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**PROPOSED
CONSENT
CONDITIONS
(CHANNEL
DEEPENING)**

<p>CRCXX Coastal Permit</p>	<p>a) To dredge (disturb) seabed material for purposes of deepening, extending and widening a shipping (navigation) channel that includes a ship-turning basin, and berth pockets; and to dredge (disturb) seabed material for the purposes of construction of a reclamation in Te Awaparahi Bay;</p> <p>b) To discharge contaminants (dredge spoil and water) into water;</p> <p>c) To discharge contaminants (seabed material and water) into water associated with dredging described in (a) above</p> <p>d) To deposit seabed material on the seabed associated with (a) to (c) above</p>
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Term of Consent

The duration of consent shall be **35** years.

Definitions

For the purposes of this consent the following definitions shall apply:

“**ADCP**” means an acoustic doppler current profiler;

“**BMP**” means the Biosecurity Management Plan;

“**Certification**” means that the EMMP contains all information specified in the EMMP condition(s) and the EMMP meets all the requirements set out in the conditions of the relevant resource consent(s);

“**CHPT**” means the Consent Holder Project Team;

“**Consent Authority**” means the Canterbury Regional Council or any successor;

“**Consent Authority Manager**” means the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager;

“**CRMS**” means Craft Risk Management Standard;

“**DMP**” means the Dredge Management Plan;

“**Dredge Spoil**” means seabed material that has been removed by a dredge and is to be disposed of at the designated spoil disposal ground;

“**Dredging**” means dredging and disposal activities;

“**Dredging Stage**” means when a dredge is deployed at Lyttelton and channel deepening and deepening for reclamation (identified on XXX) are completed to a design depth for that stage.

“**EMMP**” means the Environmental Monitoring and Management Plan;

“**IHS**” means Import Health Standard;

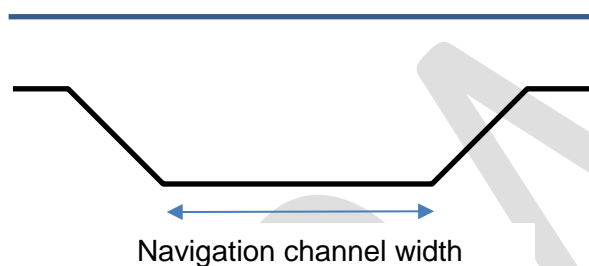
“**MMMP**” means the Marine Mammal Management Plan;

NTU” means nephelometric turbidity unit;

“**PRG**” means the Peer Review Group;

“**Shipping Channel**” means the navigation channel (see diagram below), ship turning basin, and berthage areas;

Edge to edge channel width (not including batter slope)



Cut view of channel

“**TAG**” means the Technical Advisory Group;

“**Tangata Whenua**” means Te Hapū o Ngāti Wheke (Rāpaki), Te Rūnanga o Koukourārata and Te Rūnanga o Ngāi Tahu.

CONDITIONS OF CONSENT

1. LOCATION, VOLUME AND STAGING

- 1.1 Dredging operations shall occur within the Shipping Channel and area subject to future reclamation marked on CRCXX attached to and forming part of this consent.
- 1.2 The discharge of Dredge Spoil shall occur within the area marked on CRCXX attached to and forming part of this consent.
- 1.3 The maximum volume of seabed material discharged by the dredge vessel at the offshore capital disposal ground shall not exceed approximately 18 million cubic metres of in situ sediment.
- 1.4 Dredge Spoil shall not be concentrated in any one part of the offshore disposal ground; it shall be distributed as far as practicable over the offshore disposal ground to ensure the Dredge Spoil is evenly spread on the seabed.
- 1.5 If Dredging is carried out to allow a 14.5m draught vessel to enter Lyttelton Port across all tides the Dredging shall be completed in no fewer than two Dredging Stages.
- 1.6 Prior to the commencement of a Dredging Stage a copy of this consent shall be given to all persons undertaking activities authorised by this consent.

