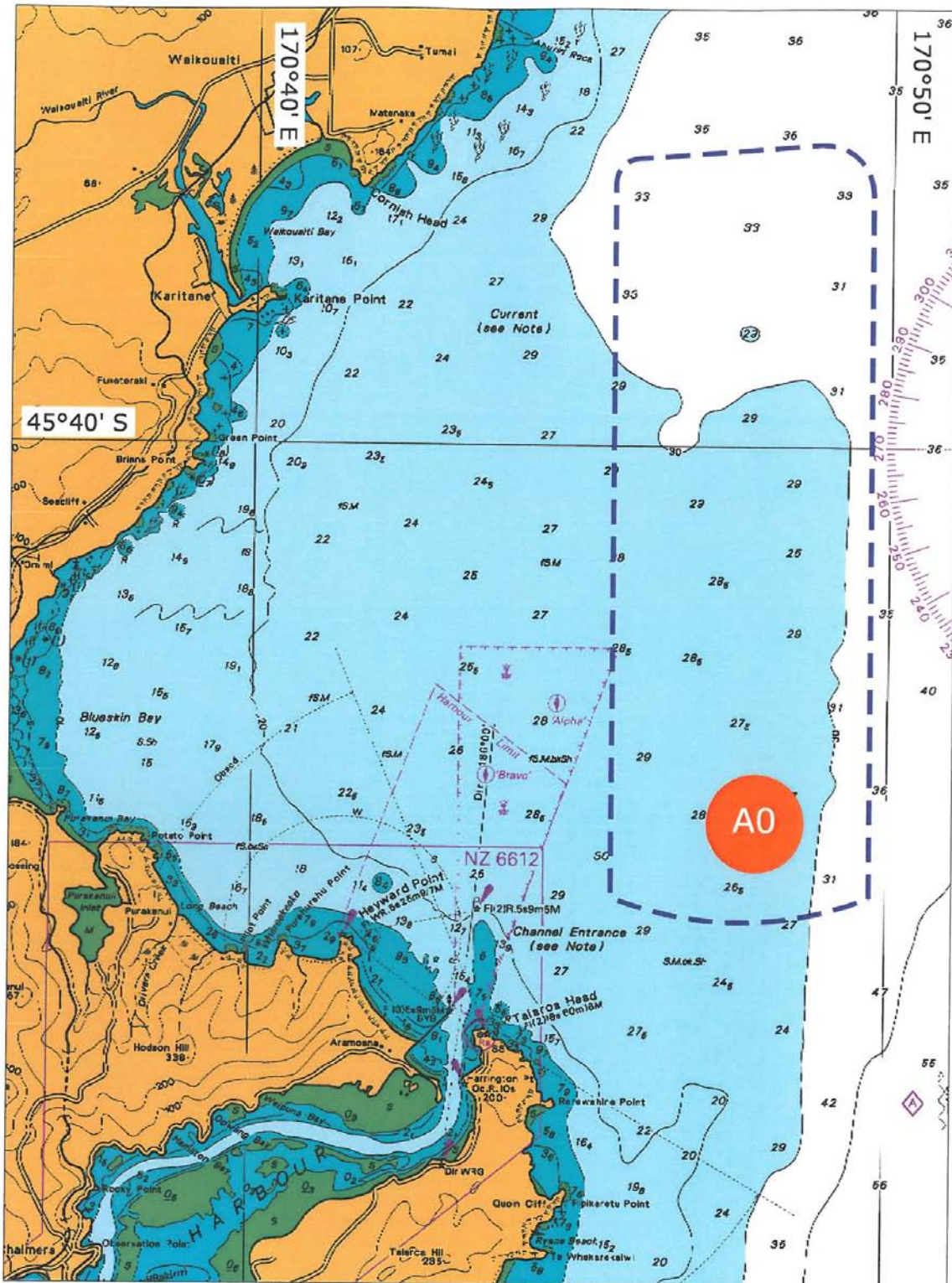
PILOT DATE: 25/08/2010
 ISSUE DATE: 11/02/2010

SCALES: As Shown

PORT OTAGO LTD
 Project Next Generation
 Off-shore Bathymetric Survey Transects

P.O. Box 8, Port Chalmers, N.Z.
 PORT OTAGO
 Project Next 11205
 0477 11206

Appendix 3
Coastal Permit 2010.198
Offshore Biological Monitoring Zone Plan 11254



