

**IN THE MATTER** of the Resource Management Act  
1991

**AND**

**IN THE MATTER** of a Notice of Requirement by  
Central Plains Water Limited

**AND**

**IN THE MATTER** of Applications for Resource  
Consent by the Central Plains  
Water Trust

### **Further SDC Officer Comment on Proposed Conditions**

**24 March 2010**

#### **Scope of Report**

1. This brief report updates the draft conditions attached to the earlier report dated 17 February 2010. Specifically it deals with any further changes made to the recommended conditions attached to that previous report as a result of:
  - (a) Further consultation with Environment Canterbury Officers in order to achieve greater consistency;
  - (b) Review of the submissions and evidence on conditions; and
  - (c) The applicants evidence in reply.
2. All recommended changes to the wording of conditions is shown using track changes, in a different colour (purple) to the changes that were included in the 17 February set of conditions (red). Any further comments made in this version are underlined so that they can be differentiated from those earlier comments.

#### **Consistency with Environment Canterbury**

3. Areas of inconsistency with the conditions recommended by Environment Canterbury (ECan) relate to dust, the accidental discovery protocol and access.

##### Dust

4. The conditions relating to dust have been removed from both the Notice of Requirement and resource consent conditions given that fugitive dust emissions from construction activity are adequately dealt with as part of CRC102336.

##### Accidental Discovery Protocol (ADP)

5. The recommended condition regarding preparation of an ADP has been amended to establish a process that would ultimately put in place an ADP. However, a number of

bottom-line requirements that would need to be incorporated into such an ADP have been included.

6. It is acknowledged that the ECan conditions include a slightly different ADP. The submission of the NZ Historic Places Trust (NZHPT) criticises both the recommended ADPs and attaches another suggestion. My only concern with the ADP suggested by the NZHPT is that it only requires the involvement of the Runanga in the event of human remains/Koiwi, and not other taonga (treasured artefacts).
7. The submission of Te Runanga o Ngai Tahu makes clear their wish that they be involved in the development and review of all management tools. Specific wording of an appropriate ADP has not been put forward. I consider that it is appropriate that Ngai Tahu representatives are involved in the final drafting of an ADP specific to the CPW project and have attempted to set out a framework that allows that to occur. On that basis the final wording of a particular ADP is not imperative at this time.

#### Access

8. The evidence in reply prepared by Mr Lewthwaite sets out a discussion on the recommended access conditions and the comments made on behalf of Fish & Game.
9. As recognised in the submissions of Fish & Game, Minute 14 suggested condition/s which specifically mention popular access points. That is what I have attempted to provide and have used the early evidence of Mr Whalley on behalf of the applicant to identify those lawful existing access points.
10. I have reviewed the condition proposed by Fish & Game at paragraph 8 of their submission. In my view this condition does not provide enough flexibility to allow for the relocation of existing access points as a result of the scheme where required. However, I have used their suggested wording to amend the proposed condition in an attempt to make the intent of the condition clearer.
11. The onus must be on the requiring authority/consent holder to put in place access arrangements to a standard no less than that existing. On that basis access for heavy plant and trucks required for river maintenance (refer submissions of Canterbury Regional Council), will not be adversely impacted by the scheme works.

#### **Archaeological Survey**

12. There is still some confusion regarding what areas require further archaeological survey prior to construction. The submissions of both the NZHPT and Te Runanga o Ngai Tahu refer to site surveys of the scheme footprint.
13. I had understood CPW's position to be that site survey was only required in certain locations, which due to previous patterns of land use were more likely to contain sites of significance.
14. The most recent 'Summary of Submissions' prepared by CPW and circulated on 22 March comments on the Ngai Tahu submission and states "*site survey is to be undertaken*". It needs to be clarified by the applicant whether this is the entire scheme footprint or not.
15. The submission of Ngai Tahu also refers to consideration being given to imposing a requirement for the consent holder to have a cultural monitor on-site during earthworks in any areas where there are likely to be sites of significance. This does not seem an unreasonable request and is reflected in recommended changes to condition 12.2.

## **Bonding**

16. An amended bond proposal was attached to the Memorandum of Counsel for the applicant circulated on 23 March; this has been referred to Mr Rogers for specific legal comment.

## **Further Submissions and Evidence**

17. The evidence in reply from Mr Lewthwaite included a summary table of submissions and evidence received on conditions. Many of the responses relate to matters for which the Canterbury Regional Council is the appropriate consent authority. Below I have set out a brief assessment of those submissions not already referred to above that raise matters relevant to the conditions to recommend/ imposed on the SDC notice of requirement/resource consents. The order is the same as that followed in the summary prepared by the applicant.

### Selwyn District Council

18. The submission provided by the SDC relates primarily to the ECan consents. However, the disruption aspects due to construction of the scheme are relevant to the land use matters. The omission of water supply schemes and water races from specific reference in recommended condition 7 was an oversight on my part. Changes have been made to the recommended conditions to make it clear that in constructing the scheme CPW must maintain existing levels of service. The amended reference to existing 'level of service' recognises that it is impractical and perhaps unrealistic for CPW to maintain an uninterrupted service. For example, present SDC levels of service identify that water supply shall be back online within 5 hours of a mains break.

### Madeleine de Jong

19. The submission queries whether "*the original notice of requirement has been lifted off my property*". I can confirm that the submitter's property has never been subject of a notice of requirement lodged with the SDC. Mr Lewthwaite advises that the property may have been shown on earlier scheme plans put out for consultation, and that is the most likely source of any confusion.
20. It is noted that the Oaks Homestead owned by Ms de Jong is a heritage building listed in the Selwyn District Plan (H147). The construction of the head race some 150-250m from the Oaks Homestead will be in accordance with the conditions recommended in both section 6.0 'Noise and Vibration' and section 12 'Heritage'. Those conditions are in accord with the evidence presented on those matters.

### Louise Deans

21. This submission raises concerns regarding dust/odour and protection of heritage. The draft recommended conditions set out the requirement to prepare and have certified a Noise and Vibration Management Plan and an Archaeological and Heritage Management Plan prior to construction.

### Averil Bull

22. In response to the concern raised regarding shelter, I have specifically added such a reference as part of condition 7 .2 'Restoration Work'. On that basis any shelter removed will have to be replaced by CPW. However, it is acknowledged that any replacement shelter is unlikely to be as effective as what existed prior in the short to medium term.
23. Concerns relating to stock water are also addressed in further amendments to condition 7.

24. The issue of piping the head race through the Bull property is considered a substantive matter best left to the consideration of the Commissioners.

Department of Conservation

25. Submission refers to the national significance of mudfish habitat which may still be affected by the revised scheme. From the submission it appears this may be further expanded upon by evidence to be presented by Mr Newey.

James Deans/Farmers Group – Southern Headrace

26. The submitter requests the following conditions be imposed by the SDC (as set out in the original submission):

*The head race is to be protected by fencing with cattle proof (or deer proof where appropriate) fences along a line agreed with the adjoining landowner so as to ensure permanent animal safety to the standard of usual boundary fences. Cattle proof fences are to include permanent wire, battens and an electric outrigger.*

27. *Comment:* It is considered that the requirement to fence is already incorporated into recommended conditions 7.1 and 7.2. Condition 7.1 refers to the prevention of cattle gaining access to the headrace. The standard of fencing is to be agreed with the adjoining landowner but not less than the standard that existed prior to the scheme.

*The headrace track and embankments are to be kept mown or grazed to ensure maximum earth stability and freedom from fire risk. No planting of anything except pasture species with quality seed or other appropriate ground cover plants to ensure engineering stability.*

28. *Comment:* It is assumed that the headrace area will be grazed by sheep. I do not favour a condition that restricts planting to pasture species as the possibility exists for rehabilitative or amenity planting to be undertaken on the embankments in certain locations. The conditions recommended in section 5.2 'Landscape and Rehabilitation Management Plan' allow for either outcome. A specific change also refers to fire risk being a matter to consider as part of the Landscape and Rehabilitation Plan.

*Adjoining landowners shall be entitled free of any charge to draw livestock drinking water from the headrace canal, the installation to be made at the cost of the adjoining owner with the consent of the applicants which consent shall not be unreasonably withheld. The irrigation system shall be designed and operated after negotiations between adjoining landowners and the applicants to achieve a mutually satisfactory system.*

29. *Comment:* It is assumed that such negotiations would occur as part of the acquisition process and therefore do not need to be included as part of the conditions at this stage in the process.

Jocelyn and Philip Deans

30. The submission refers to known archaeological sites on the property in the line of the head race canal. The Selwyn District Plan refers to various cultural sites north of Homebush Road between Malvern Hills Road and Rowallan Road (Sites C13 to C19). This is an area that would in my view require survey prior to construction works commencing (see condition 11.2).

Tim and Gillie Deans

31. The submission focuses on substantive consenting decisions, however, the submitters also wish to be kept informed of when any future work will be undertaken and that plans are supplied to individual affected landowners. This is not an unreasonable request and it is anticipated that this would occur through either the negotiations as part of land acquisition and/or the Construction Phase Management Plan process required under recommended condition 1.5.

**Other Matters**

32. Matters raised in the 17 February report that still remain open for discussion include (as set out therein):

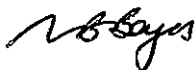
***Environmental Management Fund/Community Fund***

*There is a case for inclusion of conditions relating to such matters to be included as part of the designation, particularly the Community Fund, which is specifically aimed at initiatives which benefit landowners and communities affected by the headrace canal. At present they are included in Schedule 2 'Administrative Conditions' of the ECan consents.*

***Lapsing Period***

*In Minute 14 the matter of the lapsing date of both the consents and designation was raised (section 5.6). CPW have proposed a 10 year period in which to give effect to the consents/designation. This matter was considered in my original section 42A report (paragraphs 325 to 328). Given the scale of the scheme (notwithstanding the reduction that has occurred due to the removal of the Dam, Reservoir and Upper Waimakariri Intake), I remain of the view that a 10 year period for both the consents and designation can be justified for the land use components of the scheme, but note that this is a substantive matter for determination of the Commissioners.*

33. A number of submitters have requested that the Notice of Requirement in particular be reduced to the standard five years. Given the sequencing of construction, I consider there is a greater case for reducing the lapse period of any designation when compared to the distribution network. However, five years does not seem a particularly long period of time for a scheme of this scale.
34. In terms of the consents for the distribution network, I am aware that significant landowner negotiation will be required prior to construction. That, and given potential difficulties regarding what constitutes "substantial progress or effort has been, and continues to be, made towards giving effect to the consent" (section 125 of the Act); I consider that a 10 year lapse period for any resource consents is appropriate in this instance.