2. ADMINISTRATION

- 2.1 The Consent Authority may, on any of the last 5 working days of May and November serve notice of its intention to review the conditions of this consent for the purposes of:
- 2.1.1 Dealing with any adverse effect on the environment which may arise from the exercise of this consent and which is appropriate to deal with at a later stage;
 - 2.1.2 Ensuring that the real-time turbidity monitoring, turbidity trigger limits and the management response measures are carried out in accordance with the EMMP and the conditions of consent;
 - 2.1.3 Amending the real-time turbidity monitoring, turbidity triggers and the management response measures after a Dredging Stage should the assurance monitoring reveal an unforeseen effect that is attributable to Dredging; and
 - 2.1.4 Require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.
- 2.2 The lapsing date for the purpose of section 125 shall be 10 years after the commencement of the consent.

3. NOTIFICATION AND RECORDS

- 3.1 Prior to a Dredging Stage, the consent holder shall provide a programme of intended Dredging, including the timing of the Dredging Stage and the areas and depth of proposed Dredging. The programme shall be submitted to the Consent Authority Manager not less than one month prior to the commencement of the Dredging Stage.
- 3.2 The consent holder shall keep records detailing the timing, quantities and location of seabed material dredged, and also of the Dredge Spoil disposed of within the offshore disposal ground. These records shall be submitted to the Consent Authority Manager within one month of cessation of a Dredging Stage or at any time upon request from the Consent Authority.

4. CERTIFICATION OF EMMP

- 4.1 The EMMP shall be certified in writing by the Consent Authority Manager acting in a technical Certification capacity prior to Dredging authorised by this consent first commencing and the consent holder shall undertake all activities authorised by this consent in accordance with the approved EMMP.
- 4.2 Any amendment of the EMMP shall be certified in writing by the Consent Authority Manager acting in a technical Certification capacity and the consent holder shall undertake all activities authorised by this consent in accordance with the amended EMMP.
- 4.3 A copy of the certified EMMP or an amended EMMP shall be provided to Tangata Whenua.

5. AMENDMENTS TO OTHER PLANS

- 5.1 The DMP, MMMP and BMP may be amended at any time. Any amendments shall achieve the purpose of the Plan and shall be provided in writing to the Consent Authority Manager.
- 5.2 Copies of an amended DMP, MMMP and BMP shall be provided to the Tangata Whenua.

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6. DREDGE MANAGEMENT PLAN (DMP)

- 6.1 Two months prior to the commencement of the first Dredging Stage, the consent holder shall provide to the Consent Authority Manager a DMP. A copy of the DMP shall be provided to the Tangata Whenua.
- 6.2 The purpose of the DMP shall be to adopt Dredging practices and procedures that ensure that any actual or potential adverse effects on the marine receiving environment are avoided or mitigated.
- 6.3 The DMP shall include, but not be limited to, the following:
- 6.3.1 A description of the number types of dredges to be used;
 - 6.3.2 A description of dredging methodology typically used;
 - 6.3.3 A description of how the location and quantities of Dredge Spoil are recorded;
 - 6.3.4 A description of the maintenance of equipment and systems;
 - 6.3.5 A description of the outdoor lighting being used to reduce the potential for bird strike such as the targeting of luminaries and the use of shields or baffles;
 - 6.3.6 A description of any other necessary measures to avoid or mitigate any actual or potential other adverse effects on the receiving environment during the operation of the dredge; including biofouling, management of waste, and refueling procedures.

7. MARINE MAMMAL MANAGEMENT PLAN (MMMP)

- 7.1 Two months prior to the commencement of the first Dredging Stage, the consent holder shall provide a MMMP to the Consent Authority. A copy of the MMMP shall be provided to Tangata Whenua.
- 7.2 The purpose of the MMMP shall be to reduce the risk of vessel collision with a marine mammal.
- 7.3 The MMMP shall include, but not be limited to, the following:
- 7.3.1 A requirement for a regular crew member on the dredge to be a designated marine mammal observer, which includes record keeping;
 - 7.3.2 Details of the training to be provided to the designated observer, which is to be delivered by a suitably qualified marine mammal expert;
 - 7.3.3 Detailed guidelines for the vessel, including speed limits, to reduce any chances of mortality from vessel strikes with whales, particularly the southern right whales; and
 - 7.3.4 Provision of information protocols with the Department of Conservation during Dredging to help anticipate any potential seasonal interactions with any whale species sighted.
- 7.4 The MMMP shall be prepared by a suitably qualified person who is experienced in managing potential effects on marine mammals.