Project Next Generation
 Offshore Biological Monitoring Zone

Dwg No. 11254
 Scale 1:100000

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To erect a jetty within the coastal marine area for the purpose of erecting a new public use fishing jetty.
- Term:** Ten (10) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Otago Harbour, Boiler Point, approximately 850 metres northeast of the intersection of Beach Street and George Street, Port Chalmers.
- Legal description:** Crown Land Seabed
- Map reference:** Approximate midpoint NZTM 2000 4924506N 1415734E
- Chart Reference:** Approximate midpoint WGS84 (Chart) 45°48'30" S 170°37'42" E

**Conditions:
Specific**

1. This consent shall be exercised together with Coastal Permits RM10.193.01, 2010.200, 2010.202 and 2010.203.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in general accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths and Section 2.4 – Project Description – Multipurpose Wharf extension and Fishing Jetty - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Coastal Permit 2010.200. If there is an inconsistency the conditions and terms of this consent shall prevail.
4. The consent holder shall clearly display the assigned consent authority permit number 2010.199 on the landward end of the jetty (in public view) within three

weeks of completion of construction. This number shall be displayed on the jetty for the remainder of the consent term once the jetty is constructed.

5. During the construction period the generation of noise as a result of construction activity shall not exceed the New Zealand Construction Noise Standard NZS 6803 (1999).

Performance Monitoring

6. The consent holder shall provide the consent authority with written notice of the intention to commence jetty construction, no less than three months before the work commences.
7. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.200 the following details for the works authorised by this consent. The Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a full set of working plans for the construction of the jetty;
 - (b) a schedule of proposed works;
 - (c) methods to be implemented to minimise the discharges and coastal marine area disturbances as a result of jetty construction; and
 - (d) contingency plans for the accidental spill of contaminants including fuels, oils, or cement type products.

Any changes to this section of the Environmental Management Plan required by Coastal Permit 2010.200 shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

