

SCHEDULE ONE – GENERAL CONDITIONS

CONSENT HOLDER: Ariki Tahī Sugarloaf Wharf Limited

GENERAL

1. Resource consents **[insert consent numbers]** for the upgrade, operation and maintenance of Ariki Tahī are subject to the following general conditions that shall apply to each individual resource consent. In the event of any conflict or discrepancy between these general conditions and the conditions contained in the individual resource consents, the conditions contained in the individual resource consents shall prevail.
2. Prior to the commencement of any works authorised by this resource consent, the consent holder shall appoint a representative(s) who shall be the principal contact person for the Thames-Coromandel District Council and Waikato Regional Council in regard to matters relating to resource consents **[insert consent numbers]**. The consent holder shall inform the Thames-Coromandel District Council and Waikato Regional Council of the representative's name and contact details.

In the event that the principal contact person changes, the consent holder shall inform the Thames-Coromandel District Council and Waikato Regional Council of a new representative as soon as practicable.

3. The consent holder shall ensure that all contractors engaged to undertake activities authorised by resource consents **[insert consent numbers]** are made aware of the conditions of these resource consent relevant to their work area and the measures required for compliance with the conditions.
4. A copy of resource consents **[insert consent numbers]**, and all management plans required in accordance with these resource consents, shall be kept on site at all times during the construction work and shall be produced without unreasonable delay upon request from an agent of the Thames-Coromandel District Council or Waikato Regional Council.
5. The consent holder shall notify the Thames-Coromandel District Council and the Waikato Regional Council as to the intended commencement date of construction works authorised as part of resource consents **[insert consent numbers]** at least 15 working days before such works commence.
6. The consent holder shall provide a copy of resource consents **[insert consent numbers]** to the following iwi authorities within 10 working days of the commencement of resource consents **[insert consent numbers]**:
 - (a) Hauraki Māori Trust Board;
 - (b) Ngaati Whanaunga Incorporated Society

- (c) Ngāi Tai ki Tāmaki Tribal Trust
- (d) Ngāti Maru Rūnanga Trust
- (e) Ngāti Paoa Iwi Trust
- (f) Ngāti Paoa Trust Board
- (g) Ngāti Pūkenga ki Manaia Management Committee
- (h) Ngāti Tamaterā Treaty Settlement Trust
- (i) Ngāti Tumutumu Trust
- (j) Te Kupenga o Ngāti Hako Incorporated
- (k) Te Patukirikiri Iwi Trust

The consent holder shall also seek the view of the iwi authorities as to whether they consider themselves a mana whenua group who have a particular interest in Ariki Taki for the purpose of compliance with the relevant conditions of resource consents [insert consent numbers].

A copy of the correspondence provided to all iwi authorities, and any responses received, shall also be forwarded to the Thames-Coromandel District Council and the Waikato Regional Council.

7. The consent holder shall at all times upgrade, operate and maintain Ariki Tahi in accordance with all management plans submitted to, and certified by, the Thames-Coromandel District Council and Waikato Regional Council as part of the conditions of resource consents [insert consent numbers].

DRAFT MANAGEMENT PLANS

8. All draft management and monitoring plans required by the conditions of resource consents [insert consent numbers] shall be provided to all mana whenua groups who have a particular interest in Ariki Taki prior to them being submitted to the Thames-Coromandel District Council or the Waikato Regional Council for certification.
9. Any mana whenua groups shall provide their comments (if any) on the draft management and monitoring plans to the consent holder within 10 working days of receipt of the plan from the consent holder.
10. Any feedback provided by mana whenua groups who have a particular interest in Ariki Taki shall be provided to the Thames Coromandel District Council or the Waikato Regional Council along with information detailing where these recommendations have been addressed in the management or monitoring plan, or details of why these recommendations have not been included in the management plan or monitoring programme. This information shall be provided to the Thames-Coromandel District Council and the Waikato Regional Council at the same time as the management and monitoring plans are submitted for certification.