8. BIOSECURITY MANAGEMENT PLAN (BMP)

- 8.1 One month prior to the arrival of the dredge vessel in New Zealand, the consent holder shall provide a BMP to the Consent Authority. A copy of the BMP shall be provided to Tangata Whenua.
- 8.2 The purpose of the BMP shall be to reduce the risk of a biosecurity incursion.
- 8.3 The BMP shall include, but not be limited to, the following:
- 8.3.1 A description of the dredge vessel and its attributes that affect risk, including key operational attributes (e.g. voyage speed, periods of time idle), maintenance history (including prior inspection and cleaning undertaken), and voyage history since last dry-docking and antifouling (e.g. countries visited and duration of stay);
- 8.3.2 A description of the key sources of potential marine biosecurity risk from ballast water, sediments and biofouling. This should cover the hull, niche areas, and associated equipment, and consider both submerged and above-water surfaces;
- 8.3.3 Findings from previous inspections;
- 8.3.4 A description of the risk mitigation taken prior to arrival in New Zealand, including but not limited to:
- Routine preventative treatment measures and their efficacy, including the age and condition of the antifouling coating, and marine growth prevention systems for sea chests and internal sea water systems;
 - Specific treatments for submerged and above-water surfaces that will be undertaken to address Import Health Standard (IHS) and CRMS (Craft Risk Management Standard) requirements prior to departure for New Zealand. These could include, for example, in-water removal of biofouling, or above-water cleaning to remove sediment;

- Additional risk mitigation planned during transit to New Zealand, including expected procedures for ballast water management;
- Expected desiccation period of above-water surfaces on arrival to New Zealand (i.e. period of air exposure since last dredging operations);

8.3.5 The nature and extent of pre-border inspection that will be undertaken (e.g. at the overseas port of departure) to verify compliance with IHS and CRMS requirements; and

8.3.6 Record keeping and documentation of all mitigation undertaken (i.e. prior to and during transit to New Zealand) to enable border verification if requested by Ministry for Primary Industries or its successor, and to facilitate final clearance.

8.4 The BMP shall be prepared by a suitably qualified person who is experienced in managing the risk of biosecurity incursions.

9. ENVIRONMENTAL MONITORING AND MANAGEMENT PLAN (EMMP)

- 9.1 Two months prior to the commencement of the first Dredging Stage, the consent holder shall provide an EMMP to the Consent Authority Manager. A copy of the EMMP shall be provided to Tangata Whenua.
- 9.2 Within one year after the first Dredging Stage has been completed the CHPT shall complete a formal written review of the EMMP in consultation with the TAG. The review shall examine the implementation of the EMMP during Dredging, any potential gaps in the EMMP and otherwise confirm the EMMP is in compliance with the conditions of this consent.
- 9.3 The purpose of the EMMP is to detail how:
- 9.3.1 Turbidity monitoring and management response measures are implemented to minimise the risk of elevated turbidity, attributed to Dredging, causing any unforeseen effects on the receiving environment;
- 9.3.2 Assurance monitoring is implemented so as to:
- Evaluate modelling predictions and the recovery of benthic communities;
 - Evaluate the predicted absence of effects on sub-tidal and intertidal communities, on mahinga kai and aquaculture, and on the physical shoreline.

- 9.4 The EMMP shall at a minimum address the following topics:
 - 9.4.1 The monitoring of turbidity plumes for adaptive management;
 - 9.4.2 Management measures in response to turbidity plumes;
 - 9.4.3 Assurance monitoring;
 - 9.4.4 Reporting requirements;
 - 9.4.5 Roles and responsibilities of groups involved in monitoring or adaptive management; and
 - 9.4.6 Other management plans and protocols.

