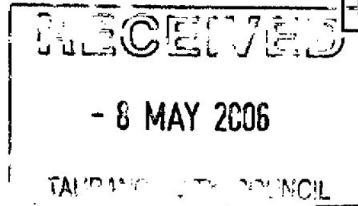


Your Ref:  
Our Ref: 4365 00

4 May 2006



s 7(2)(f)(iii)

Tauranga City Council  
Private Bag 12022  
TAURANGA

Telephone: 0800 ENV BOP (368 267)  
Facsimile: 0800 ENV FAX (368 329)  
Email: info@envbop.govt.nz  
Website: www.envbop.govt.nz  
Pollution Hotline: 0800 73 83 93  
International: +64 7 922 3390

Dear Sir

### **Permitted Earthworks - Slip Material Contouring And Stabilisation, Mauao**

In response to recent inquiries and your email received 3 May 2006, Environment Bay of Plenty can confirm that the proposed contouring and stabilisation of slip material (not exceeding 200m<sup>3</sup> and/or 400m<sup>2</sup>) on the Mt Maunganui walkway can be undertaken as a permitted activity pursuant to rule 10.5.4.2 of the Bay of plenty Regional Land Management Plan (Land Plan), subject to the following conditions;

- (i) *Cultivation shall be carried out along the contour to reduce the likelihood of rill erosion.*
- (ii) *Erosion/sediment controls shall be installed on all earthworks during and on completion of the works sufficient to prevent sediment leaving the site.*
- (iii) *Earthworks shall be stabilised with suitable material or vegetation on completion.*
- (iv) *The activity complies with the general conditions described in section 10.6.*

### **General Conditions, Standards and Terms for Permitted Activities**

- (a) *The activities shall ensure the protection of any registered archaeological, historic, or waahi tapu sites.*
- (b) *All practicable measures shall be taken to avoid vegetation, soil, slash or any other debris being deposited in a water body or placed in a position where it could readily enter or be carried into a water body.*
- (c) *The activity shall not cause erosion or instability to the coastal environment, or the banks or beds of rivers and lakes, or wetlands.*
- (d) *The activity shall not obstruct the free flow of water in such a manner where it results in a blockage, flooding or erosion.*

s 7(2)(f)(iii) LETTERS\Mauaoeworks\ltr.Doc

- (e) *The activity shall not hinder existing public access to and along rivers, lakes, or the coastal marine area, except temporarily for public health or safety reasons for a period not exceeding a total of seven days in any three month period.*
- (f) *The activity shall not impede fish passage.*
- (g) *Machinery shall not carry out land and/or vegetation disturbance activities while on the bed of a lake or a river.*
- (h) *No machine refuelling or fuel storage shall occur where fuel can enter any water body.*
- (i) *The activity site shall be effectively stabilised against erosion.*

*In the case of earthworks, the site shall be protected against erosion by either planting it in suitable vegetation or by using effective non-vegetative methods as soon as practicable but no later than 2 months after completing the earthwork activity. Non-vegetative methods may include: mulching, compaction/drainage control, sealing or metalling and the like.*

*In the case of exotic and plantation vegetation disturbance, where the soil is protected by slash and the site is to be replanted with tree species, then the site shall be re-established with trees as soon as practicable but no later than 15 months after the disturbance activity was completed or 18 months after the disturbance activity was commenced.*

*For all other activities the site shall be established in vegetation to achieve at least an 80% ground cover as soon as practicable but no later than six months after commencing the disturbance activity.*

**Note:** *Compliance with the provisions of this regional plan does not remove the need to also comply with any relevant district plan provisions. Indigenous vegetation, habitats, landscapes and historic sites etc may be classified as significant by the relevant territorial authority and protected under its district plan.*

*The rules in this regional plan do not authorise the modification, disturbance or destruction of any archaeological or historic sites within the area of the activity.*

*Users should note that Section 10 of the Historic Places Act 1993 (HPA) makes it unlawful for any person to destroy, damage, or modify, or cause to be destroyed, damaged, or modified, the whole or any part of any archaeological site (known or unknown) except with an authority granted under Section 14 of the HPA. Offence provisions under Sections 98 and 99 the HPA apply whether or not a site is a recorded archaeological site.*

*Further advice on the requirements of the Historic Places Act 1993 can be sought from the local office of the Historic Places Trust in Tauranga, phone (07) 578 1281 or the national office of the New Zealand Historic Places Trust in Wellington, phone (04) 472 4341.*

4 May 2006

Please advise s 7(2)(f)(ii)  
prior to commencing works s 7(2)(f)(ii). If you have any queries or wish to discuss  
issues raised in this communication, please contact the undersigned.

Yours faithfully

s 7(2)(f)(ii)