From:	Kate Madsen
To:	"Norm Hill - Strategic Relationships Manager"
Cc:	"Bianca Schoeman"
Subject:	Fill Area 5 conditions/Bat Reserve
Date:	Thursday, 4 March 2021 3:10:48 PM
Attachments:	image001.png image002.png image003.png

Kia Ora Norm,

Thanks for the chat. The relevant conditions to mana whenua are listed below:

9. Specific to the Bat Management Plan, the indicative Bat Reserve (see Schedule Two appended to these conditions) is to be no less than 1.5ha in area, and the final boundaries are to be determined on site with a representative of the Waahi Whanui Trust (~~see~~ condition 11) and a suitably qualified and experienced bat ecologist. *(This would be changed to 7,500m² for Stage 1 – FA5)*

11. Within 12 months of commencement of this resource consent, the consent holder the consent holder shall establish and register on the land title, a legal mechanism (herein referred to as a "covenant") containing appropriate requirements in order to legally protect in perpetuity the following areas
    a. ecological mitigation/compensation area of no less than 3,800m^2 (to be updated at the time of covenanting) to be restored as per the approved EMP, the Fill Area 5 Stream Loss Mitigation plan (Wildlands, 19 October 2020) Figure 1
    b. the Bat Reserve and previously identified areas in Schedule Two of this Resource Consent. The consent holder shall consult with the Waahi Whanui Trust and offer to include the possible pa located on the ridge above FA5 within the area covenanted as agreed during consultation.

The covenant shall also set out that clearance of vegetation, grazing of stock and earthworks within the covenant area is prohibited.

Maatauranga Maaori

12. Within three months of the consent being granted the consent holder shall develop a Maatauranga Maaori Environmental Monitoring Plan (MMEMP). The MMEMP shall include but will not be limited to:
    (a) Undertaking cultural monitoring during topsoil removal;
    (b) Waahi Whanui Trust Input into the Closure and Rehabilitation plan;
    (c) Involvement of the Waahi Whanui Trust in water quality monitoring;
    (d) Restoration of the western tributary in Compensation Area 4 which is located west of Fill Area 5 (See Schedule One);
    (e) Waahi Whanui Trust input into the Dust Management Plan and air discharge monitoring;
    (f) Waahi Whanui Trust input into the Bat Management Plan and Ecological Management Plan.
    (g) Iwi-led archeological review of potential location of pa site within/in proximity to the Bat Reserve with the view of incorporating the potential pa site within the covenanted area (Condition 11) to ensure protection in perpetuity.

The MMEMP shall be developed in consultation with the Waahi Whanui Trust and the final MMEMP provided to the Waahi Whanui Trust for comment at least 20 working days prior to submitting the MMEMP to the Waikato Regional Council.

13. The MMEMP shall be certified in writing by the Waikato Regional Council acting in a technical certification capacity and the consent holder shall undertake all activities authorised by this consent in accordance with the certified MMEMP.

14. Any changes proposed to the MMEMP shall be confirmed in writing by the consent holder following consultation with the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.

Advice Note: *Waikato Regional Council certification of the MMEMP is to ensure that the intent of Condition xx has been met and that the content of the MMEMP is consistent with the condition requirements.*

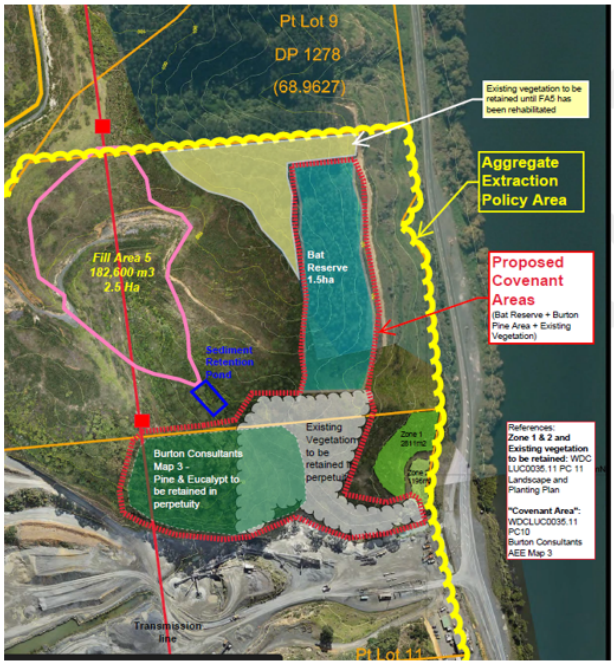
Schedule One – Compensation area for Fill Area 5 (subject to survey)

Advice Note: *The Fill Area 5 Stream Loss Mitigation subject to covenant will be no less than 3800m², forming the western tributary of Compensation Area 4 (as per inset on map above), as set out in the Wildlands letter dated 19 October 2020 (WRC doc 17461464).*

NOTE – it is suggested that the 1.5ha Bat Reserve is done in 2 stages – Stage 1 being 7500m² protected/covenanted for Fill Area 5 consent, and Stage 2 being 7,500m²

for future Fill Area 4. This is consistent with the Wildlife Authority issued by DOC – this is what I would request is considered.

Schedule Two– Indicative Bat Reserve and other indicative covenant areas for Fill Area 5 (subject to survey)



Note: *Covenant areas to be confirmed subsequent to accurate aerial map depicting location of existing vegetation and subsequent to construction of Sediment Retention Pond to ensure covenant area is outside area of works required to facilitate Fill Area 5, but will not be less than 1.5ha for Bat Reserve in order to compensate for the bat habitat identified in Fill Area 5 (and Fill Area 4 – APP141137,FA4 Activity has since been withdrawn, however the full ecological enhancement package will be continued and offered as part of the FA5 proposal), in addition to areas protected under previous consents.* ~~*It is noted for any future application that DOC Wildlife Permit 86143-FAU permits habitat removal in both Fill Area 5 AND Fill Area 4 up until October 2025, and that DOC accepts the Bat Reserve as full compensation for loss of habitat in both these gullies.*~~

Kind Regards,
Kate Madsen
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