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Monitoring of Turbidity for Adaptive Management

- 9.5 As part of an EMMP, the consent holder shall detail the how turbidity plumes are to be monitored to:
- 9.5.1 Confirm whether or not turbidity intensity (concentration) and extent exceed the specified trigger values provided for the implementation of each management response tier;
 - 9.5.2 Assess the relative contributions of Dredging and non-Dredging sources to observed turbidity; and
 - 9.5.3 Classify the turbidity observations using a 'tiered approach' with each tier having its own set of management response measures.
 - 9.5.4 The EMMP shall include, but not be limited to, the following details:
 - 9.5.5 The monitoring equipment to be used, including the use of a nephelometer and ADCPs;
 - 9.5.6 The location of the monitoring equipment;
 - 9.5.7 The setting up and maintenance of monitoring equipment;
 - 9.5.8 The establishment of real-time monitoring so it can be made readily accessible to the TAG and PRG through reporting or notification emails and a summary of the real-time monitoring is readily accessible on the web for the community generally;
 - 9.5.9 Data management;
 - 9.5.10 The identification of three turbidity triggers derived from the methodology referred to in Condition 11; and
 - 9.5.11 The rationale for the three turbidity triggers identified.

Management Measures in Response to Turbidity Plumes

- 9.6 As part of an EMMP, the consent holder shall detail the management response measures to be carried out in response to elevated turbidity as defined by the trigger values.
- 9.7 The EMMP shall include procedures on:
 - 9.7.1 Notifying the TAG, and where relevant notifying the PRG, of an exceedance;
 - 9.7.2 Investigating whether the exceedance of the trigger is caused by Dredging or by other environmental factors; and
 - 9.7.3 Increasing monitoring effort where necessary;
- 9.8 The EMMP shall also include a suite of management response measures where the exceedance of a trigger has been attributed to Dredging, including:
 - 9.8.1 A change of the disposal location with the spoil grounds;
 - 9.8.2 A change in the location of dredging;
 - 9.8.3 A change in the dredging process, including timing of dredging within the tidal phase;
 - 9.8.4 The ceasing of Dredging until conditions are determined to be appropriate for re-commencement of operations in a location.

Assurance Monitoring

- 9.9 As part of the EMMP, the consent holder shall detail the assurance monitoring to be carried out to evaluate predicted effects and the predicted absence of effects.
- 9.10 The consent holder shall monitor the marine receiving environment:
 - 9.10.1 Before Dredging operations commence so a baseline of information is established against which subsequent changes can be referenced; and

9.10.2 During and after Dredging to evaluate how ecology and the physical environment are responding to Dredging.

9.11 The EMMP shall include, but not be limited to, the following parameters:

9.11.1 Subtidal, intertidal and benthic ecological surveys which are to carried out prior to, during and after Dredging activities;

9.11.2 Water quality monitoring which is to carried out prior to, during and after Dredging;

9.11.3 Sediment quality monitoring;

9.11.4 Physical beach shore monitoring; and

9.11.5 Bathymetric surveys.

Reporting Requirements

9.12 As part of the EMMP, the consent holder shall detail the reporting requirements specified in the conditions of consent and otherwise needed to achieve the purpose of the EMMP.

Other Management Protocols

9.13 As part of the EMMP, the consent holder shall acknowledge the other Plans being prepared under this consent and shall detail an accidental discovery protocol.

10. MONITORING

- 10.1 The consent holder shall prepare and undertake a monitoring programme in accordance with these conditions.
- 10.2 The purpose of the monitoring programme is to:
 - 10.2.1 Provide baseline information upon which the adaptive management programme can rely;
 - 10.2.2 Monitor during Dredging so that any management response measures can be carried out in a timely manner;
 - 10.2.3 Monitor during and after each Dredging Stage to evaluate the predicted effects and the predicted absence of effects on the receiving environment.
- 10.3 The consent holder shall carry out baseline monitoring over the period of at least one year prior to the first commencement of Dredging authorised by this consent;
- 10.4 There shall be no fewer than 14 stations monitoring water quality and this shall include not less than 13 stations that carry out telemetered monitoring of turbidity (NTU).
- 10.5 The water quality stations shall be located in the Instrumentation Zones shown on Plan CRC XX as follows:
 - 10.5.1 There shall be no fewer than 6 stations within the Channel zone;
 - 10.5.2 There shall be no fewer than 3 stations within the Inshore zone;
 - 10.5.3 There shall be no fewer than 3 stations within the Spoil Ground zone
 - 10.5.4 There shall be no fewer than 2 stations within the Offshore zone.