Nick Boyes  
Consultant Planner for the SDC  
24 March 2010

## CPW Recommended Conditions with Proposed SDC Officer Amendments

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p><b>1. General</b></p> <p><b>1.1 Lapsing provision</b></p> <p><del>The lapsing provisions of Section 125 of the Resource Management Act 1991 shall not apply until after the expiry of ten years from the date of grant of this consent.</del></p> <p><u>In accordance with section 125 of the Resource Management Act 1991, the consent holder has a period of 10 years from the date of the decision in which to give effect to each of the above consents.</u></p>	<p>Nothing material changed – only changed to reflect more standard wording of a lapse condition.</p> <p>Also changed wording so that there is one generic set of conditions applying to all consents related to the distribution network.</p> <p>This ‘General Section’ could also be assisted by having the key condition 1.5 relating to the ECMP coming last – as it sets the structure for many of the subsequent conditions.</p>
<p><b>1.2 Scope of Works</b></p> <p>Except where modified by specific conditions set out below, <u>or otherwise authorised by a change of consent condition or other resource consent,</u> the scheme and all incidental work shall be constructed, operated and maintained generally in accordance with the details contained in <u>each of the applications for resource consent and supporting material, including any changes supplied in evidence, including following documents,:</u></p> <ul style="list-style-type: none"> <li><del>• Central Plains Water Enhancement Scheme;</del></li> <li><del>• Application for Land Use Consent– Annexure A - Assessment of Effects on the Environment;</del></li> <li>• <u>Assessment of Effects on the Environment</u>, Section 3 Description of the Proposed Activities</li> <li>• Application for Land Use Consent– Annexure D <u>– Plans of the Central Plains Water Distribution Network;</u></li> <li>• Application for Land Use Consent– Annexure E <u>– Images of Typical Ancillary Structures.</u></li> </ul>	<p>Added this wording on the basis of the high likelihood for additional consents being sought for the distribution network in the future.</p> <p>There is no document submitted to SDC titled ‘Central Plains Water Enhancement Scheme’.</p> <p>Others changes simply to clarify what is being specifically referred to.</p>
<p><b>1.3 Hours of Work</b></p> <p><del>The hours of construction work shall be unrestricted except as set out below:</del></p> <p><u>Construction of the water distribution network shall be undertaken in accordance with the following restrictions:</u></p> <p>a. Work on the distribution network shall be limited to 0630-2000, Monday to Saturday inclusive <del>and</del> <u>but</u> excluding any public holiday within 200m of any residential dwelling, except where agreed to by</p>	<p>Changed the focus from being unrestricted to restricted in certain situations.</p> <p>Clarified the reference to exclude public holidays.</p> <p>Important that it is both the owner/s and occupier/s of</p>

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p>the <del>applicable property</del> owner/s and occupier/s of any such dwelling.</p> <p>b. Movement of heavy construction vehicles through Coalgate shall be limited to 0630-2000, Monday to Saturday inclusive <del>and but</del> excluding any public holiday, within 200m of any residential dwelling, except where agreed to by the <del>applicable property</del> owner/s and occupier/s of any such dwelling.</p> <p>c. Notwithstanding the above restriction, concrete pouring and associated activities can occur at any time, <del>subject to compliance with all other conditions of consent including noise restrictions</del>.</p>	<p>any dwelling that must provide approval.</p> <p>Noted that compliance with noise standards will be a key determinate of what concrete pouring activity can take place outside the core hours of operation.</p>
<p><b>1.4 Annual Environment Report</b></p> <p>An Annual Environmental Report is to be submitted on each anniversary of the date of commencement of <del>these</del> consents, until <del>5 years following the scheme being commissioned</del> <del>commissioning is complete</del>.</p> <p>The matters to be covered shall include:</p> <p>a. A description of the works (including construction, mitigation, rehabilitation, monitoring and reporting) carried out in the preceding 12 months.</p> <p>b. An explanation of any departure in the preceding 12 months from the previous Annual Environmental Report.</p> <p>c. A description of all construction, mitigation, rehabilitation, monitoring and reporting intended to be carried out in the next 12 months with an approximate timetable of activities.</p> <p>d. A description and analysis of any unexpected adverse effect on the environment that has arisen as a result of the exercise of these consents in the last 12 months, the steps taken in response to that effect, and the results of those steps.</p> <p>e. A record of complaints received in the last 12 months and the mitigation measures adopted.</p>	<p>In my view this report should also cover the first few years of scheme operation.</p>
<p><b>1.5 Environmental Construction Management Plan</b></p> <p>a) The consent holder shall submit to the Selwyn District Council, at least one month prior to the commencement of works, an Environmental Construction Management Plan (ECMP) outlining the construction activities and all practices and procedures to be adopted in <del>the construction and maintenance of the Central Plains Water Distribution Network. The general purpose of this document is to achieve</del> <del>order that</del> compliance with the conditions of <del>these</del> consents <del>can be achieved</del> and <del>to ensure that</del> the effects of construction activities are minimised to the greatest extent practicable. The ECMP will be the over-arching document for environmental compliance. <del>The consent holder and its agents shall consult with the SDC in the development of the ECMP.</del></p> <p><u>b) The matters to be addressed in the ECMP shall include the following:</u></p> <p>(i) <u>General</u></p> <ul style="list-style-type: none"> <li>• <u>Plan Purpose</u></li> <li>• <u>The practices and procedures to be adopted to achieve compliance with the conditions</u></li> </ul>	<p>The changes proposed closely follow the structure of construction management conditions imposed on the Southern Motorway project.</p>

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p><u>of the consents</u></p> <ul style="list-style-type: none"> <li>• <u>Plan Revision and Compliance Issue Resolution Processes</u></li> <li>• <u>ECMP/Management Plan Certification Process</u></li> <li>• <u>Roles and Responsibilities</u></li> </ul> <p>(ii) <u>Mitigation of Adverse Effects</u></p> <ul style="list-style-type: none"> <li>• <u>Environmental Objectives and Principles</u></li> <li>• <u>Environmental Management Approach and Methods</u></li> </ul> <p>(iii) <u>Plan Requirements</u></p> <ul style="list-style-type: none"> <li>• <u>Implementation of consent conditions</u></li> <li>• <u>Annual Environment Report Process</u></li> </ul> <p>(iv) <u>Within the ECMP there shall include will be the following Management Plans sub-plans to address specific effects issues:</u></p> <ul style="list-style-type: none"> <li>a) <u>Construction Phase Management Plan</u></li> <li>b) <u>Traffic Management Plan</u></li> <li>c) <u>Public Health and Safety Plan</u></li> <li>d) <u>Landscape and Rehabilitation Management Plan</u></li> <li>e) <u>Noise and Vibration Management Plan</u></li> <li>f) <u>Terrestrial Ecology Protection Plan</u></li> <li>g) <u>Erosion, Sediment and Dust Control Management Plan</u></li> <li>h) <u>Remediation Action Plan</u></li> <li>i) <u>Waste Management Plan</u></li> <li>j) <u>Hazardous Substances/Spill Contingency Management Plan</u></li> <li>k) <u>Archaeological and Heritage Management Plan</u></li> </ul> <ul style="list-style-type: none"> <li><del>a. Stormwater and wastewater management plan</del></li> <li><del>b. Dewatering management plan</del></li> <li><del>c. Hazardous Substances management plan</del></li> <li><del>d. Noise management plan</del></li> <li><del>e. Dust management plan</del></li> <li><del>f. Traffic management plan</del></li> <li><del>g. Landscape and Rehabilitation management plan</del></li> <li><del>h. Remediation action plan</del></li> </ul>	<p>A Construction Phase Management Plan has been included given the nature of the construction programme for the distribution network.</p> <p>There were matters listed in the draft conditions put forward by CPW that were not referred to in subsequent conditions (e.g., pest and weed management plans). It is expected that these matters would be covered in the Landscape and Rehabilitation Management Plan so have been deleted.</p>

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p> <del>i. Pest management plan</del>  <del>j. Weed management plan</del>  <del>k. Erosion management plan</del>  <del>l. Archaeological management plan</del>  <del>m. Health and safety management plan</del>  <del>n. Waste management plan</del> </p> <p><u>Note: That the Management Plans in conditions 1.5(b)(iv), f, i) relate to matters within the functions of Environment Canterbury and not those of the SDC.</u></p> <p><u>c) Prior to the commencement of any works authorised by the resource consents, the consent holder shall submit to the SDC the ECMP and a certificate produced by an independent, suitably qualified and experienced person(s) (acknowledged by the Chief Executive Officer of the SDC as being competent and suitable to provide such certification), to certify that the ECMP and the works and measures described in it are appropriately designed to:</u></p> <p> <del>i. address the matters set out in condition 1.5 (b)(iv) above (excluding f) and i)); and</del>  <del>ii. comply with the relevant resource consent conditions.</del> </p> <p><u>d) The consent holder shall submit the relevant biographical information on the proposed independent, suitably qualified and experienced person(s) at least three weeks prior to submitting the certification, to the Chief Executive Officer of the SDC. The SDC should within 10 working days of receipt of that information inform the consent holder whether the person(s) is considered to be suitably experienced.</u></p> <p><u>If the SDC considers that the person is not suitably experienced, the consent holder shall propose another person.</u></p> <p><u>Works shall not proceed until the SDC confirms that the person is suitably experienced. However, if no response is provided by the SDC within 10 working days of receipt of the biographical information, the person shall be deemed to be suitably experienced.</u></p> <p><u>e) Works shall not proceed until the ECMP and certification described in condition 1.5 (c) above have been received and acknowledged in writing by the Chief Executive Officer of the SDC, who shall provide written acknowledgement within 10 working days, but in any case shall not unreasonably delay such notice. If such acknowledgement is not provided within ten working days the certification shall be deemed to be confirmed.</u></p>	<p>The changes set out a clear process of certification, roles and responsibilities moving forward.</p>

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p>f) <u>The consent holder may propose amendments to the ECMP provided that any amendments made maintain or enhance the degree and/or extent to which adverse environmental effects attributable to the construction or maintenance of the distribution network are avoided or mitigated. The consent holder shall provide a copy of any such amendment to the ECMP to the SDC for its certification prior to implementation.</u></p> <p>g) <u>All works shall be carried out in accordance with the ECMP certified in accordance with condition 1.5 (e) or as amended under condition 1.5 (f).</u></p>	<p>CPW has proposed that changes to the ECMP also be allowed “<i>where it has been found that mitigation requirements have been unnecessarily stringent</i>”. I do not favour such an amendment, but note that such changes could be provided for under the “<i>maintain or enhance</i>” provision already included in the draft condition, without having to be explicitly stated.</p>
<p><b>1.6 Construction Phase Management Plan Programme</b>  A <del>Construction Phase Management Plan programme</del>, including timetable, sequence of events and duration, shall be submitted to the Selwyn District Council <u>in accord with the ECMP certification process</u> at least one month prior to the commencement of works. <u>Works shall not proceed until the Plan has been certified by the SDC. All works undertaken by the consent holder or their agents shall be subject to, and comply with the provisions of the Construction Phase Management Plan, which shall include but not be limited to, the following:</u></p> <p>a) <u>the phases in which work shall be undertaken for the purposes of constructing and maintaining the scheme;</u></p> <p>b) <u>the timing and duration for each phase;</u></p> <p>c) <u>the disturbed area in square metres, associated with each phase of construction.</u></p>	<p>Included this requirement as a formal management plan rather than simply providing the detail. This brings the construction phases into the overall ECMP process and certification procedure.</p>
<p><b>1.7 Other Approvals</b>  Details of all necessary permissions required and or obtained under other legislation (e.g., Historic Places Act, Reserves Act shall be supplied to the Selwyn District Council at least one month prior to the commencement of works.</p>	
<p><b>1.8 Amended Management Plans</b>  <del>The consent holder may, at any time, submit to the Selwyn District Council an amendment to any of the Management Plans referred to and required by the conditions for the purposes of improving the efficiency and/or quality of the construction works, or better avoiding, mitigating or remedying adverse effects which may arise as a result of undertaking the works.</del></p>	<p>Amendments to the ECMP and Management Plans are addressed in proposed 1.5 (f) above.</p>
<p><b>1.98 As Built Plans</b>  Within two months of the completion of the construction works for any of the major components of the Central Plains Water Enhancement Scheme, the consent holder shall supply the Selwyn District Council with a complete set of “as built” plans confirming the location of the works.</p>	