FINAL DESIGN DRAWINGS

11. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the Thames-Coromandel District Council and the Waikato Regional Council with a final set of design drawings and accompanying design report for the upgrade of Ariki Tahi. The final design drawings shall, as a minimum, include:
 - (a) The final layout of facilities in the commercial and recreational areas at Ariki Tahi;
 - (b) The design specifications, including cross-sections, for all revetments, reclamations, boat ramps and hard stand areas to be established at Ariki Tahi;
 - (c) Detail of the stormwater treatment systems / devices to be installed at Ariki Tahi, which are to be in general accordance with the Stormwater Management Plan submitted with the resource consent application;
 - (d) The location and design specifications of all supporting infrastructure to be established at Ariki Tahi;
 - (e) The pavement composition of hard stand areas at Ariki Tahi; and
 - (f) The design of all roading and intersection improvements to be undertaken; and

The accompanying design report shall also outline any design changes that have occurred since the grant of resource consents [insert consent numbers], and shall include the rationale for the design changes and demonstrate that the consented design parameters are still being achieved.

12. The consent holder shall, where practicable, utilise rock armour and base course material for the upgrade of Ariki Tahi that is sourced from within the rohe of Hauraki Iwi. The design report required in accordance with condition 11 above shall document those circumstances where it is not practicable to utilise rock armour and base course material from within the rohe of Hauraki Iwi.
13. The consent holder shall investigate the feasibility of incorporating ecological enhancements and cultural design elements into the concrete blocks to be utilised for the wharf structures and revetments as part of the upgrade of Ariki Tahi. The outcome of these investigations, including the outcome of consultation with all mana whenua groups who have a particular interest in Ariki Tahi on this matter, shall be documented in the design report required in accordance with condition 11 above and final set of design drawings (if applicable).
14. The consent holder shall engage a suitably qualified and experienced engineer to undertake the design and supervise the construction of the reclamation.
15. On completion, the appropriately suitably qualified and experienced engineer shall provide a statement or certificate stating whether the reclamation has been constructed in accordance with good engineering practice, whether it has been constructed to a suitable standard to

withstand coastal processes, and certifying the structural integrity of the reclamation. A copy of this certificate shall be forwarded to the Waikato Regional Council within two months of completion of the construction of the reclamation.

16. All reclamation material shall be clean sand or rock material and shall not include any potentially contaminated material.

COMMUNITY ENGAGEMENT COMMITTEE

17. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall invite representatives from the following entities to be part of a Community Engagement Committee for Ariki Tahi:
 - (a) The Maritime Facilities Manager for Ariki Tahi;
 - (b) One representatives of the consent holder;
 - (c) One representative from the authorised aquacultures operators at Ariki Tahi;
 - (d) One representative from the mana whenua groups who have a particular interest in Ariki Tahi;
 - (e) One representative of the Waipapa Bay Protection Society; and
 - (f) One representative of the Te Kouma Residents and Ratepayers Association.
18. The purpose of the Community Engagement Committee is to review, and provide advice on, the operational and environmental performance at Ariki Tahi, including any monitoring results or records of complaints.
19. The consent holder shall be responsible for convening the meetings of the Community Engagement Committee and shall cover the administrative costs associated with the establishment and operation of the meetings. The Community Engagement Committee will meet at least three times per year, or a lesser frequency as agreed by the Committee (and advised to the Thames-Coromandel District Council and Waikato Regional Council).

COMMUNITY FEEDBACK AND ENQUIRIES REGISTER

20. The consent holder shall maintain and keep a community feedback and enquiries register to record any comments, enquiries or complaints regarding the construction and operation of Ariki Tahi. The register shall record, where this information is available, the following:
 - (a) The date and time of the comment, enquiry or complaint;
 - (b) The location of the complainant when the incident was detected;
 - (c) The possible cause of the incident; and

- (d) Any corrective action taken by the consent holder in response to the complaint, including the timing of the corrective action.
21. The community feedback and enquiries register, including any corrective actions undertaken by the consent holder, shall be made available to the Thames-Coromandel District Council and Waikato Regional Council on request, and provided to the Community Engagement Committee in advance of any scheduled meetings.

AVIFAUNA

Variable Oystercatcher Survey

22. Prior to the commencement of construction works authorised by this resource consent, the consent holder shall engage a suitably qualified ecologist to undertake a survey out to 100 m from the proposed disturbance area around Ariki Tahī to confirm the presence or absence of variable oystercatchers. If any variable oystercatchers are identified in the proposed disturbance area, the ecologist shall implement measures to ensure that the birds are moved on, and keep away from, the proposed disturbance area around Ariki Tahī.

The results of the survey for variable oystercatcher, and any measures undertaken to ensure that the birds are moved on, and keep away from, the proposed disturbance area around Ariki Tahī, shall be reported to the Thames-Coromandel District Council and Waikato Regional Council prior to the commencement of constructions authorised by this resource consent.