- 10.6 There shall be no fewer than 19 ecological stations monitoring¹ the benthic communities as shown on Plan CRC XX.
- 10.7 There shall be no fewer than 6 ecological stations monitoring sub-tidal communities as shown on Plan CRC XX.
- 10.8 There shall be no fewer than 4 ecological stations monitoring inter-tidal communities as shown on Plan CRC XX.
- 10.9 There shall be no fewer than 15 physical beach shore stations as shown on Plan CRC XX.
- 10.10 There shall be no fewer than 4 instruments measuring the acoustics from marine mammals.
- 10.11 The consent holder shall monitor for, but be not limited to, the parameters listed in Tables 1 and 2. Each parameter shall be monitored at the frequency set out Tables 1 and Table 2. The specific location of the water quality monitoring stations, the parameters to be monitored at each station, and the methodology and equipment to be used is to be detailed in the EMMP. The methodology and equipment to be used at the other monitoring stations is to be detailed in the EMMP.
- 10.12 The monitoring programme contained in the EMMP shall be designed and carried out by a suitably experienced person(s) in the monitoring of the marine environment.

¹ 14 benthic stations during dredging and 18 stations during the baseline and after a Dredging Stage

Reporting

10.13 The CHPT shall prepare a baseline monitoring report. The report shall:

10.13.1 Present and discuss the results of baseline monitoring; and

10.13.2 Recommend any amendments to the EMMP to change location of a station or stations within the relevant zone or the monitoring parameters at each station, provided that the amended locations or monitoring parameters at the station better achieve the purpose and objectives of the EMMP.

10.14 The baseline monitoring report shall be provided to the TAG, PRG and the Consent Authority at least 2 months prior to the first commencement of Dredging.

10.15 During and after a Dredging Stage, the CHPT shall provide to the TAG, no later than the end of the third working week of the month, a report that summarises the monitoring data from the previous month and any monitoring or equipment issues that occurred during that period.

10.16 During and after a Dredging Stage, the CHPT shall provide to the TAG, PRG and the Consent Authority no later than the end of the third working week of the month, a report that reviews the monitoring and management response measures carried out during the previous 4-months and shall include, but not be limited, to the following:

10.16.1 Collation of all the monitoring undertaken; and

10.16.2 Details of any triggers being exceeded, the management response measures carried out and the results of monitoring after the management response measures have been completed.

Table 1: Type of parameters to be monitored and the frequency of monitoring

Parameter	Monitoring Frequency	Collection Frequency
Turbidity (NTU)	At least every 30 minutes	Telemetered ¹ or Logged and collected monthly
TSS mg/L	Monthly	Monthly
Benthic PAR (Mol/m ² /d)	At least every 30 minutes	Monthly
Bed Level (altimeter)	At least every 30 minutes	Monthly
pH	At least every 30 minutes	Telemetered or Logged and collected monthly
<ul style="list-style-type: none"> • Temperature • Conductivity • Dissolved Oxygen 	At least every 30 minutes	Telemetered or Logged and collected monthly
Nutrients (phosphorus and nitrogen) and chlorophyll <i>a</i> (µg/L)	Monthly	Monthly
Total and dissolved metals (µg/L)	Monthly	Monthly
Organic chemicals <ul style="list-style-type: none"> - 22 individual acid herbicides - 179 individual multiresidue pesticides - Total petroleum hydrocarbons and BTEX 	6-Monthly	6-Monthly
Water dynamics (current speeds and direction and waves)	At least every 30 minutes	Telemetered Sent 6-hourly
Soft-Sediment Benthic	4-Monthly Survey (subject to whether conditions)	4-Monthly Survey (subject to whether conditions)
Shoreline Ecology <ul style="list-style-type: none"> - Sub-tidal - Inter-tidal 	4-Monthly Survey (subject to whether conditions)	4-Monthly Survey (subject to weather conditions)
Bed Level (Bathymetric Survey)	Monthly	Monthly
Underwater Acoustic Monitoring	Continuously	4-Monthly

¹ For the purposes of this table "telemetered" means the delivering of the monitoring data electronically to LPC as the data is recorded unless otherwise specified in the table.