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p><b>1.409 Complaints Register</b></p> <p>The consent holder shall maintain and keep a complaints register for all aspects of all operations in relation to <del>construction-all</del> activities. The register shall include the complaints registers required for the specific management plans specified in the conditions below as well as any other complaints received and shall detail the date, time and type of complaint, cause of the complaint, and action taken by the consent holder in response to the complaint. The register shall be available to the Selwyn District Council at all reasonable times.</p>	<p>Whilst the complaints register is perhaps most relevant to the construction phase of the project, it should not in my view be limited to only construction.</p>
<p><b>2.0 Traffic Management</b></p> <p><b>2.1 Road/Rail Crossings</b></p> <p>The Midland rail line (Rolleston – Greymouth) shall remain open at all times.</p> <p>The design of any road/rail/race crossing shall meet the relevant sight distances specified in Appendix 10 of the Rural Section of the proposed Selwyn District Plan. Transit New Zealand’s Standards and Guideline Manual (SP/M/021), Planning and Policy Manual (SP/M001) and State Highway Geometric Design Manual (SP/M024) for safe stopping distances, safe passing distances, intersection entry sight distances and clear zone distances to hazards.</p>	<p>The roading/traffic conditions attached to Cliff Tipler’s evidence have been reviewed by the independent traffic expert engaged by the SDC and also the SDC’s in house Asset Manager- Roading.</p> <p>The conditions proposed were considered satisfactory.</p>
<p><b>2.2 Construction Traffic</b></p> <p>Prior to construction, a Traffic Management Plan shall be prepared and a copy given to the Selwyn District Council and Transit New Zealand. This management plan shall be complied with at all times and it shall include the following provisions:</p> <ol style="list-style-type: none"> <li>a) On all public roads, signs shall be erected warning motorists of a haul road intersection giving rise to a hazard due to heavy trucks crossing.</li> <li>b) Warning signs shall be erected at intersections of all haul roads and public roads prohibiting public access to the construction zone.</li> <li>c) Stock crossing methods shall be established after consulting with local farmers.</li> <li>d) Local emergency services shall be notified of all temporary local road closures.</li> <li>e) All construction vehicles shall be fitted with and use flashing lights while operating in the construction zone and on haul roads.</li> <li>f) All construction vehicles shall comply with the Land Transport Safety Authority rule for vehicle dimensions and mass on public roads, unless specific over dimension permits are obtained.</li> <li>g) Movement of oversize vehicles and equipment on SH 1, SH73 and SH 77 shall comply with Transit New Zealand requirements.</li> <li>h) Road signs shall be erected on roads where necessary to warn motorists of the hazard caused by</li> </ol>	

Draft Land Use Conditions with SDC Officer Amendments (Track Changes)	SDC Comments
<p>fog or frost. The design and location of such signs shall be approved by Transit New Zealand for SH1, SH73 and SH77, or the Selwyn District Council for all other roads.</p> <p>i) Road safety audits shall be carried out every six months of traffic signals/stop signs controlling the intersections of all public roads with haul roads. The results of those audits shall be reviewed and steps taken to ensure motorists do not suffer unreasonable delays. Regular monitoring of traffic signals to ensure any faults are identified and repaired.</p> <p>j) No canal cleanings shall be deposited on legal road or in a position where such material may be carried onto legal road by vehicle tyres, stormwater flows, wind or any other mechanism.</p> <p>k) Traffic management measures shall consider the issue of residential amenity arising from the passage of traffic through any living zone (particularly in the vicinity of commercial areas, schools, hospitals, and accommodation for the elderly) and where practicable construction traffic shall be directed to take alternative roads where the impact on amenity will be less.</p> <p>l) On State Highways and District roads Road Condition Surveys shall be carried out of all road sections where it is assessed that there is a reasonable possibility of the road being affected by the scheme. These shall record the 'before' condition of the road prior to the waterways being first flooded. The specific matters to be included in these surveys will be determined by the representative road controlling authorities but will be limited to aspects potentially affected by the scheme.</p> <p>m) Where the Road Controlling Authority has demonstrable reason to believe that damage to the road network may have occurred as a result of the scheme identified by whatever means, they may request that the consent holder carries out a further Road Condition Survey of the affected section of the network covered by the 'before' survey. Where any defects are found to be attributable to water effects arising from the operation of the scheme then the consent holder shall make good the defects and take all reasonable measures to ensure that further damage does not arise.</p> <p>n) On District roads the consent-holder and a representative of the Council shall carry out Road Condition Surveys in the vicinity of all on-road worksites and also near off-road worksites where on-road traffic management is required or access to the site is to be from a road. These surveys shall be completed at each worksite before any work commences, and the 'after' survey will be completed prior to commencement of the maintenance period. A copy of the record of the 'before' survey is to be lodged with the relevant road controlling authority prior to work commencing, and a copy of the 'after' survey with a description of any deficiencies observed arising from the works and remedial action proposed shall be lodged with the road controlling authority within one month of substantial completion at individual worksites.</p> <p>o) All existing property accesses from legal roads onto property shall be maintained under terms satisfactory to the landowner or operator.</p> <p>p) Access to parcels of land within properties that are divided by the works shall be provided under terms satisfactory to the land owner or operator.</p> <p>q) Unless explicitly permitted by the relevant road controlling authority the horizontal and vertical</p>	

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<p>profiles of all road carriageways shall be preserved at the existing lines, grades, crossfalls and levels at all road crossings.</p> <p>r) Where a road is operating as a two way road then, regardless of the traffic flow on that road the bridge or culvert crossing will be built to at least the minimum standard in the Bridge Manual for a low volume two-lane bridge, with clearances meeting the Preferred Minimum Standard.</p> <p>s) Unless explicitly permitted by the relevant road controlling authority all culverts will extend to a point at least 3.0m clear of the edge of the formed carriageway.</p> <p>t) Where a new bridge is constructed, or an existing bridge with pedestrian facilities is modified to accommodate the works, within the road reserve within 500m of a living zone of a township or settlement or within such a living zone, then the bridge shall provide for a pedestrian foot path on at least one side. The footpath shall be at least 2.0m wide to provide for pedestrian and cycle traffic.</p> <p>u) When planning the timing of any works on any one route, the applicant in preparing their Traffic Management Plans for approval for the Road Controlling Authority shall take into account other planned works on the project that will affect the route to ensure the overall impact on the road user is minimised. This shall include making an assessment of the overall delays to the route upon which the specific Traffic Management Plan applies and submitting a programme of works affecting the route with the Traffic Management Plan.</p> <p>v) For the duration of the project, including the full duration of all maintenance periods the applicant will pay all reasonable direct costs arising from the appointment of such staff or consultants necessary to address the Council's responsibilities on relation to the project (including but not necessarily limited to: Road Traffic Safety Auditors, Design Auditors and traffic Management Coordinators).</p> <p>w) The applicant agrees to be party to the design checking and traffic safety processes outlined above and to provide reasonable lines of communication between the Road Controlling Authorities staff and its own designers and safety engineers to facilitate the process.</p> <p>x) Measures for dust suppression to mitigate the effects of dust.</p> <p>y) Measures to maintain vehicles and machinery to mitigate the effects of fumes.</p>	
<p><b>2.3 Haul Roads – Intersections with State Highways 73 and 77</b></p> <p>Where any haul road intersects with a State Highway, the construction and operation of the intersections shall comply with the following:</p> <p>a. Prior to construction, a Traffic Management Plan dealing with State Highway intersections with haul roads shall be prepared which complies with the Transit New Zealand Code of Practice for Temporary Traffic Management. A copy of this plan shall be provided to Transit New Zealand prior to construction commencing.</p> <p>b. Where any haul road intersects any State Highway, the haul road shall be constructed to a maximum width of 15m, with a speed limit imposed on haul road traffic of 30 km/hr.</p>	

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<p>c. Where any project haul road intersects any State Highway, sight distances both ways shall comply with the requirements of <u>Tables 5A and 5B E10.2</u> set out in Appendix 10 of the Proposed Selwyn District Plan (Rural Volume).</p> <p>d. Dust suppressant shall be applied to any haul road when required within 100 metres of an intersection with State Highway to ensure dust does not reduce the visibility for drivers approaching the intersection.</p>	<p>Change due to reformatting of the Selwyn District Plan.</p>
<p><b>2.4 Haul Roads – Intersections with Selwyn District Council Roads</b></p> <p>Where any haul road intersects with any formed legal roads other than a State Highway, the construction and operation of the intersection shall comply with the following:</p> <p>(a) Prior to construction, a Traffic Management Plan shall be prepared which complies with the Transit New Zealand Code of Practice for Temporary Traffic Management. A copy of this plan shall be provided to the Selwyn District Council prior to construction commencing.</p> <p>(b) Stop signs shall be erected and maintained to control intersections between all formed public roads any haul road.</p> <p>(c) Where any haul road intersects with any formed public road, the haul road shall be constructed to a maximum width of 15m, with a speed limit imposed on haul road traffic of 30 km/hr.</p> <p>(d) Where any project haul road intersects any formed public road, sight distances both ways shall comply with the requirements of <u>Tables 5A and 5B E10.2</u> set out in Appendix 10 of the Proposed Selwyn District Plan (Rural Section).</p> <p>(e) Dust suppressant shall be applied to any haul roads when required within 100 metres of an intersection with any formed public road to ensure dust does not reduce the visibility of drivers approaching the intersection.</p>	<p>Change due to reformatting of the Selwyn District Plan.</p>
<p><b>3.0 River Access</b></p> <p><b>3.1 Maintenance of River Access</b></p> <p><u>Where practicable all existing access points, both vehicular and pedestrian, to and along the Rakaia and Waimakariri Rivers shall be maintained to a standard not less than that existing prior to construction.</u></p> <p>Where existing public access to a river is restricted <del>or otherwise impacted in any way</del> as a result of <u>either</u> construction works <u>or the finished scheme components</u> subject to this application, the consent holder or its contractors shall provide alternative access to <del>the same or better an equivalent</del> standard in a location as near as practicable to the existing access point.</p> <p><u>In such circumstances, the consent holder is to provide the SDC with a photographic record of the existing access prior to works commencing, along with plans and details illustrating the alternative proposal for certification as part of the ECMP.</u></p>	<p><u>Wording added to be more consistent with the recommended condition of Fish &amp; Game, but added “wherever practicable”.</u></p> <p><u>Deleted phrase “or otherwise impacted in any way” added previously as I no longer consider that it is required.</u></p> <p>Changes proposed intended to be in accord with the matters raised in Commissioners Minute 14,</p>

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<p><u>Key areas where such certification would be required include (but are not necessarily limited to) the following:</u></p> <ul style="list-style-type: none"> <li>• <u>Waimakariri River between Gorge Bridge and Bleakhouse corner;</u></li> <li>• <u>Hawkins River near Racecourse Hill;</u></li> <li>• <u>Hawkins River at Essendon Road;</u></li> <li>• <u>Selwyn River at Sheffield;</u></li> <li>• <u>Hororata River;</u></li> <li>• <u>Rakaia River at Steeles Road;</u></li> <li>• <u>Rakaia River at Sleemans Road; and</u></li> <li>• <u>Rakaia River between Sleemans Road and gorge.</u></li> </ul>	<p>paragraph 5.17.</p> <p>The locations have been taken from the Appendix to Andrew Whaley's Traffic evidence.</p>
<p><b>4.0 Public Safety/Health and Safety</b></p> <p><b>4.1 Health and Safety Management Plan</b></p> <p>Prior to any construction the consent holder shall develop and implement a Health and Safety Management Plan for both construction and operation of the Central Plains Enhancement Scheme which shall be provided to the Selwyn District Council, and shall be complied with on an ongoing basis. The Plan shall include at least the following:</p> <p><i>Construction:</i></p> <ol style="list-style-type: none"> <li>a. Ensuring contractors comply with relevant construction regulations, <del>and</del> codes of practice <u>and procedures set out in the ECMP in order to ensure compliance with all conditions.</u></li> <li>b. Ensuring contractors assess hazards on site and develop appropriate control plans that incorporate public health and safety requirements and incorporate public risk mitigation prior to engagement/commencement of construction. This includes the provision of fencing and warning signs where appropriate to keep the public safe from harm and to prevent unauthorised access of people and stock into areas where hazards exist including, borrow areas, fill areas and haul roads.</li> <li>c. Public and stakeholder consultation, education and information sharing.</li> <li>d. Contractor and sub-contractor management.</li> <li>e. Public notification of the area of any blasting activities.</li> <li>f. Induction/training requirements.</li> <li>g. Emergency protocols/requirements, including arrangements for 24 hour emergency vehicle access (eg Civil Defence, Ambulance, Fire Service and Police).</li> <li>h. Incident reporting procedures.</li> </ol>	<p>Included a reference to the ECMP document and condition compliance.</p>