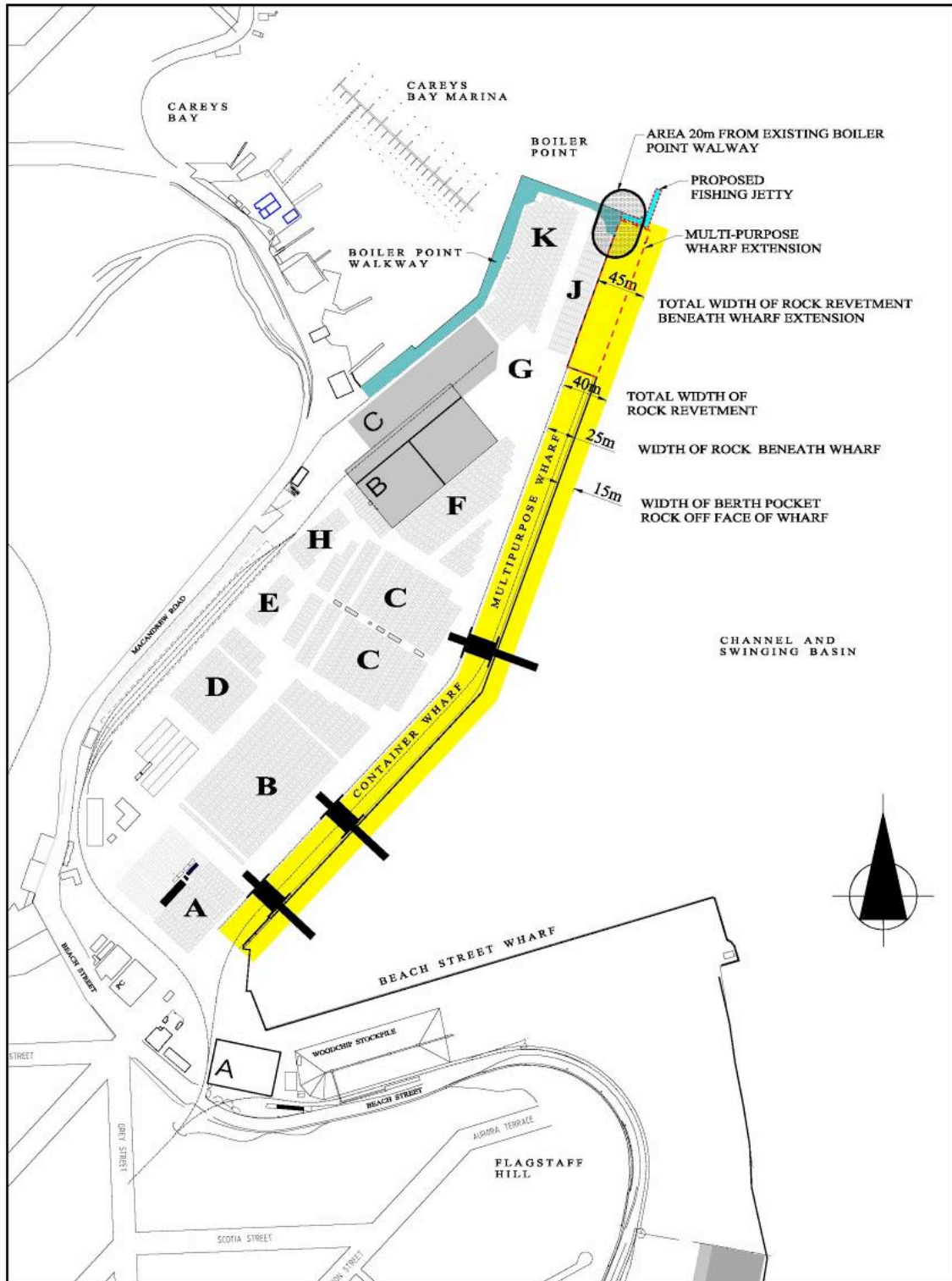
8. Within three weeks of completion of construction of the jetty, the consent holder shall submit colour photographs of the structure to the consent authority.
9. Within three months of the completion of jetty construction, the consent holder shall submit to the consent authority 'as-built' plans and diagrams of the structure.
10. The consent holder shall submit a copy of the Code of Compliance Certificate (issued by the Dunedin City Council) upon completion of the construction of the jetty to the consent authority within one month of the certificate being issued.

General

11. To the extent practicable, works shall not be carried out within a 20 metre radius of the end of the Boiler Point walkway, identified in Appendix 1, on Public Holidays or the period between 20 December and 10 January of the following year (inclusive).
12. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.

13. The consent holder shall ensure that no fuel or oils, enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
14. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
15. During the exercise of this consent, the consent holder shall ensure that the effects of the discharge on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan specified in Coastal Permit 2010.200.
16. All plant, equipment, debris, rubbish and any other material brought on-site shall be removed from the site prior to, or on completion of, the works. The site shall be cleaned to a level that existed prior to commencement of construction.
17. The jetty shall be maintained in a structurally sound and tidy state.
18. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
 - (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - (b) addressing the contents of the Environment Management Plan; or
 - (c) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Appendix 1
Coastal Permit 2010.197
Location of Multipurpose Wharf Extension, Fishing Jetty and Rock Revetment
A1 11250



Port Otago Next Generation -
 Location of Multi-Purpose Wharf Extension,
 Fishing Jetty and Rock Revetment Work

Approx. Scale 1:3000

A3 11250

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To erect a wharf within the coastal marine area for the purpose of extending the Port Chalmers Multi-purpose Wharf.
- Term:** Ten (10) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Otago Harbour, located between the Port Chalmers container wharf and Boiler Point approximately 750 metres northeast of the intersection of Beach Street and George Street, Port Chalmers.
- Legal description:** Crown Land Seabed
- Map reference:** Approximate midpoint NZTM 2000 4924419N 1415706E.
- Chart Reference:** Approximate midpoint WGS84 (Chart) 45°48'33" S 170°37'41" E.

Conditions:

Specific

1. This consent shall be exercised together with Coastal Permits 2010.011, 2010.197, 2010.202 and 2010.203.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in general accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 Project Description – Deepening, Widening and Maintaining Lower Harbour Channel, Swinging Area and Berths and Section 2.4 – Project Description – Multipurpose Wharf extension and Fishing Jetty - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 5 of this consent. If there is an inconsistency the conditions and terms of this consent shall prevail.