Table 2: Type of shoreline parameters to be monitored and the frequency of monitoring

Name	Frequency ¹			Method
	Baseline	During	After	
Photo-point monitoring	Quarterly	Quarterly	Quarterly for first 2 years 6-monthly for the following 3 years	To visually assess beach level change or fine sediment deposition from fixed locations and aspects.
Sediment size analysis	6-monthly	6-monthly	6-monthly for first 2 years Annually for the following 5 years	To quantify sediment size on beach to determine changes in texture and composition
Beach profile survey	6-monthly	6-monthly	6-monthly for 5 years	To quantify changes in profile geometry and/or location from an established benchmark ^{2,3}
Shoreline analysis	Baseline assessment of historical shoreline (Lyttelton harbour only)	Annually for five years as aerial photographs/satellite imagery become available		To determine changes in shoreline position using aerials photographs or satellite imagery ³

¹Monitoring frequency is broken into three stages:

- **Baseline** before Dredging begins
- **During** Dredging
- **After** Dredging

²Survey requirements:

- Survey using staff and level, total station or RTK GPS
- Survey during spring low tide, pick up all changes in grade
- Required horizontal accuracy +/- 0.1m, vertical accuracy +/- 0.05m

³An Unmanned Aerial Vehicle (UAV) survey may be used in place or augment photo-point monitoring, beach profile survey and shoreline.

10.17 The 1-month and 4-monthly reports may cease 6-months after each Dredging Stage has ended except that the shoreline monitoring shall continue for the period specified in Table 2 and shall be reported to the Consent Authority annually after each Dredging Stage has ceased.

10.18 Where any subsequent Dredging Stage is to commence five or more years after the completion of the final 4-monthly monitoring report prepared under Condition 10.17 then CHPT must:

- 10.18.1 Prepare, after consultation with the TAG, a written report that evaluates whether any further pre-stage baseline monitoring is required; and
- 10.18.2 Where further baseline monitoring is considered necessary then a monitoring programme shall be prepared.
- 10.19 The report prepared under condition 10.18 shall be provided to the PRG and the Consent Authority in sufficient time to enable monitoring to be undertaken before the next Dredging Stage.
- 10.20 Within one month of receiving the written report prepared under condition 10.19 the PRG shall prepare a response report that either accepts or rejects the recommendations contained in the CHPT Report or provides recommended changes. The report shall be provided to the CHPT and the Consent Authority.

11. TURBIDITY TRIGGERS

- 11.1 Following the completion of baseline turbidity monitoring described in Condition 10.3, the turbidity trigger values shall be incorporated into the EMMP for certification by the Consent Authority prior to the first commencement of Dredging.
- 11.2 The turbidity trigger values, to be incorporated in the EMMP under condition 11.1, shall be established following the methodology contained in the Environmetrics Australia Report attached in **Appendix X**.
- 11.3 The measurement of turbidity at the turbidity monitoring stations set out in conditions 10.4 and 10.5 shall use the statistical measures set out in the Econometrics Australia Report attached in **Appendix 1** to determine whether turbidity trigger values set out in defined in the EMMP have been exceeded.
- 11.4 The consent holder must initiate any one or more of the management response measures set out in the EMMP should any of the turbidity trigger values contained in the EMMP be exceeded.
- 11.5 Notwithstanding the actions required under condition 11.4, if a tier-3 trigger has been exceeded for a duration of **X** then the consent holder shall move the Dredging from the locality that has resulted in the exceedance and may only return to the same locality when the monitoring station(s) observing the exceedance has fallen below the tier-3 trigger value.
- 11.6 Notwithstanding condition 11.5, Dredging may continue in the same locality provided that the consent holder provides the Consent Authority a written report which demonstrates that the elevated turbidity is not attributable to Dredging.
- 11.7 The consent holder at the same time shall provide a copy of the report prepared under condition 11.6 to the TAG and the PRG and place it on its web-site.

Advice Note: Other events that could cause a tier-3 trigger exceedance include a Tsunami, an extreme weather event causing flooding, large off-shore swells, or a land slip, or an event causing a shift in the background turbidity.