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<p>i. Appropriate hazard warnings (eg signs, sirens).  <i>Operation:</i></p> <p>j. Procedures to review and update the Plan as required.</p> <p>k. How to deal with emergency events such as oil spills, earthquakes, fires and floods.</p> <p>As part of implementing the Health and Safety Management Plan, the consent holder shall:</p> <p>a. Identify contingency events/document associated emergency response plans.</p> <p>b. Make the plan available to relevant parties (eg councils, employees, civil defence, residents, etc).</p>	
<p><b>4.2 Access During Construction</b></p> <p>During construction, public access will be restricted to all construction, cut, fill and borrow areas by the use of suitable fences/barriers, with warning signs erected and maintained at appropriate locations.</p> <p><i>Note: Please see condition 3.1 regarding requirements to maintain alternative public access to riverbeds in such circumstances.</i></p>	<p>Noted a cross reference to consent holder obligations regarding alternative river access in such circumstances.</p>
<p><b>5.0 Landscape and Rehabilitation</b></p> <p><b>5.1 Landscape and Rehabilitation Management Plan</b></p> <p><u>The Consent holder shall undertake rehabilitation of the land surface, topsoil, drainage and vegetation in all areas disturbed in the construction and / or maintenance of the distribution network to achieve the following objectives:</u></p> <p><u>(a) To reinstate vegetation cover on previously vegetated areas disturbed by construction or maintenance activities, where those areas do not contain components of scheme infrastructure or permanent access;</u></p> <p><u>(b) To visually integrate finished structures, landforms and vegetation into the surrounding landscape so that as far as practicable they appear to be naturally occurring features or features which are already present in the immediate area. In particular the canal embankments and any excess cut stockpiles are to be shaped as naturalised landforms;</u></p> <p><u>(c) To ensure short and long term stability of disturbed land areas and their surrounding areas particularly on the terrace edges.</u></p> <p><u>(d) To minimise the loss of existing vegetation where possible, most notably riparian vegetation on the edge of any river terrace;</u></p> <p><u>(e) To compensate for the loss of any native vegetation which is removed during construction.</u></p>	<p>In accord with the comments from Minute 14 – the broad condition and objectives have been stated upfront, with the requirement for the preparation of the Management Plan being a secondary condition in order to achieve those objectives.</p> <p>The structure of the conditions is taken from the approval given in the ACWT land use consent.</p> <p>CPW has requested that ‘possible’ in (b) and (d) be replaced with ‘practicable’. I agree in the context of (b) and have made that change. I am less inclined to agree with such a change for (d), but note that it is potentially a matter of semantics in any case.</p>
<p><b>5.2 Landscape and Rehabilitation Management Plan</b></p> <p>The consent holder shall prepare a Landscape and Rehabilitation Management Plan which shall be</p>	<p>Clarified process of certification required before</p>



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<p>e. Proposed planting – species, location and timing;</p> <p>f. Identification of specific ecological, heritage, cultural or geological features within or immediately adjoining the construction zone which are to be protected, the methods of such protection, and the identification of the features on a plan;</p> <p>g. The staging of vegetation removal;</p> <p>h. Rehabilitation of haul roads;</p> <p>i. Methods and protocols for educating and training contracting personnel about the requirements of the Landscape and Rehabilitation Management Plan.</p> <p>j. <u>On-going pest and weed control measures for both exposed areas and stockpiles over the construction period and rehabilitated landscape planting areas over the operation of the scheme.</u></p> <p>k. <u>Methods for monitoring the success of re-vegetation plantings for at least 24 months following the planting;</u></p> <p>l. <u>Methods to enable the completion of all such works at the earliest opportunity, but no later than 1 season following completion of construction.</u></p> <p>m. <u>On-going methods to minimise fire risk (whether by grazing, mowing or other means) on embankments.</u></p> <p><del>All water race embankments shall be re-grassed.</del></p>	<p>Added reference to pest and weed control which was deleted as a separate Management Plan requirement as part of condition 1.5 above.</p> <p><u>As per the comments made by Mr J Deans on behalf of the Farmers Group – Southern Headrace.</u></p>
<p><b><u>5.3 Rehabilitation Requirements</u></b></p> <p>(a) Within two months of completion of any component of the construction works, the consent holder shall issue a notice to the Selwyn District Council certifying that all construction debris or other materials from the construction works <del>that may pose a hazard to public safety or recreational activities other than rock stockpiled for the purpose of maintaining erosion protection works or for landscaping purposes</del> have been removed.</p> <p>(b) <u>Within six months of completion of commissioning of the scheme, the Consent holder shall remove all temporary buildings, plant and equipment (whether attached to the land or not) associated with the scheme.</u></p>	
<p><b><u>5.4 Landscape Reinstatement</u></b></p> <p>(a) <u>The reinstatement of all works areas and landscaping shall be completed within one season (12 months) of the finishing of construction in that area.</u></p> <p>(b) <u>In the event of rehabilitation plantings for any area not becoming successfully established, they will be replanted and maintained until successful.</u></p>	

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<b>6.0 Noise and Vibration</b>									
<b>6.1 Construction Noise Limits</b>									
All construction activity shall be conducted so that noise emissions do not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 "Acoustics – Construction Noise". These limits shall apply at all occupied residential units and schools. The consent holder shall liaise with all schools and avoid construction noise during any particularly sensitive times.									
Time of week	Time period	Duration of work							
		Typical duration (dBA)		Short-term duration (dBA)		Long-term duration (dBA)			
		L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>		
Weekdays	0630-0730	60	75	65	75	55	75		
	0730-1800	75	90	80	95	70	85		
	1800-2000	70	85	75	90	65	80		
	2000-0630	45	75	45	75	45	75		
Saturdays	0630-0730	45	75	45	75	45	75		
	0730-1800	75	90	80	95	70	85		
	1800-2000	45	75	45	75	45	75		
	2000-0630	45	75	45	75	45	75		
Sundays and public holidays	0630-0730	45	75	45	75	45	75		
	0730-1800	55	85	55	85	55	85		
	1800-2000	45	75	45	75	45	75		
	2000-0630	45	75	45	75	45	75		
<b>6.2 Noise and Vibration Management Plan</b>									
Prior to the commencement of any construction activity, the consent holder shall appoint an appropriately qualified acoustic engineer to prepare a Noise and Vibration Management Plan. That plan shall be lodged with the Selwyn District Council <a href="#">as part of the ECMP certification process</a> and adhered to during construction									
The Noise and Vibration Management Plan shall include;									
(a) All applicable noise limits;									
(b) Procedures for identifying dwellings within 150 metres of the headrace, 250 metres of bridges/siphons/piling, 75 metres of the distribution network, and 500 metres of any blasting;									
								The proposed noise limits were reviewed by the SDC Noise expert and found to be appropriate.	
								The recommended changes below do not change the bottom line standards that must be achieved, but rather attempt to strengthen the Management Plan process to detail how these standards will be achieved.	
								Amended simply to confirm that the Management Plan is provided to the SDC and subject to the ECMP certification process outlined above in condition 1.5.	

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<ul style="list-style-type: none"> <li>(c) <u>Procedures for identifying any other buildings of heritage value that could potentially be affected by the construction of the scheme notwithstanding the separation distances set out in (b) above;</u></li> <li>(d) Mitigation options that will be adopted as required to comply with the noise limits;</li> <li>(e) Procedures to be followed for monitoring of noise during construction works;</li> <li>(f) Procedures for conducting pre and post construction structural checks for building within the vibration buffer distances <u>in accord with (b) and (c),</u></li> <li>(g) Liaison and complaint procedures. The complaint procedure shall require investigation of complaints within twenty-four hours, and immediate cessation of any construction activity found to be breaching the noise limits.</li> <li>(h) <u>Description regarding the adoption of the best practicable option (BPO), in accordance with section 16 of the Resource Management Act,</u></li> <li>(i) <u>Provision for independent certification, monitoring and technical review procedure to outline the consent holder's responsibility to undertake vibration checks and deformation surveys of any potentially affected heritage building and/or structure before, during and no less than 24 months post the commissioning of the scheme.</u></li> <li>(j) <u>Machinery and equipment to be used;</u></li> <li>(k) <u>Hours of operation, including times and days when construction work would occur;</u></li> <li>(l) <u>The design of noise mitigation measures such as temporary barriers or enclosures;</u></li> <li>(m) <u>Construction noise limits, minimum buffer distances and attenuation measures for specific activities and areas in order to comply with the standards set out in condition 6.1 above.</u></li> <li>(n) <u>Details of vibration testing of equipment to confirm that the vibration standards in NZS6803 are not exceeded. In the event that other machinery is to be used, vibration testing is to occur prior to works commencing to ensure that the vibration standards will be met;</u></li> <li>(o) <u>Development of alternative strategies where full compliance with NZS6803 or a more stringent standard may not be achieved, including consultation with residents and other occupiers to achieve acceptable outcomes;</u></li> <li>(p) <u>Detailed methods for monitoring and reporting on construction noise and vibration throughout the process, including the location of vibration and noise monitoring for construction activities that are adjacent to occupied dwellings;</u></li> <li>(q) <u>Noise and vibration complaint procedures and response procedures/times.</u></li> </ul>	<p>These amendments are taken from the conditions imposed in the ACWT land use consent and allow for some form of adaptive management in the case where compliance may not be achieved but the affected party agrees with the proposal (see o).</p>
<p><b>6.3 Operational Noise Limits</b></p> <p>All operational noise from the scheme shall comply with the following noise limits when measured in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound":</p>	

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<p>Within the notional boundary of any dwelling, rest home, hospital, or classroom in any educational facility, except where that dwelling, rest home, hospital or classroom is located within a Living Zone:</p> <ul style="list-style-type: none"> <li>• 0730 to 2000 hrs                    60 dBA L<sub>10</sub></li> <li>• 2000 to 0730 hrs                    45 dBA L<sub>10</sub>, 70 dBA L<sub>max</sub></li> </ul> <p>Within any site boundary in a Living Zone:</p> <ul style="list-style-type: none"> <li>• 0730 to 2000 hrs                    55 dBA L<sub>10</sub></li> <li>• 2000 to 0730 hrs                    40 dBA L<sub>10</sub>, 70 dBA L<sub>max</sub></li> </ul>	
<p><b>7.0 Affected Properties</b></p> <p><b>7.1 Access to Canals and Races</b></p> <p>The consent holder shall erect and maintain stock fences between the Central Plains Enhancement Scheme works and adjacent farms to <u>the same standard as that existing, or otherwise required to prevent cattle accessing the main headrace canal, or any inlet canal.</u></p>	<p><u>This change was made to cover the situation where say a deer fence currently exists.</u></p>
<p><b>7.2 Restoration Work – Private Property</b></p> <p>Where the works affects land or chattels, the consent holder shall reconfigure, relocate, or restore all existing:</p> <ol style="list-style-type: none"> <li>a. Fences;</li> <li>b. Irrigation facilities;</li> <li>c. <u>Water races;</u></li> <li>d. Farm lanes/tracks;</li> <li>e. Buildings; and</li> <li>f. Landscaping <u>(including shelterbelts);</u></li> <li>g. <u>Livestock drinking water;</u></li> </ol> <p><u>To the satisfaction of the land/infrastructure owner.</u> This includes providing bridges or alternative structures where necessary to maintain viable lanes/tracks or irrigation facilities <u>to the affected property.</u></p>	<p>This has been amended to include water races and provide for alternative outcomes to be achieved were agreed to by the landowner and/or organisation responsible for any infrastructure affected.</p> <p><u>Submitters such as AF Bull have referred to the effects of potential loss of shelter.</u></p> <p><u>Various stock water supplies run across properties, which have the potential to be disrupted by the construction of the distribution network.</u></p>
<p><b>7.3 Restoration Work – Council Community Drinking Supplies, Stock Water and Water Race Schemes</b></p> <p><u>As part of the ECMP the consent holder is to identify and outline procedures to manage any disruption to Community Water Supply, Stock Water and Water Race Schemes during the construction of the distribution network. As a minimum this is to achieve a continuity of supply in accordance with the SDC 'levels of service' in place at the time of construction. This may involve the provision of an alternative</u></p>	<p><u>This condition has been added to reflect the concerns raised in the comments submitted by Mr Hugh Blake-Manson on behalf of the SDC.</u></p>