4. During the construction period the generation of noise as a result of construction activity shall not exceed the New Zealand Construction Noise Standard NZS 6803 (1999).

Performance Monitoring

5. The consent holder shall prepare an Environmental Management Plan for the extension of the Multi-purpose Wharf, rock revetment/buttress and Fishing Jetty works authorised by the above specified consents. This plan shall be prepared in consultation with the consent authority, and submitted to the consent authority for review at least one month prior to any works authorised by Coastal Permits 2010.197, 2010.199, 2010.202, 2010.203 and 2010.205 commencing. The consent authority's review is for the purpose of certifying compliance and consistency with the consent conditions. The Environmental Management Plan shall incorporate industry best practice and include but not be limited to, the following:

- (a) a list of key personnel and points of contact;
- (b) a description of the proposed works;
- (c) a description of the staging plan for the proposed works which shall identify each specific activity and proposed duration of each stage;
- (d) a description of the expected construction and development methodology;
- (e) a summary and timetable of all reporting required under this consent, Coastal Permits 2010.197, 2010.199, 2010.202, 2010.203 and 2010.205 and the Environmental Management Plan and the relevant periods that they cover;
- (f) a description of what actions will be taken to adaptively manage the actual or potential effects of consented activities (including relating to noise, contamination, water quality, aquatic communities) to satisfy consent conditions;
- (g) contingency measures for the accidental spill of contaminants into the coastal marine areas including fuels, oils and cement products;
- (h) the allocation of responsibility for updating the plan should future amendments be required; and
- (i) any items required by Coastal Permits 2010.197, 2010.199, 2010.202, 2010.203 and RM10.193.01 to be included in this Environmental Management Plan.

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

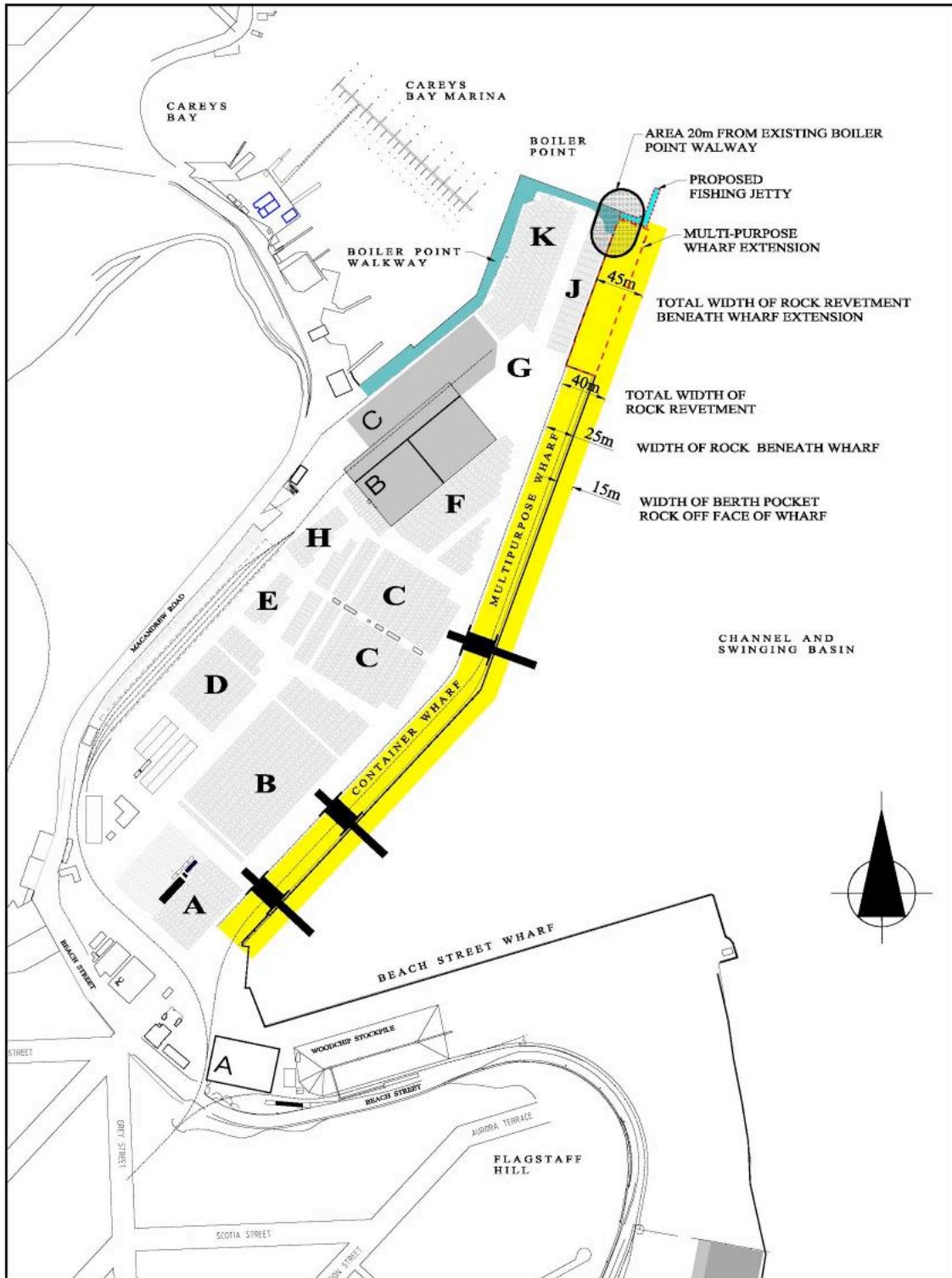
6. The consent holder shall provide the consent authority with written notice of the intention to commence construction of the wharf extension, no less than three months before the work commences.
7. Within three weeks of completion of the wharf extension, the consent holder shall submit colour photographs of the structure to the consent authority.
8. Within three months of the completion of wharf construction, the consent holder shall submit to the consent authority 'as-built' plans and diagrams of the structure.