12. CONSENT HOLDER PROJECT TEAM (CHPT)

- 12.1 The consent holder shall employ or otherwise engage person(s) to manage the project and implement the conditions of this consent, which includes ensuring that all monitoring information is gathered and disseminated consistent with the EMMP and in compliance with the conditions of this consent.
- 12.2 The CHPT shall have the necessary expertise to carry out the following:
 - 12.2.1 Prepare the 1-monthly and 4-monthly monitoring reports and circulate them to the TAG and the PRG and the Consent Authority, as required;
 - 12.2.2 Prepare any other report required under Condition 10;
 - 12.2.3 Continually examine the monitoring data to ensure the appropriate information is being gathered;
 - 12.2.4 Ensuring the dredging contractor has all monitoring information so any management response measures are completed in a timely manner.

13. TECHNICAL ADVISORY GROUP (TAG)

- 13.1 The consent holder shall establish, at its own cost, a TAG, which is to review the monitoring reports and provide technical advice to the CHPT on whether the monitoring programme at 10.1 is fit for purpose.
- 13.2 The consent holder shall establish a TAG at least 3-months prior to the first commencement of dredging.
- 13.3 The TAG shall comprise no more than ten members as detailed below.

Tangata Whenua

13.4 The consent holder shall offer Tangata Whenua the opportunity to have up to three members consisting of the following expertise:

13.4.1 A suitably qualified and experienced specialist in mahinga kai;

13.4.2 A suitably qualified and experienced specialist in marine ecology and/or water quality, including turbidity; and

13.4.3 A suitably qualified and experienced person in tikanga Māori.

Marine Farming Technical Representative

13.5 The consent holder shall offer the opportunity to have a technical representative of the local marine farms consisting of the following expertise:

13.5.1 A suitably qualified person that has direct experience in operating a marine farm and is currently managing or operating a marine farm in the vicinity of the project.

Consent Holder

- 13.6 The consent holder may have up to six members consisting of the following expertise:
- 13.6.1 A suitably qualified and experienced specialist in marine ecology;
 - 13.6.2 A suitably qualified and experienced specialist in monitoring the marine environment;
 - 13.6.3 A suitably qualified and experienced specialist in hydrodynamic modeling;
 - 13.6.4 A suitably qualified statistician having experience in natural resource management; and
 - 13.6.5 No more than two other members of the CHPT.
- 13.7 The TAG shall:
- 13.7.1 Review the 1-monthly and 4-monthly monitoring reports prepared by the CHPT and where necessary provide advice to the CHPT in writing on whether the monitoring programme detailed in the EMMP requires amendment (including the location monitoring stations and the parameters monitored for);
 - 13.7.2 Review any exceedances of the trigger values contained in the EMMP and where necessary provide written advice to the CHPT on whether the monitoring programme detailed in the EMMP needs to be amended to better understand whether exceedances are attributed to Dredging or other environment parameters.
 - 13.7.3 The consent holder shall provide any administrative support necessary for the TAG to carry out its functions.
- 13.8 Where the TAG does not have the expertise in any of the areas it is required to report on, it may engage the services of an appropriate expert to advise on a relevant matter to the TAG.

14. PEER REVIEW GROUP (PRG)

- 14.1 The consent holder shall establish, at its own cost, a PRG for the following purposes:
- 14.1.1 To review the EMMP and any amendments to the EMMP and provide written advice to the Consent Authority as to its suitability for certification;
 - 14.1.2 Provide written advice to the Consent Authority after a Dredging Stage on whether any particular condition(s) should be subject to review; and
 - 14.1.3 Provide written advice to the Consent Authority on whether the monitoring-related reports have been prepared in accordance with the EMMP and in compliance with the conditions of this consent:
- 14.2 The PRG shall comprise three persons:
- 14.2.1 who shall be independent of the consent holder (and without restricting the generality of that requirement, shall not be an employee of the consent holder or a related company, nor a person regularly contracted to research and write for the consent holder through another company);
 - 14.2.2 shall be scientists who, between them, have experience across the following scientific areas:
 - marine ecology,
 - coastal processes;
 - hydrodynamic modeling;-:and are recognised by their peers as having such experience, knowledge and skill;
-: and who must be approved in writing by Consent Authority before they commence their oversight and review functions.