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<p><u>supply at the cost of the consent holder if required.</u></p> <p><u>The design of all crossing points is to be undertaken in conjunction with and be approved by the Selwyn District Council Asset Manager Utilities prior to the ECMP being submitted for certification in accord with condition 1.5.</u></p> <p><u>Please Note: Maps of all existing Council Water Race and Water Supply Schemes within the CPW command area are attached for reference.</u></p>	
<p><b>8.0 Significant Indigenous Vegetation <u>Terrestrial Ecology</u></b></p> <p><b>8.1 Significant Indigenous Vegetation <u>Terrestrial Ecology</u> Protection Plan</b></p> <p>Prior to any construction occurring, the consent holder shall, in consultation with Selwyn District Council, <u>and the Department of Conservation</u> produce a <u>Significant Indigenous Vegetation <u>Terrestrial Ecology</u></u> Protection Plan and adhere to this on an ongoing basis.</p> <p>The objectives of this plan <u>are as follows:</u></p> <p><u>(a) Avoid the loss or disturbance of indigenous vegetation and habitats will be to minimise to the greatest extent practicable <del>any loss or damage to existing significant indigenous vegetation</del>, and where that is not possible, to ensure there is no net loss of areas of significant indigenous vegetation.</u></p> <p><u>(b) Mitigate through appropriate methods the loss of indigenous vegetation and habitats destroyed, removed or disturbed, during construction and operation of the scheme.</u></p> <p><u>(c) Mitigate for the loss of indigenous vegetation-landform associations destroyed, removed or disturbed during construction.</u></p> <p><u>(d) Ensure the successful establishment and long term viability of proposed mitigation plantings.</u></p> <p><u>(e) Minimise the potential for lizards and large ground-dwelling invertebrates to be significantly affected by construction.</u></p> <p><u>(f) Minimise the establishment or spread of noxious weeds within the areas and on to neighbouring properties.</u></p> <p><u>The Terrestrial Ecology Protection Plan shall:</u></p> <p><u>(a) Detail how the above objectives are to be achieved:</u></p> <p><u>(b) Include a map of <del>The applicant shall identify and map</del> any <u>known</u> significant indigenous vegetation that has the potential to be destroyed or adversely affected by construction activities.</u></p> <p><u>(c) Detail <del>the</del> the calculation of 'no net loss' of biodiversity <del>shall use</del> <u>inge</u> international best practice approaches in regards to the valuation of the biodiversity costs associated with any damage, and</u></p>	<p>These amendments are taken from the conditions imposed in the ACWT land use consent and provide a more robust framework in terms of what is to be achieved through the preparation of the Protection/Management Plan.</p> <p>CPW suggested that the word 'known' be added. I agree with this proposed change.</p>

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<p>the benefits of mitigation and biodiversity offsets.</p> <p><u>(d) Be prepared and maintained for the duration of the construction period and a 24 month maintenance period following completion of all plantings required. The Plan shall be submitted to the SDC for certification at least one month prior to construction commencing.</u></p> <p><u>(e) The Terrestrial Ecology Protection Plan shall be prepared, implemented and maintained in conjunction with, and in a manner that is consistent with the Landscape and Rehabilitation Management Plan.</u></p> <p><u>(f) The Terrestrial Ecology Protection Plan shall be maintained as current at all times by the Consent Holder and be reviewed not less than annually. The review shall incorporate all monitoring results obtained during the preceding monitoring period. A copy of each annual Terrestrial Ecology Protection Plan review shall be forwarded to the SDC and the Department of Conservation within one calendar month of its completion.</u></p>	
<p><b>9.0 Dust</b></p> <p><b>9.1 Control of Dust</b></p> <p><del>All practicable measures shall be taken to limit the extent, duration and frequency of dust discharges from construction, operation and maintenance activities shall not cause offensive or objectionable levels of dust beyond the construction area boundaries.</del></p>	<p>Dust is a potential issue where duplication issues with ECan consent conditions arise. On that basis CPW proposed that the dust conditions be deleted from the SDC consents/Notice of Requirement. However, having reviewed the proposed ECan dust conditions there are some matters included here that are not within the draft ECan conditions, namely matters relating to monitoring effectiveness, cleaning service, and contingency plans if controls fail.</p> <p>On that basis I have left these for the time being, but acknowledge that they can in time be deleted should such matters be incorporated into the ECan conditions.</p>

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<p><b>9.2 Dust Management Plan</b></p> <p><del>Prior to any construction, the consent holder shall prepare a Dust Management Plan as part of the ECMP which shall be provided to the Selwyn District Council, and adhered to during construction. This plan shall cover:</del></p> <ul style="list-style-type: none"> <li><del>a. Best practicable methods of dust suppression to minimise the effects of dust beyond the boundary of the construction site, including, but not limited to, use of sprinklers and water carts, and revegetation of stockpiles where appropriate;</del></li> <li><del>b. Procedures for monitoring the effectiveness of the dust controls Dust monitoring;</del></li> <li><del>c. Nomination of an employee/contractor to be responsible for consulting with local residents about dust during construction;</del></li> <li><del>d. Identification of areas within 1500m of any construction site which are sensitive to the effects of dust (eg, houses, specific crops, utilities, orchards) and identification of specific measures to mitigate the effects of dust on these sites;</del></li> <li><del>e. Regular public road maintenance to ensure optimal surface conditions;</del></li> <li><del>f. Proposed methods of providing a cleaning service to residents and businesses affected by dust from construction activities.</del></li> <li><del>g. Procedures for monitoring the effectiveness of the controls;</del></li> <li><del>h. A complaints procedure; and</del></li> <li><del>i. Inspection and auditing procedures and contingency plans for if controls fail.</del></li> </ul>	<p><u>Dust is covered under CRC102336 and is not required to be covered in the SDC land use consent or Notice of Requirement.</u></p>
<p><b>9.3 Wind Monitoring</b></p> <p><del>The consent holder shall install meteorological monitoring instruments at three locations in the scheme area to be agreed by Canterbury Regional Council. The meteorological monitoring instruments shall be installed at a height of at least 3 metres.</del></p> <p><del>The meteorological monitoring instruments shall continuously monitor and record:</del></p> <ul style="list-style-type: none"> <li><del>a. Wind speed; and</del></li> <li><del>b. Wind direction.</del></li> </ul> <p><del>The data should be recorded as 10 minute averages.</del></p> <p><del>The consent holder shall ensure that the monitoring system is fitted with appropriate systems that will trigger alarms when specified meteorological conditions are reached so that activities can be managed.</del></p>	
<p><b>9.4 Complaints</b></p> <p><del>During construction, the consent holder shall maintain a complaints register dealing with dust. The</del></p>	

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<p><del>register shall detail the date, time and type of complaint, cause of the complaint, and action taken by the consent holder in response to the complaint. The register shall be available to the consent authorities at all reasonable times.</del></p>	
<p><b>10.0 Waste Management and Hazardous Substances</b></p> <p><b>10.1 Remediation Action Plan</b></p> <p>A Remediation Action Plan for contaminated areas will be prepared and lodged with the Selwyn District Council prior to any construction activity and adhered to where the construction of any works subject to the application requires the disturbance or removal of any</p> <ol style="list-style-type: none"> <li>a. Landfill;</li> <li>b. Farm dump;</li> <li>c. Offal pit;</li> <li>d. Septic tank;</li> <li>e. Silage pits; and</li> <li>f. Dairy effluent disposal ponds.</li> </ol> <p>The Remediation Action Plan above shall address the matters set out in (a) - (f) below, with a level of detail appropriate to the degree of risk presented by the disturbance or removal of each specific contaminated area:</p> <ol style="list-style-type: none"> <li>a. The earthworks and transport controls to minimise the off-site mitigation of contamination (via air or water during the remedial works).</li> <li>b. Appropriate measures for the control of dust or odour;</li> <li>c. The diversion of stormwater away from the remedial works;</li> <li>d. The treatment of contaminated stormwater or groundwater in the remediation area;</li> <li>e. Sampling and reporting;</li> <li>f. The health and safety requirements for remediation workers</li> </ol>	
<p><b>10.2 Solid Waste</b></p> <p>A Waste Management Plan shall be prepared and lodged with the Selwyn District Council prior to any construction activity and adhered to, for the management of domestic waste from site staff, construction waste and hazardous waste.</p> <p>At each construction area, provision shall be made for the recycling of paper, plastic, glass, aluminum, cans, waste oil and solvents. Containers and appropriate storage arrangements shall be provided for all other classes of waste.</p> <p>All other construction waste shall be transported in enclosed containers to a Selwyn District or</p>	

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Christchurch City transfer station.	
<p><b>10.3 Hazardous Substances</b></p> <p>All fuel, oil and hazardous substances shall be stored in accordance with a Hazardous Substances Management Plan to be prepared and submitted to the Selwyn District Council prior to this consent being given effect to.</p> <p>The Hazardous Substances Management Plan shall address the following matters:</p> <ol style="list-style-type: none"> <li>Hazardous chemical storage</li> <li>Fuel and chemical spill control</li> <li>Spill containment</li> <li>Spill clean up</li> <li>Incident reporting</li> </ol> <p>That plan shall be kept on site and provided to the Selwyn District Council upon request.</p> <p>Fuel, oil and hazardous substance storage areas shall be bunded with capacity to contain 120% of the volume of stored material in the event of a spill.</p>	
<p><b>11.0 Cultural Impacts</b></p> <p><b>11.1 Accidental Discovery Protocol</b></p> <p>An accidental discovery protocol shall be prepared prior to any construction commencing and copies lodged with the Te Rūnanga o Ngāi Tahu and the Selwyn District Council. This protocol shall cover both prehistoric (Maori) and historic sites, and shall be prepared in consultation with the New Zealand Historic Places Trust (NZHPT), Te Rūnanga o Ngāi Tahu and <del>Ngāi Tuahuriri</del> <u>Te Taumutu Rūnanga</u>.</p> <p><del>The protocol shall require assessment by a qualified archaeologist of any potential archaeological site discovered. If such a site is determined to be an archaeological site as defined by the Historic Places Act 1993, then NZHPT and Ngāi Tahu shall be contacted and appropriate responses received before construction work recommences. Then the site shall be recorded, trial excavations carried out followed by more thorough excavation if this is considered necessary by a suitably qualified archaeologist.</del></p> <p>Where appropriate, all contractors, project managers and stakeholders shall be inducted into the protocol and made aware of their individual responsibilities under the protocol.</p> <p>Before commencing any vegetation clearance or earthworks in any area listed in the <u>Proposed</u> Selwyn District Plan as a Wāhi Taonga site, Wāhi Taonga Management Area or Mahinga Kai site, the consent holder shall contact local rūnanga for advice as to the most appropriate methods for avoiding, remedying or mitigating adverse effects of the proposed activity.</p> <p><u>In the event of any disturbance of Koiwi Tangata (human bones) or taonga (treasured artefacts), the</u></p>	<p>Much like dust there is a potential duplication between the two consent authorities. In any case the ADP included should be the same.</p> <p>Amendments made to better reflect standard practice in the case of accidental discovery. Potential for standard conditions across both ECan and SDC consents, if not the procedure agreed between CPW and other interested parties, prior to the 24<sup>th</sup> March resumed hearing.</p>