23. Throughout each subsequent stage of construction works authorised by this resource consent, the consent holder shall engage a suitably qualified ecologist to undertake a survey out to 100 m from the proposed disturbance area around Ariki Tahī to confirm the presence or absence of variable oystercatchers. If any variable oystercatchers are identified in the proposed disturbance area, the ecologist shall implement measures to ensure that the birds are moved on, and keep away from, the proposed disturbance area around Ariki Tahī.

The results of the survey for variable oystercatcher, and any measures undertaken to ensure that the birds are moved on, and keep away from, the proposed disturbance area around Ariki Tahī, shall be reported to the Thames-Coromandel District Council prior to the commencement of constructions authorised by this resource consent.

Little Blue Penguin

24. Prior to the commencement of construction works authorised by this resource consent, the consent holder shall engage a suitably qualified ecologist to undertake a survey out to 100 m from the proposed disturbance area around Ariki Tahī, with the assistance of a trained conservation dog, to confirm the presence or absence of little blue penguin.

The results of the survey for little blue penguin shall be reported to the Thames-Coromandel District Council and Waikato Regional Council prior to the commencement of constructions authorised by this resource consent.

25. If the presence of little blue penguin is confirmed during the survey required in accordance with condition 24, the consent holder shall submit a Little Blue Penguin Management Plan to the Thames Coromandel District Council and Waikato Regional Council for technical certification. The objective of the Little Blue Penguin Avian Management Plan shall be to:
- (a) Ensure that management measures are implemented in order to avoid potential construction effects on little blue penguin.
26. In order to achieve the objectives established in condition 25 above, the Little Blue Penguin Management Plan shall, as a minimum, address the following matters:
- (a) The deterrence or relocation measures proposed to avoid potential construction effects on little blue penguin (e.g. sealing nest entrances or the provision for nesting boxes at safe sites);
 - (b) Required training of project staff and / or contractors;
 - (c) A description of the methodology for monitoring the success of any deterrence or relocation measures. The methodology shall include actions to be taken should any of these measures not be successful; and
 - (d) Timing and reporting.
27. The Little Blue Penguin Management Plan shall be prepared by a suitably qualified and experienced ecologist.
28. Any changes proposed to the Little Blue Penguin Management Plan shall be confirmed in writing by the consent holder and the Thames-Coromandel District Council, acting in a technical certification capacity that the changes continue to meet the objective of condition 25, prior to the implementation of any changes proposed.

CONSTRUCTION, DREDGING AND DISPOSAL MANAGEMENT PLAN

29. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction, Dredging and Disposal Management Plan to the Thames-Coromandel District Council and Waikato Regional Council for certification that the plan meets the objectives in condition 29(a). The Construction, Dredging and Disposal Management Plan shall be to:
- (a) Document the proposed construction, dredging and disposal methodology for the upgrade of Ariki Tahi in the context of the conditions of resource consents [insert consent numbers].
30. In order to achieve the objective established in condition 29(a) above, the Construction, Dredging and Disposal Management Plan shall, as a minimum, address the following matters:
- (a) The methodology for each stage of construction as part of the upgrade of Ariki Tahi, and particularly the construction of revetments / reclamation and block wall structures, the

capital / maintenance dredging and the disposal of excess material;

- (b) The planned staging of works (including timing) and the description of works in each stage;
- (c) How access to the existing recreational and commercial facilities at Ariki Tahi will be maintained throughout each stage of construction;
- (d) The engineering controls, supervision and certification that will be applied to each stage of construction;
- (e) The engineering and management procedures for material sources, use, disposal and treatment, stockpiling, fill placement and disposal of unsuitable materials;
- (f) The specific erosion and sediment control measures that will be applied to each stage of works;
- (g) The locations of all specific points of discharge to the environment;
- (h) The associated roles, responsibilities for the principal persons responsible for management during the construction period; and
- (i) Any other relevant site information.

Advice Note: *In order to provide for an integrated overview of the construction methodology for the upgrade of Ariki Tahi it is expected that the Construction, Dredging and Disposal Management Plan will address matters relating to the statutory functions of both the Thames-Coromandel District Council and Waikato Regional Council. However, the respective councils will only review and certify the plan as it relates to matters that fall within its statutory functions.*

CONSTRUCTION AND CULTURAL MONITORING

- 31. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall invite all mana whenua groups who have a particular interest in Ariki Tahi to undertake the following:
 - (a) A cultural induction for all workers so that they can understand the important connection mana whenua have with this location; and
 - (b) A karakia at the start of the construction works.
- 32. At least 10 working days prior to:
 - (a) The commencement of principal construction works; and
 - (b) The commencement of dredging in the Coastal Marine.

the consent holder shall extend an invitation to all mana whenua groups who have a particular interest in Ariki Tahi to visit Ariki Tahi and observe the works for a period of not less than one

day.