9. The consent holder shall submit a copy of the Code of Compliance Certificate (issued by the Dunedin City Council) upon completion of the construction of the wharf extension to the consent authority within one month of the certificate being issued.

General

10. To the extent practicable works shall not be carried out within a 20 metre radius of the end of the Boiler Point walkway identified in Appendix 1 on Public Holidays or the period between 20 December and 10 January of the following year (inclusive).
11. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.
12. The consent holder shall ensure that no fuel or oils, enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
13. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
14. During the exercise of this consent, the consent holder shall ensure that the effects of the wharf construction on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan specified in Condition 5 of this consent.
15. All plant, equipment, debris, rubbish and any other material brought on-site shall be removed from the site prior to, or on completion of, the works. The site shall be cleaned to a level that existed prior to commencement of construction.
16. The wharf shall be maintained in a structurally sound and tidy state.
17. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
 - (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - (b) addressing the contents of the Environment Management Plan; or
 - (c) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Appendix 1
Coastal Permit 2010.200
Location of Multipurpose Wharf Extension, Fishing Jetty and Rock Revetment
A1 11250



Port Otago Next Generation -
 Location of Multi-Purpose Wharf Extension,
 Fishing Jetty and Rock Revetment Work

Approx. Scale 1:3000

A3 11250

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To disturb the foreshore and seabed for the purpose of constructing the Fishing Jetty and extending the Port Chalmers Multi-purpose Wharf.
- Term:** Ten (10) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** *Multi-purpose Wharf:* Otago Harbour, located between the Port Chalmers container wharf and Boiler Point approximately 750 metres northeast of the intersection of Beach Street and George Street, Port Chalmers.
Fishing Jetty: Otago Harbour, located on Boiler Point, approximately 850 metres northeast of the intersection of Beach Street and George Street, Port Chalmers.
- Legal description:** Crown Land Seabed, Bed of Otago Harbour DP 3904.
- Map reference:** *Multi-purpose Wharf:* approximate midpoint NZTM 2000 4924419N 1415706E.
Fishing Jetty: approximate midpoint NZTM 2000 4924506N 1415734E.
- Chart Reference:** *Multi-purpose Wharf:* approximate midpoint WGS84 (Chart) 45°48'33" S 170°37'42" E.
Fishing Jetty: approximate midpoint WGS84 (Chart) 45°48'30" S 170°37'42" E.