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<p><u>consent holder shall immediately:</u></p> <p>(a) <u>Advise the Te Rūnanga o Ngāi Tahu, Te Taumutu Rūnanga, or their representative, and the SDC of the disturbance;</u></p> <p>(b) <u>Cease earthmoving operations in the affected area until the area containing the Koiwi Tangata or taonga has been clearly demarcated, and Kaumatua and archaeologists have certified that it is appropriate for earthmoving to recommence.</u></p> <p><u>In the event of accidental discovery of archaeological remains, the following steps shall be taken:</u></p> <p>(a) <u>All activity affecting the immediate area shall cease and the Regional Archaeologist of the New Zealand Historic Places Trust shall be contacted;</u></p> <p>(b) <u>The site shall be secured to ensure that the remains are not further disturbed;</u></p> <p>(c) <u>Further works affecting the remains will not commence until either:</u></p> <p style="padding-left: 20px;">i. <u>The Regional Archaeologist of the New Zealand Historic Places Trust has confirmed in writing that the archaeological provisions of the Historic Places Act 1993 do not apply; or</u></p> <p style="padding-left: 20px;">ii. <u>The requirements of the archaeological provisions of the Historic Places Act 1993 have been met, and if required, and archaeological authority has been granted by the New Zealand Historic Places Trust.</u></p> <p>(d) <u>If human remains / koiwi tangata are located, in addition to the above steps, the Runanga representative for the area and the New Zealand Police must be contacted.</u></p>	
<p><b>11.2 Site Survey</b></p> <p>Before the commencement of earthworks in the scheme, the consent holder shall conduct an <u>archaeological</u> survey (including mapping) of <del>and map</del> all <u>known</u> areas <u>containing cultural sites of land</u> within the footprint of the scheme works to determine whether there are any <u>further</u> unrecorded cultural sites <u>that could be adversely affected by the construction works</u>.</p> <p>Following the completion of the survey and Section 18 investigations under the Historic Places Act (1993) the consent holder shall undertake a reappraisal of the Scheme's effects on archaeological sites and then follow the procedures required under the Historic Places Act.</p>	<p>It is noted that Minute 14 (section 5.23) indicated that it would not be necessary for CPW to carry out a comprehensive survey of the whole headrace and distribution network.</p> <p>As a result CPW proposed wording that required no survey at all, only mapping. My understanding is that the survey is required but that it should be restricted to known areas where the likelihood of further discovery is greatest.</p> <p>The 'known areas' would have to be clarified in order that the condition can be effectively implemented. This could be done by listing them in the condition or by reference to an attached map. This can be done</p>

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	prior to the resumed hearing.
<p><b>12.0 Heritage</b></p> <p><b>12.1 Historic Paces Act Consents</b></p> <p>Prior to commencing any construction, the consent holder shall obtain the appropriate consents to destroy, damage or modify any archaeological site, historic site or historic building classified under the Historic Places Act 1993, from the NZ Historic Places Trust for the work required to complete that stage of the project (section 18 Authority).</p> <p><del>The section 18 investigations shall be accompanied by a scheme wide survey of areas currently containing heritage items affected by the scheme works to assess the distribution of other unrecorded sites across the landscape. An appraisal of the scheme's effects on any new archaeological sites identified as a result shall be undertaken.</del></p> <p>Where practicable, all sites should be avoided, but where such sites cannot be avoided, full and appropriate recording and documentation of such sites should be undertaken before they are destroyed. Any mitigation of damage, modification or destruction of the sites shall be undertaken according to sections 10 and 12 of the Historic Places Act 1993.</p>	<p><u>CPW proposed deletion of this paragraph, in the earlier report it was retained as I considered that localised survey work should still be required in any known areas of archaeological interest directly affected by the scheme. However, this is a duplication of the requirement already set out in 11.2.</u></p>
<p><b>12.2 Archaeological and Heritage <u>Management Plan</u></b></p> <p>Prior to commencing any construction the consent holder shall <del>commission prepare</del> an Archaeological and Heritage <u>Management Plan prepared by a suitably qualified professional in conjunction with Te Runanga o Ngai Tahu and the NZ Historic Places Trust and certified in accord with the process set out in condition 1.5. Once finalised, copies which shall be lodged with the Selwyn District Council, <u>Te Runanga o Ngai Tahu</u> and the NZ Historic Places Trust. This plan shall be complied with and shall cover any destruction, damage or modification to any archaeological site, or historic site or building classified under the NZ Historic Places Act 1993 and identify any conditions to be complied with in relation to heritage. The Archaeological and Heritage <u>Management Plan</u> shall include:</u></p> <ol style="list-style-type: none"> <li>a. <u>Methods for avoiding, remedying or mitigating adverse effects on known archaeological and cultural sites and heritage places.</u></li> <li>b. <u>Methods for identifying unrecorded archaeological and cultural sites and heritage places which are discovered during the construction of the scheme and appropriate accidental discovery protocols to deal with these (see condition 11.1).</u></li> <li>c. <u>The consent holders other legal responsibilities when dealing with archaeological and cultural and heritage places, including Iwi Management Plans, the Ngai Tahu Claims Settlement Act 1998, the Protected Objects Act 1975 and the Historic Places Act 1993 (see condition 12.1).</u></li> <li>d. <u>The identification of areas where there are likely to be sites of significance that require the presence of a cultural monitor on site during construction.</u></li> </ol>	<p><u>Changes in accord with the comments made by the NZ Historic Places Trust.</u></p> <p><u>Change as recommended by Te Runanga o Ngai Tahu.</u></p>

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<p>e. Responsibilities of contractors and project managers</p> <p>f. Control of vegetation, stock and soil erosion</p> <p>g. Public access and vandalism</p> <p>h. Methods of excavation</p> <p>i. Sampling and analysis of archeological materials</p> <p>Any taonga tuturu (artefacts of tangata whenua origin) that are recovered during the works are the property of the Crown and should be registered with the Ministry for Culture and Heritage. Such artefacts shall be stored in an appropriate repository either in a local or regional museum.</p>	
<p><b>13.0 Utilities</b></p> <p><b>13.1 Power Utilities</b></p> <p>Where any part of a building or structure needs to be constructed/located within the restricted areas specified under Table 2 of the NZECP 34:2001, prior to construction, the consent holder must submit to the Selwyn District Council or Canterbury Regional Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that any building or structure complies with the minimum safe distances from the Benmore – Haywards A Benmore – Islington A, Roxburgh – Islington A, Brackendale – Hororata A, and Hororata – Islington E lines as specified in Table 3 of the NZECP 34:2001.</p> <p><i>Please note that the distances specified include an allowance for climatic conditions (i.e., conductor swing).</i></p> <p>No buildings or structures (including temporary buildings) shall be located within 12 metres of the outer edge of the visible foundations of any transmission line tower.</p> <p>No fences of conductive materials shall be located within 5 metres of the outer edge of the visible foundations of any transmission line tower.</p> <p>All buildings and other structures constructed on site shall be located so as not to preclude existing 4-wheel drive access to any transmission line support structure.</p> <p>All machinery and mobile plant operated on site must maintain a minimum clearance distance of 4 metres from all transmission line conductors at all times.</p> <p>No person shall, in the case of any tower supporting any conductor, excavate or otherwise interfere with any land:</p> <ol style="list-style-type: none"> <li>a. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or</li> <li>b. at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the tower; or</li> <li>c. in such a way as to create an unstable batter.</li> </ol>	

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<p>d. When, in exceptional circumstances, the consent holder wishes to undertake works within the specified distances, Transpower shall be consulted with in order to provide the requisite approvals for encroachment, in accordance with the NZECP 34:2001.</p> <p>Excavated or other material must not be deposited under or near the Benmore – Islington A, Roxburgh – Islington A, Brackendale – Hororata A, and Hororata – Islington E transmission lines so as to reduce the vertical distance from the ground to the conductors to a distance less than:</p> <ol style="list-style-type: none"> <li>a. 6.5 metres vertically, across or along driveways or on any other land traversable by vehicles;</li> <li>b. 5.5 metres vertically, on any land not traversable by vehicles due to inaccessibility; and</li> <li>c. 3 metres in any distance other than vertical on all land.</li> </ol> <p>Excavated or other material must not be deposited under or near the Benmore – Haywards A transmission line so as to reduce the vertical distance from the ground to the conductors to a distance less than:</p> <ol style="list-style-type: none"> <li>a. 8 metres vertically, across or along driveways or any other land traversable by vehicles;</li> <li>b. 6.5 metres vertically, on any land not traversable by vehicles due to inaccessibility;</li> <li>c. 3 metres in any distance other than vertical on all land.</li> </ol> <p>Please note that the distances specified include an allowance for mechanical creep (i.e. permanent elongation of the conductors).</p> <p>The consent holder must ensure that the discharge of dust created by earthworks, transportation and construction activities does not create any dust hazard or nuisance to any high voltage transmission lines.</p> <p>Prior to the commencement of any construction, the consent holder must submit a “Dust Management Plan” for the activity to the Consents Manager, Selwyn District Council (and a copy to Transpower). In particular, the Dust Management Plan shall specify the potential dust sources and the mitigation measures to be undertaken to minimize dust in order to protect the existing high voltage transmission lines and locations where ground levels may change in and around transmission lines.</p> <p>All land use activities, including earthworks located on site must comply with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 or any subsequent amendment to this code.</p> <p>All trees and vegetation planted on site must comply with the Electricity (Hazards from Trees) Regulations 2003 or any subsequent amendment to these regulations.</p> <p>Existing access arrangements to transmission line support structures shall be retained where practicable. Where the consent holder requires or causes a change in access arrangements, then alternative arrangements shall be made (to the satisfaction of Transpower) to provide safe 4-wheel drive, 24hr access to support structure bases (including during the construction period).</p>	
<b>14.0 Bonding</b>	

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<p><b>14.1 Environmental Bond</b></p> <p>The consent holder shall provide a bond in favour of the Selwyn District Council to secure performance of this consent as outlined in Schedule 3 attached.</p>	
<p><b>15.0 Review of Conditions</b></p> <p><u>Pursuant to Section 128(1) of the Act, the Consent Authority may review any of the conditions by serving notice either:</u></p> <p><u>(a) Within a period of two months of the date of commencement of these consents; or</u></p> <p><u>(b) Within a period of three months commencing on each anniversary of the date of issue of these consents for any of the following purposes:</u></p> <p><u>i. To deal with any adverse effects 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</u></p> <p><u>ii. To require the consent holder to adopt the best practicable option to mitigate any adverse effect upon the environment; or</u></p> <p><u>iii. To deal with any other adverse effect on the environment on which the exercise of the consent may have any influence;</u></p> <p><u>iv. To deal with inaccuracies contained in the consent application that materially influenced the decision made on the application and is such that it is necessary to apply more appropriate conditions.</u></p>	<p>Added a standard review condition to the consents.</p>
<p><b>Advice Notes:</b></p> <p><u>1. The Council will require payment of its administrative charges in relation to monitoring, as authorised by the provisions of section 36 of the Resource Management Act 1991.</u></p> <p><u>2. Work affecting archaeological sites is subject to a consent process under the Historic Places Act 1993. An authority (consent) from the NZ Historic Places Trust must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The consent holder is advised to contact the NZ Historic Places Trust for further information.</u></p>	<p><u>Additional advice note as recommended by both Te Runanga o Ngai Tahu and the NZHPT.</u></p>