33. The consent holder shall facilitate and fund the resourcing associated with fulfilling the actions outlined in conditions 31 and 32 above.
34. All draft monitoring reports required by the conditions of resource consents [insert consent numbers] shall be provided to all mana whenua groups who have a particular interest in Ariki Taki prior to them being submitted to the Thames-Coromandel District Council or the Waikato Regional Council.

PRE-CONSTRUCTION MEETING

35. Prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall hold a pre-commencement meeting that:
 - (a) Is located on site at Ariki Tahi;
 - (b) Is scheduled not less than five working days before the anticipated commencement of works on site;
 - (c) Includes all relevant officers from the Thames-Coromandel District Council and Waikato Regional Council;
 - (d) Includes representation from the main contractors and suitably qualified professionals who will undertake the works; and
 - (e) Includes representatives from all mana whenua groups who have a particular interest in Ariki Taki and the Community Engagement Committee.
36. All management plans must be made available for discussion at the pre-commencement meeting.

ARCHAEOLOGY

37. The consent holder shall ensure all contractors engaged to undertake activities authorised by resource consents are provided with a copy of any archaeological authority from Heritage New Zealand for the upgrade of Ariki Tahi.
38. In the event that an unidentified archaeological site (as defined in the Heritage New Zealand Pouhere Taonga Act 2014) not covered by an archaeological authority is located during the upgrade of Ariki Tahi, the following procedures shall be followed by the consent holder:
 - (a) Work shall cease immediately within 20 m of the archaeological site;
 - (b) The consent holder shall shut down all machinery and secure the area;
 - (c) The consent holder shall notify all mana whenua groups who have a particular interest in Ariki Taki, the Thames-Coromandel District Council, Waikato Regional Council and

Heritage New Zealand. Further assessment of the site by an archaeologist may be required;

- (d) If the site is of Maori origin, the consent holder shall notify Heritage New Zealand Regional and all mana whenua groups who have a particular interest in Ariki Taki of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act (2014), Protected Objects Act (1975));
- (e) If human remains (kōiwi tangata) are uncovered, the consent holder shall advise Heritage New Zealand, New Zealand Police and all mana whenua groups who have a particular interest in Ariki Taki and the above process under (d) shall apply. Remains are not to be moved until such time as mana whenua and Heritage New Zealand have responded;
- (f) Works affecting the archaeological site and any human remains (kōiwi tangata) shall not resume until Heritage New Zealand gives written approval for work to continue. Further assessment by an archaeologist may be required.
- (g) Where mana whenua groups who have a particular interest in Ariki Taki so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.

AS BUILT PLANS AND REPORTING

- 39. Within 40 working days of completion of construction works authorised by this resource consent, the consent holder shall provide the Thames-Coromandel District Council and Waikato Regional Council with a set of as-built plans for the upgraded wharf facility (and particularly the revetments, reclamations, boat ramps, hard stand areas and stormwater systems).
- 40. Within 40 working days of completion of construction works authorised by this resource consent, the consent holder shall submit a Completion Report to the Thames Coromandel District Council and Waikato Regional Council.

The Completion Report shall be prepared by a suitably qualified and experienced engineer and shall confirm that all structure and works undertaken as part of the upgrade of Ariki Tahi have been carried out and completed, and all disturbed areas and fill stabilised, in accordance with the certified design drawing required by Condition 10.

KARAKIA

- 41. Within 20 working days of completion of construction works authorised by this resource consent, the consent holder shall invite all mana whenua groups who have a particular interest in Ariki Taki to undertake A karakia formalising the completion of construction works.

EXCLUSIVE OCCUPATION

- 42. The consent holder may restrict public access to the commercial area marked on the attached

site plan named “General Layout SHT-CI-0111” and dated 14 April 2022 within the common marine and coastal area as necessary to achieve the purpose of the resource consents, and for safety and security reasons.

STRUCTURAL INTEGRITY

43. The consent holder shall at all times maintain the various structure at Ariki Tahī in order to preserve the integrity and stability of the wharf and associated structures.