**Conditions:
Specific**

1. This consent shall be exercised together with Coastal Permits 2010.011, 2010.197, 2010.199, 2010.200, 2010.203 and RM10.193.01.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in general accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 Project Description – Deepening, Widening and Maintaining Lower Harbour

Channel, Swinging Area and Berths and Section 2.4 – Project Description – Multipurpose Wharf extension and Fishing Jetty - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 5 of Coastal Permit 2010.200. If there is an inconsistency the conditions and terms of this consent shall prevail.

4. The consent holder shall ensure that all machinery associated within the disturbance is operated in accordance with the Environmental Management Plan specified in Condition 5 of Coastal Permit 2010.200.
5. The generation of noise as a result of construction activity shall not exceed the New Zealand Construction Noise Standard NZS 6803 (1999).

Performance Monitoring

6. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.200 the following details for the works authorised by this consent. The disturbance component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the disturbance occurs;
 - (b) methods to be implemented to minimise the disturbance and associated plumes of sediment laden water;

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority for review and certification prior to those changes being implemented.

General

7. For the purpose of this consent, pile driving activity shall only take place Monday to Friday between the hours of 7:00 am and 7:00 pm.
8. To the extent practicable, works shall not be carried out within a 20 metre radius of the end of the Boiler Point walkway identified in Appendix 1 on Public Holidays or the period between the 20 December and 10 January the following year (inclusive).
9. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.
10. The consent holder shall ensure that the disturbance of the coastal marine area associated with the works shall be restricted to that area necessary to do the work.
11. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.

12. During the exercise of this consent, the consent holder shall ensure that the effects of the activities on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan on Coastal Permit 2010.200.
13. The consent holder shall ensure that no fuel or oils enter into the coastal marine area as a result of these works. This shall include the maintenance of machinery at all times to prevent leakage of fuel or oil into the coastal marine area. In the event of contamination, the consent holder shall instigate remedial action and shall notify the consent authority as soon as practicable.
14. If the consent holder:
 - (a) Discovers koiwi tangata (human skeletal remains), or Maori artefact material, the consent holder shall without delay:
 - (i) Notify the tangata whenua and New Zealand Historic Places Trust and in the case of skeletal remains, the New Zealand Police.
 - (ii) Stop work within the immediate vicinity of the discovery to allow a site inspection by the New Zealand Historic Places Trust and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive; if a thorough site investigation is required and whether an Archaeological Authority is required.
 - (iii) Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation.

Site work shall recommence following consultation with the consent authority, the New Zealand Historic Places Trust, Tangata whenua, and in the case of skeletal remains, the NZ Police, provided that any relevant statutory permissions have been obtained.