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<p><b>1. General</b></p> <p><b>1.1 Designation</b></p> <p>Pursuant to section 184 of the Resource Management Act, 1991, the term of the designation is extended and shall not lapse for a period of ten years from the date it is included in the District Plan.</p> <p>Except where modified by specific conditions set out below, the scheme and all incidental work shall be constructed, operated and maintained generally in accordance with the details contained in <u>the Notice of Requirement for Designation and supporting material, including any changes supplied in evidence, including following documents:</u></p> <ul style="list-style-type: none"> <li>• <del>Central Plains Water Enhancement Scheme;</del></li> <li>• Notice of Requirement for a Designation – Annexure A <u>– Assessment of Effects on the Environment;</u></li> <li>• Notice of Requirement for a Designation – Annexure C <u>– Maps of Land Subject to Designation Requirement;</u></li> <li>• Notice of Requirement for a Designation – Annexure D <u>– Concept Plans of Intake Areas and Associated Structures;</u></li> <li>• Assessment of Effects on the Environment, Chapter 4, Project Description</li> </ul> <p><u>But excluding all references to the Dam, Waianiwaniwa Reservoir and Upper Waimakariri River Intake and associated canal and tunnel, which have all been withdrawn.</u></p>	<p>There is no document submitted to SDC titled 'Central Plains Water Enhancement Scheme'.</p> <p>Others changes simply to clarify what is being specifically referred to.</p>
<p><b>1.2 Outline Plan</b></p> <p>Pursuant to S.176A of the Resource Management Act 1991, an Outline Plan shall be submitted by the Requiring Authority to the Selwyn District Council before any construction is commenced.</p>	
<p><b>1.3 Hours of Work</b></p> <p><del>The hours of construction work shall be unrestricted except as set out below:</del></p> <p><u>Construction of the scheme shall be undertaken in accordance with the following restrictions:</u></p> <ol style="list-style-type: none"> <li>a. Work on the distribution network shall be limited to 0630-2000, Monday to Saturday inclusive <del>and but</del> excluding any public holiday within 200m of any residential dwelling, except where agreed to by the <del>applicable property</del> <u>owner/s and occupier/s of any such dwelling.</u></li> <li>b. Movement of heavy construction vehicles through Coalgate shall be limited to 0630-2000, Monday to Saturday inclusive <del>and but</del> excluding any public holiday, within 200m of any residential dwelling,</li> </ol>	<p>Changed the focus from being unrestricted to restricted in certain situations.</p> <p>Clarified the reference to exclude public holidays.</p> <p>Important that it is both the owner/s and occupier/s of any dwelling that must provide approval.</p>

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<p>except where agreed to by the <del>applicable property</del> owner/s and occupier/s of any such dwelling.</p> <p>c. Notwithstanding the above restriction, concrete pouring and associated activities can occur at any time, <u>subject to compliance with all other conditions of consent including noise restrictions.</u></p>	<p>Noted that compliance with noise standards will be a key determinate of what concrete pouring activity can take place outside the core hours of operation.</p>
<p><b>1.4 Annual Environmental Report</b></p> <p>An Annual Environmental Report is to be submitted on each anniversary of the date of commencement of the scheme, until <del>5 years following the scheme being commissioned</del><u>commissioning is complete</u>. The matters to be covered shall include:</p> <p>(a) A description of the works (including construction, mitigation, rehabilitation, monitoring and reporting) carried out in the preceding 12 months.</p> <p>(b) An explanation of any departure in the preceding 12 months from the previous Annual Environmental Report.</p> <p>(c) A description of all construction, mitigation, rehabilitation, monitoring and reporting intended to be carried out in the next 12 months with an approximate timetable of activities.</p> <p>(d) A description and analysis of any unexpected adverse effect on the environment that has arisen as a result of the works in the last 12 months, the steps taken in response to that effect, and the results of those steps.</p> <p>(e) A record of complaints received in the last 12 months and the mitigation measures adopted.</p>	<p>In my view this report should also cover the first few years of scheme operation.</p>
<p><b>1.5 Environmental Construction Management Plan</b></p> <p><u>a) The Requiring Authority shall submit to the Selwyn District Council, at least one month prior to the commencement of works, an Environmental Construction Management Plan (ECMP) outlining the construction activities and all practices and procedures to be adopted in the construction and maintenance of the Central Plains Irrigation Water Scheme. The general purpose of this document is to achieve compliance with the conditions of the designation and to ensure that the effects of construction activities are minimised to the greatest extent practicable. The ECMP will be the overarching document for environmental compliance. The Requiring Authority and its agents shall consult with the SDC in the development of the ECMP.</u></p> <p><u>b) The matters to be addressed in the ECMP shall include the following:</u></p> <p><u>(i) General</u></p> <ul style="list-style-type: none"> <li><u>• Plan Purpose</u></li> <li><u>• The practices and procedures to be adopted to achieve compliance with the conditions of the designation</u></li> <li><u>• Plan Revision and Compliance Issue Resolution Processes</u></li> <li><u>• CEMP/Management Plan Certification Process</u></li> </ul>	<p>The changes proposed closely follow the structure of construction management conditions imposed on the Southern Motorway project.</p>

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<ul style="list-style-type: none"> <li>• <u>Roles and Responsibilities</u></li> <li>(ii) <u>Mitigation of Adverse Effects</u> <ul style="list-style-type: none"> <li>• <u>Environmental Objectives and Principles</u></li> <li>• <u>Environmental Management Approach and Methods</u></li> </ul> </li> <li>(iii) <u>Plan Requirements</u> <ul style="list-style-type: none"> <li>• <u>Implementation of designation conditions</u></li> <li>• <u>Annual Environment Report Process</u></li> </ul> </li> <li>(iv) <u>The ECMP shall include the following Management Plans to address specific effects issues:</u> <ul style="list-style-type: none"> <li>l) <u>Construction Phase Management Plan</u></li> <li>m) <u>Traffic Management Plan</u></li> <li>n) <u>Public Health and Safety Plan</u></li> <li>o) <u>Landscape and Rehabilitation Management Plan</u></li> <li>p) <u>Noise and Vibration Management Plan</u></li> <li>q) <u>Terrestrial Ecology Protection Plan</u></li> <li>r) <u>Erosion, Sediment and Dust Control Management Plan</u></li> <li>s) <u>Remediation Action Plan</u></li> <li>t) <u>Waste Management Plan</u></li> <li>u) <u>Hazardous Substances/Spill Contingency Management Plan</u></li> <li>v) <u>Archaeological and Heritage Management Plan</u></li> </ul> </li> </ul> <p><u>Note: That the Management Plans in conditions 1.5(b)(iv), f, i) relate to matters within the functions of Environment Canterbury and not those of the SDC.</u></p> <ul style="list-style-type: none"> <li>c) <u>Prior to the commencement of any works authorised by the designation, the Requiring Authority shall submit to the SDC the ECMP and a certificate produced by an independent, suitably qualified and experienced person(s) (acknowledged by the Chief Executive Officer of the SDC as being competent and suitable to provide such certification), to certify that the ECMP and the works and measures described in it are appropriately designed to:</u> <ul style="list-style-type: none"> <li>iii. <u>address the matters set out in condition 1.5 (b)(iv) above (excluding f) and i)); and</u></li> <li>iv. <u>comply with the relevant conditions.</u></li> </ul> </li> <li>d) <u>The Requiring Authority shall submit the relevant biographical information on the proposed independent, suitably qualified and experienced person(s) at least three weeks prior to submitting</u></li> </ul>	<p>A Construction Phase Management Plan has been included given the nature of the construction programme for the distribution network.</p> <p>There were matters listed in the draft conditions put forward by CPW that were not referred to in subsequent conditions (e.g., pest and weed management plans). It is expected that these matters would be covered in the Landscape and Rehabilitation Management Plan so have been deleted.</p> <p>The changes set out a clear process of certification, roles and responsibilities moving forward.</p>

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<p><u>the certification, to the Chief Executive Officer of the SDC. The SDC should within 10 working days of receipt of that information inform the Requiring Authority whether the person(s) is considered to be suitably experienced.</u></p> <p><u>If the SDC considers that the person is not suitably experienced, the Requiring Authority shall propose another person.</u></p> <p><u>Works shall not proceed until the SDC confirms that the person is suitably experienced. However, if no response is provided by the SDC within 10 working days of receipt of the biographical information, the person shall be deemed to be suitably experienced.</u></p> <p><u>e) Works shall not proceed until the ECMP and certification described in condition 1.5 (c) above have been received and acknowledged in writing by the Chief Executive Officer of the SDC, who shall provide written acknowledgement within 10 working days, but in any case shall not unreasonably delay such notice. If such acknowledgement is not provided within ten working days the certification shall be deemed to be confirmed.</u></p> <p><u>f) The Requiring Authority may authorise amendments to the ECMP provided that any amendments made maintain or enhance the degree and/or extent to which adverse environmental effects attributable to the construction or maintenance of the distribution network are avoided or mitigated. The Requiring Authority shall provide a copy of any such amendment to the ECMP to the SDC for its information prior to implementation.</u></p> <p><u>g) All works shall be carried out in accordance with the ECMP certified in accordance with condition 1.5 (e) or as amended under condition 1.5 (f).</u></p>	<p>CPW has proposed that changes to the ECMP also be allowed “<i>where it has been found that mitigation requirements have been unnecessarily stringent</i>”. I do not favour such an amendment, but note that such changes could be provided for under the “<u>maintain or enhance</u>” provision already included in the draft condition, without having to be explicitly stated.</p>
<p><b>1.56 Construction Phase Management Plan Programme</b></p> <p><u>A Construction Phase Management Plan programme, including timetable, sequence of events and duration, shall be submitted to the Selwyn District Council in accord with the ECMP certification process at least one month prior to the commencement of works. Works shall not proceed until the Plan has been certified by the SDC. All works undertaken by the Requiring Authority or their agents shall be subject to, and comply with the provisions of the Construction Phase Management Plan, which shall include but not be limited to, the following:</u></p> <p><u>a) the phases in which work shall be undertaken for the purposes of constructing and maintaining the scheme;</u></p> <p><u>b) the timing and duration for each phase;</u></p> <p><u>c) the disturbed area in square metres, associated with each phase of construction.</u></p>	<p>Included this requirement as a formal management plan rather than simply providing the detail. This brings the construction phases into the overall ECMP process and certification procedure.</p>

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<p><b>1.67 Other Approvals</b></p> <p>Details of all necessary permissions required and or obtained under other legislation (eg Historic Places Act, Reserves Act) shall be supplied to the Selwyn District Council at least one month prior to the commencement of works.</p>	
<p><b>1.7 Amended Management Plans</b></p> <p><del>The Requiring Authority may, at any time, submit to the Selwyn District Council an amendment to any of the Management Plans referred to and required by the conditions below for the purpose of better avoiding, remedying or mitigating adverse effects which may arise as a result of undertaking the works.</del></p>	<p>Amendments to the ECMP and Management Plans are addressed in proposed 1.5 (f) above.</p>
<p><b>1.8 As Built Plans</b></p> <p>Within two months of the completion of the construction works for any of the major components of the Central Plains Water Enhancement Scheme, The Requiring Authority shall supply the Selwyn District Council with a complete set of “as built” plans confirming the location of the works.</p>	
<p><b>1.9 Complaints Register</b></p> <p>The Requiring Authority shall maintain and keep a complaints register for all aspects of all operations in relation to <del>construction-all</del> activities. The register shall include the complaints registers required for the specific management plans specified in the conditions below as well as any other complaints received and shall detain the date, time and type of complaint, cause of the complaint, and action taken by the Requiring Authority in response to the complaint. The resister shall be available to the Selwyn District Council at all reasonable times.</p>	
<p><b>2.0 Traffic Management</b></p> <p><b>2.1 Road/Rail Crossings</b></p> <p>The Midland rail line (Rolleston – Greymouth) shall remain open at all times.</p> <p>The design of any road/rail/headrace crossing shall meet the relevant sight distances specified in Appendix 10 of the Rural Section of the proposed Selwyn District Plan. Transit New Zealand’s Standards and Guideline Manual (SP/M/021), Planning and Policy Manual (SP/M001) and State Highway Geometric Design Manual (SP/M024) for safe stopping distances, safe passing distances, intersection entry sight distances and clear zone distances to hazards.</p>	<p>The roading/traffic conditions attached to Cliff Tipler’s evidence have been reviewed by the independent traffic expert engaged by the SDC and also the SDC’s in house Asset Manager- Roading.</p> <p>The conditions proposed were considered satisfactory.</p>
<p><b>2.2 Construction Traffic</b></p> <p>Prior to construction, a Traffic Management Plan shall be prepared and a copy given to the Selwyn District Council and Transit New Zealand. This management plan shall be complied with at all times and it shall include the following provisions:</p>	