- 14.3 Where the PRG does not have the expertise in any of the areas it is required to report on, it may, following consultation with the CHPT, engage the services of an appropriate expert to report on the relevant matter to the PRG. Any report from such an expert shall form part of a report provided by the PRG as required by these conditions.
- 14.4 The PRG must be established at least 2 months prior to the commencement of Dredging.
- 14.5 As part of undertaking its functions, the PRG shall provide an opportunity for the CHPT and TAG to meet or submit to them on any matter the PRG is required to consider.
- 14.6 The PRG shall:
- 14.6.1 Prepare a written report on whether the EMMP or amendments thereof have been completed in accordance with conditions 9 and 11 and include a recommendation to the Consent Authority whether the EMMP or amendment can be certified.
- 14.6.2 Where certification is not recommended, explain the reasons why and provide recommendations on what, in the opinion of the PRG, needs to be changed in order for the EMMP or an amendment thereof to be certifiable.
- 14.6.3 Provide written advice to the Consent Authority on whether the following reports have been prepared in accordance with the EMMP, and in compliance with the conditions of this consent:
- Baseline monitoring report prepared under condition 10.3;
 - The 4-monthly monitoring reports prepared under condition 10.16;
 - The pre-Dredging Stage report prepared under condition 10.18; and
 - Receive any report on the exceedance of a tier-3 trigger prepared under condition 11.6.

- 14.6.4 The PRG shall, after receiving the final report prepared under condition 10.16 for a completed Dredging Stage, prepare a review for the consent holder and the Consent Authority. The review shall assess the 4-monthly monitoring reports together with the EMMP, to determine whether the existing conditions of consent are appropriate or whether a change to one more of conditions is required, and the reasons why. The PRG must consult with the CHPT and the TAG before making its recommendations to the consent holder and the Consent Authority.
- 14.6.5 If the PRG review prepared under condition 14.6.4 recommends a change to one more of existing conditions then the consent holder shall consider applying for a change or cancellation of consent condition pursuant to s127 of the Resource Management Act 1991. The consent holder shall within two months of receiving the review from the PRG prepare a report to the Consent Authority that states whether a change or cancellation of consent condition is to be applied for or not and provide detailed reasons for its decision.
- 14.7 The consent holder shall ensure all written communications from the PRG to the Consent Authority are placed on the consent holder's website required under condition 15.
- 14.8 The consent holder shall provide any administrative support necessary for the PRG to carry out its functions.

15. WEB-SITE OBLIGATIONS

- 15.1 The consent holder shall maintain a web-site that is accessible to, and readily usable by, the public at least 6-months prior to the first commencement of Dredging;
- 15.2 The web-site shall include but not be limited to the following information:
- 15.2.1 A summary of real-time data collected from the telemetered stations required under conditions 10.4, 10.5 and 10.11 of this consent;
 - 15.2.2 Monthly monitoring reports prepared under condition 10.15 of this consent;
 - 15.2.3 4-Monthly monitoring reports prepared under condition 10.16 of this consent;
 - 15.2.4 Any tier-3 exceedance report prepared under condition 11.6 of this consent;
 - 15.2.5 The DMP, MMMP, BMP and the EMMP or amendments thereof;
and
 - 15.2.6 All written reports and reviews prepared by the TAG or PRG under conditions 13 and 14 respectively.

16. COMPLAINTS

- 16.1 A record of complaints relating to any activity associated with Dredging shall be maintained. Each record, where practicable, shall include:
- 16.1.1 The location of the reported nuisance or effect;
 - 16.1.2 The date and time of the complaint;
 - 16.1.3 A description of the weather conditions at the time of complaint, if relevant;
 - 16.1.4 Any possible cause of the nuisance or effect; and
 - 16.1.5 Any management actions undertaken to address the cause of the complaint; and the name of complainant, if offered.
- 16.2 The record of complaints shall be provided to the Consent Authority Manager every 4-months or on request.
- 16.3 An aggregated summary of the complaints received for each month shall be provided to the TAG not later than the end of the following month.