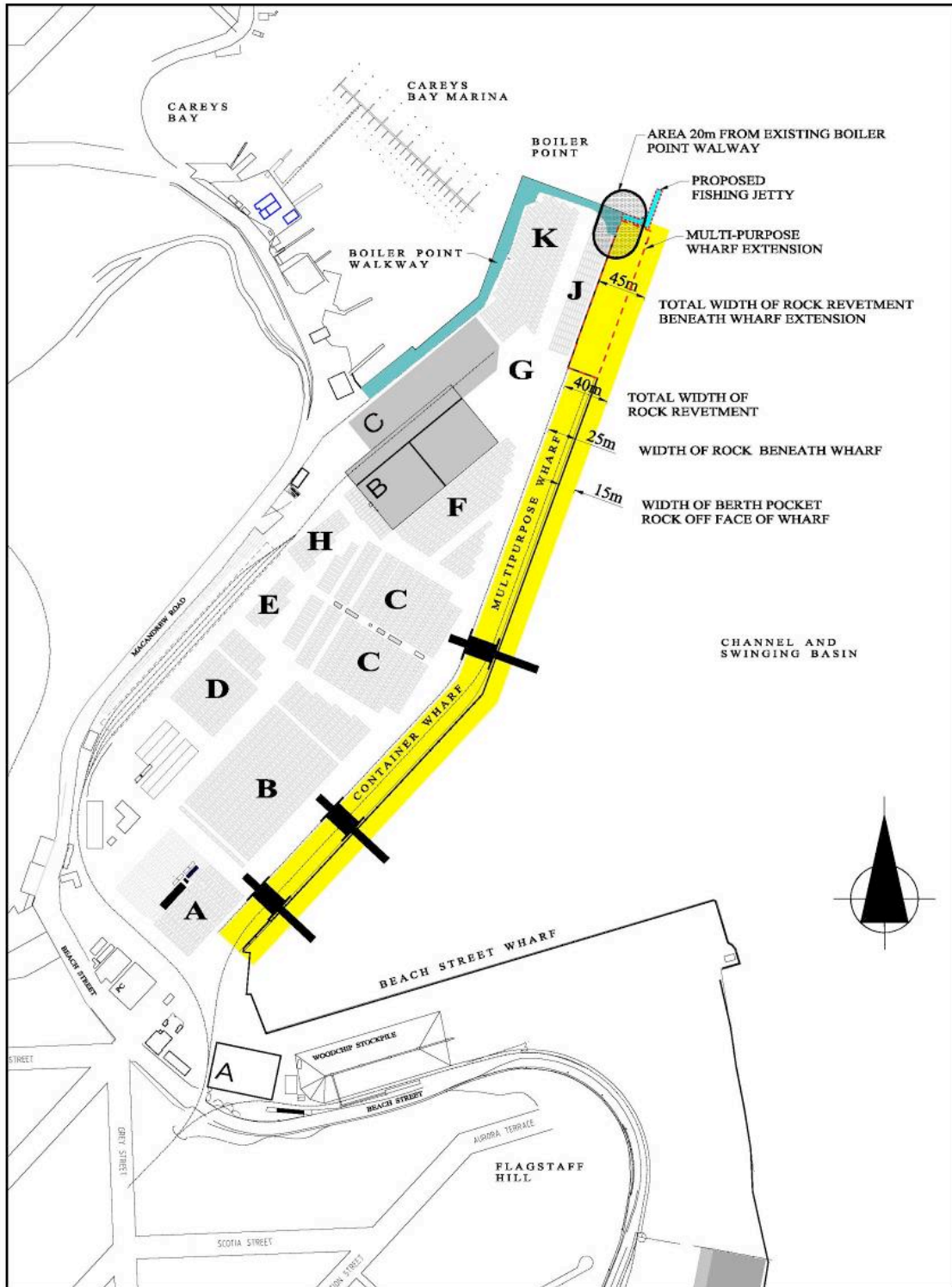
- (b) Discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) Stop work within the immediate vicinity of the discovery or disturbance; and
 - (ii) Advise the New Zealand Historic Places Trust, and in the case of Maori features or materials, the tangata whenua, and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993; and
 - (iii) Arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work shall recommence following consultation with the consent authority.

15. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:

- (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- (b) addressing the contents of the Environment Management Plan; or
- (c) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Appendix 1
Coastal Permit 2010.202
Location of Multipurpose Wharf Extension, Fishing Jetty and Rock Revetment
A1 11250



Port Otago Next Generation -
 Location of Multi-Purpose Wharf Extension,
 Fishing Jetty and Rock Revetment Work

Approx. Scale 1:3000

A3 11250

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited
- Address:** 15 Beach Street, Port Chalmers, Dunedin
- Purpose:** To discharge contaminants to the coastal marine area for the purpose of depositing rock rip rap, extending the Port Chalmers Multi-purpose Wharf and constructing a Fishing Jetty.
- Term:** Ten (10) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** *Multi-purpose Wharf:* Otago Harbour, located between the Port Chalmers container wharf and Boiler Point approximately 750 m northeast of the intersection of Beach Street and George Street, Port Chalmers.
Fishing Jetty: Otago Harbour, located on Boiler Point, approximately 850 m northeast of the intersection of Beach Street and George Street, Port Chalmers.
- Legal description:** Crown Land Seabed, Bed of Otago Harbour DP 3904
- Map reference:** *Multi-purpose Wharf:* approximate midpoint NZTM 2000 4924419N 1415706E.
Fishing Jetty: approximate midpoint NZTM 2000 4924506N 1415734E.
- Chart Reference:** *Multi-purpose Wharf:* approximate midpoint WGS84 (Chart) 45°48'33" S 170°37'41" E.
Fishing Jetty: approximate midpoint WGS84 (Chart) 45°48'30" S 170°37'42" E.

**Conditions:
Specific**

1. This consent shall be exercised together with Coastal Permit 2010.197, 2010.199, 2010.200, 2010.202 and RM10.193.01.
2. If this consent is not given effect to within a period of five years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.
3. This consent shall be exercised in general accordance with the application for resource consent dated 25 May 2010 including the Assessment of Environmental Effects and all supporting documents, (specifically Chapter 2.0, Section 2.2 Project Description – Deepening, Widening and Maintaining Lower Harbour

Channel, Swinging Area and Berths and Section 2.4 – Project Description – Multipurpose Wharf extension and Fishing Jetty - application document entitled Project Next Generation – Resource Consent Applications and Assessment of Environmental Effects May 2010) and the Environmental Management Plan developed in accordance with Condition 5 of Coastal Permit 2010.200. If there is an inconsistency the conditions and terms of this consent shall prevail.

Performance Monitoring

4. The consent holder shall include in the Environmental Management Plan prepared for Coastal Permit 2010.200 the following details for the works authorised by this consent. The discharge component of the Environmental Management Plan shall incorporate industry best practice and include but not be limited to the following:
 - (a) a description of how the discharge occurs;
 - (b) methods to be implemented to minimise the discharge and associated plumes of sediment laden water;
 - (c) contingency plans for the accidental spill of contaminants into the coastal marine area including fuels and oils;

Any changes to the Environmental Management Plan shall be made after consultation with the consent authority and shall be submitted to the consent authority prior to those changes being implemented.

General

5. The consent holder shall require all staff or contractors engaged to undertake work authorised by this consent to do so in accordance with the conditions of this consent. A copy of this consent shall be present on site at all times while the work is being undertaken.
6. During the exercise of this consent, the consent holder shall take all practicable precautions to protect public safety at all times.
7. During the exercise of this consent, the consent holder shall ensure that the effects of the discharge on marine biota are minimised to the extent practicable in accordance with the Environmental Management Plan required by Coastal Permit 2010.200.
8. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:
 - (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage;
 - (b) addressing the contents of the Environment Management Plan; or
 - (c) ensuring the conditions of this consent are consistent with any National Environmental Standards.

COASTAL PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

- Name:** Port Otago Limited.
- Address:** 15 Beach Street, Port Chalmers, Dunedin.
- Purpose:** To occupy the coastal marine area for the purpose of providing a fishing jetty for public use.
- Term:** Thirty-five (35) years from the date of commencement in accordance with s.116 of the Resource Management Act 1991.
- Location:** Otago Harbour, Boiler Point approximately 850 metres northeast of the intersection of Beach Street and George Street, Port Chalmers.
- Legal description:** Crown Land Seabed
- Map reference:** Approximate midpoint NZTM 2000 4924506N 1415734E.
- Chart Reference:** Approximate midpoint WGS84 (Chart) 45°48'30" S 170°37'42" E.

Conditions:

Specific

1. The occupation of the Coastal Marine Area at Boiler Point shall be limited to the area identified in Appendix 1 to this consent.
2. The consent holder shall ensure that once erected in the coastal marine area the Coastal Permit number RM10.193.01 is clearly displayed on the fishing jetty.
3. The consent holder shall provide for continued access to the coastal marine area at Boiler Point by way of the existing walkways around the perimeter of Boiler Point to access the Fishing Jetty.
4. The Fishing Jetty shall be available to the public at all times except where Port Otago Limited needs to exclude the public pursuant to its rights under its existing Coastal Permit over the same area [consent number 2010.011] (such exclusion only being permitted for safety or operational reasons).

General

5. The consent holder shall pay any consent authority's administrative fee or coastal occupation charges as set by the consent authority.
6. The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its

intention to review the conditions of this consent within three months of each anniversary of the commencement of this consent for the purpose of:

- (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage;
- (b) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Advice Note to consent holder

If a replacement permit is required upon the expiry date of this permit, any new application should be lodged at least 6 months prior to the expiry date of this permit to enable reliance on s.124 RMA rights. Applying at least 6 months before the expiry date enables exercise this consent to continue until a decision is made on the replacement application and any appeals are resolved.