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<p>(a) On all public roads, signs shall be erected warning motorists of a haul road intersection giving rise to a hazard due to heavy trucks crossing.</p> <p>(b) Warning signs shall be erected at intersections of all haul roads and public roads prohibiting public access to the construction zone.</p> <p>(c) Stock crossing methods shall be established after consulting with local farmers.</p> <p>(d) Local emergency services shall be notified of all temporary local road closures.</p> <p>(e) All construction vehicles shall be fitted with and use flashing lights while operating in the construction zone and on haul roads.</p> <p>(f) All construction vehicles shall comply with the Land Transport Safety Authority rule for vehicle dimensions and mass on public roads, unless specific over dimension permits are obtained.</p> <p>(g) Movement of oversize vehicles and equipment on SH 1, SH73 and SH 77 shall comply with Transit New Zealand requirements.</p> <p>(h) Road signs shall be erected on roads where necessary to warn motorists of the hazard caused by fog or frost. The design and location of such signs shall be approved by Transit New Zealand for SH1, SH73 and SH77, or the Selwyn District Council for all other roads.</p> <p>(i) Road safety audits shall be carried out every six months of traffic signals/stop signs controlling the intersections of all public roads with haul roads. The results of those audits shall be reviewed and steps taken to ensure motorists do not suffer unreasonable delays. Regular monitoring of traffic signals to ensure any faults are identified and repaired.</p> <p>(j) <u>No canal cleanings shall be deposited on legal road or in a position where such material may be carried onto legal road by vehicle tyres, stormwater flows, wind or any other mechanism.</u></p> <p>(k) <u>Traffic management measures shall consider the issue of residential amenity arising from the passage of traffic through any living zone (particularly in the vicinity of commercial areas, schools, hospitals, and accommodation for the elderly) and where practicable construction traffic shall be directed to take alternative roads where the impact on amenity will be less.</u></p> <p>(l) <u>On State Highways and District roads Road Condition Surveys shall be carried out of all road sections where it is assessed that there is a reasonable possibility of the road being affected by the scheme. These shall record the 'before' condition of the road prior to the waterways being first flooded. The specific matters to be included in these surveys will be determined by the representative road controlling authorities but will be limited to aspects potentially affected by the scheme.</u></p> <p>(m) <u>Where the Road Controlling Authority has demonstrable reason to believe that damage to the road network may have occurred as a result of the scheme identified by whatever means, they may request that the Requiring Authority carries out a further Road Condition Survey of the affected section of the network covered by the 'before' survey. Where any defects are found to be attributable to water effects arising from the operation of the scheme then the Requiring Authority shall make good the defects and take all reasonable measures to ensure that further damage does</u></p>	<p>These matters (j) to (w) are included as per the draft conditions proposed by CPW for the resource consents in order to maintain a degree of consistency across the conditions applying to the overall 'scheme'. It is not know why they were not included in the original draft NoR conditions.</p>

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<p><u>not arise.</u></p> <p>(n) <u>On District roads the consent-holder and a representative of the Council shall carry out Road Condition Surveys in the vicinity of all on-road worksites and also near off-road worksites where on-road traffic management is required or access to the site is to be from a road. These surveys shall be completed at each worksite before any work commences, and the 'after' survey will be completed prior to commencement of the maintenance period. A copy of the record of the 'before' survey is to be lodged with the relevant road controlling authority prior to work commencing, and a copy of the 'after' survey with a description of any deficiencies observed arising from the works and remedial action proposed shall be lodged with the road controlling authority within one month of substantial completion at individual worksites.</u></p> <p>(o) <u>All existing property accesses from legal roads onto property shall be maintained under terms satisfactory to the landowner or operator.</u></p> <p>(p) <u>Access to parcels of land within properties that are divided by the works shall be provided under terms satisfactory to the land owner or operator.</u></p> <p>(q) <u>Unless explicitly permitted by the relevant road controlling authority the horizontal and vertical profiles of all road carriageways shall be preserved at the existing lines, grades, crossfalls and levels at all road crossings.</u></p> <p>(r) <u>Where a road is operating as a two way road then, regardless of the traffic flow on that road the bridge or culvert crossing will be built to at least the minimum standard in the Bridge Manual for a low volume two-lane bridge, with clearances meeting the Preferred Minimum Standard.</u></p> <p>(s) <u>Unless explicitly permitted by the relevant road controlling authority all culverts will extend to a point at least 3.0m clear of the edge of the formed carriageway.</u></p> <p>(t) <u>Where a new bridge is constructed, or an existing bridge with pedestrian facilities is modified to accommodate the works, within the road reserve within 500m of a living zone of a township or settlement or within such a living zone, then the bridge shall provide for a pedestrian foot path on at least one side. The footpath shall be at least 2.0m wide to provide for pedestrian and cycle traffic.</u></p> <p>(u) <u>When planning the timing of any works on any one route, the applicant in preparing their Traffic Management Plans for approval for the Road Controlling Authority shall take into account other planned works on the project that will affect the route to ensure the overall impact on the road user is minimised. This shall include making an assessment of the overall delays to the route upon which the specific Traffic Management Plan applies and submitting a programme of works affecting the route with the Traffic Management Plan.</u></p> <p>(v) <u>For the duration of the project, including the full duration of all maintenance periods the applicant will pay all reasonable direct costs arising from the appointment of such staff or consultants necessary to address the Council's responsibilities on relation to the project (including but not necessarily limited to: Road Traffic Safety Auditors, Design Auditors and traffic Management Coordinators).</u></p>	

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<p>(w) <u>The applicant agrees to be party to the design checking and traffic safety processes outlined above and to provide reasonable lines of communication between the Road Controlling Authorities staff and its own designers and safety engineers to facilitate the process.</u></p> <p>(x) Measures for suppression to mitigate the effects of dust.</p> <p>(y) Measures to maintain vehicles and machinery to mitigate the effects of fumes.</p>	
<p><b>2.3 Haul Roads – Intersection with State Highways 73 and 77</b></p> <p>Where any haul road intersects with a State Highway, the construction and operation of the intersections shall comply with the following:</p> <p>(a) Prior to construction, a Traffic Management Plan dealing with State Highway intersections with haul roads shall be prepared which complies with the Transit New Zealand Code of Practice for Temporary Traffic Management. A copy of this plan shall be provided to Transit New Zealand prior to construction commencing.</p> <p>(b) Where any haul road intersects any State Highway, the haul road shall be constructed to a maximum width of 15m, with a speed limit imposed on Haul Road traffic of 30 km/hr.</p> <p>(c) Where any haul road intersects any State Highway, sight distances both ways shall comply with the requirements of <del>Tables 5A and 5B</del> <u>E10.2</u> set out in Appendix 10 of the Proposed Selwyn District Plan (Rural Section).</p> <p>(d) Dust suppressant shall be applied to any haul road when required within 100 metres of an intersection with State Highway to ensure dust does not reduce the visibility for drivers approaching the intersection.</p>	<p>Change due to reformatting of the Selwyn District Plan.</p>
<p><b>2.4 Hauls Roads – Intersection with Selwyn District Council Roads</b></p> <p>Where any haul road intersects with any formed legal roads other than a State Highway, the construction and operation of the intersection shall comply with the following:</p> <p>(a) Prior to construction, a Traffic Management Plan shall be prepared which complies with the Transit New Zealand Code of Practice for Temporary Traffic Management. A copy of this plan shall be provided to the Selwyn District Council prior to construction commencing.</p> <p>(b) Stop signs shall be erected and maintained to control intersections between all formed public roads any haul road.</p> <p>(c) Where any haul road intersects with any formed public road, the haul road shall be constructed to a maximum width of 15m, with a speed limit imposed on haul road traffic of 30 km/hr.</p> <p>(d) Where any project haul road intersects any formed public road, sight distances both ways shall comply with the requirements of <del>Tables 5A and 5B</del> <u>E10.2</u> set out in Appendix 10 of the Proposed Selwyn District Plan (Rural Section).</p>	<p>Change due to reformatting of the Selwyn District Plan.</p>

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<p>(e) Dust suppressant shall be applied to any haul roads when required within 100 metres of an intersection with any formed public road to ensure dust does not reduce the visibility of drivers approaching the intersection.</p>	
<p><b>3.0 River Access</b></p> <p><b>3.1 Maintenance of River Access</b></p> <p><u>Where practicable all existing access points, both vehicular and pedestrian, to and along the Rakaia and Waimakariri Rivers shall be maintained to a standard not less than that existing prior to construction.</u></p> <p>Where existing public access to a river is restricted <del>or otherwise impacted in any way</del> as a result of <u>either</u> construction works <u>or the finished scheme components</u> subject to this application, the Requiring Authority or its contractors shall provide alternative access to <u>the same or better an equivalent</u> standard in a location as near as practicable to the existing access point.</p> <p><u>In such circumstances, the Requiring Authority is to provide the SDC with a photographic record of the existing access prior to works commencing, along with plans and details illustrating the alternative proposal for certification as part of the ECMP.</u></p> <p><u>Key areas where such certification would be required include (but are not necessarily limited to) the following:</u></p> <ul style="list-style-type: none"> <li>• <u>Waimakariri River between Gorge Bridge and Bleakhouse corner;</u></li> <li>• <u>Hawkins River near Racecourse Hill;</u></li> <li>• <u>Hawkins River at Essendon Road;</u></li> <li>• <u>Selwyn River at Sheffield;</u></li> <li>• <u>Hororata River;</u></li> <li>• <u>Rakaia River at Steeles Road;</u></li> <li>• <u>Rakaia River at Sleemans Road; and</u></li> <li>• <u>Rakaia River between Sleemans Road and gorge.</u></li> </ul>	<p><u>Wording added to be more consistent with the recommended condition of Fish &amp; Game, but added “wherever practicable”.</u></p> <p><u>Deleted phrase “or otherwise impacted in any way” added previously as I no longer consider that it is required.</u></p> <p>Changes proposed intended to be in accord with the matters raised in Commissioners Minute 14, paragraph 5.17.</p> <p>The locations have been taken from the Appendix to Andrew Whaley’s Traffic evidence.</p>
<p><b>4.0 Public Safety/Health and Safety</b></p> <p><b>4.1 Health and Safety Management Plan</b></p> <p>Prior to any construction the Requiring Authority shall develop and implement a Health and Safety Management Plan for both construction and operation of the Central Plains Enhancement Scheme which shall be provided to the Selwyn District Council, and shall be complied with on an ongoing basis. The Plan shall include at least the following:</p> <p><i>Construction</i></p>	

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<p>(a) Ensuring contractors comply with relevant construction regulations, <del>and</del> codes of practice <u>and procedures set out in the ECMP in order to ensure compliance with all conditions.</u></p> <p>(b) Ensuring contractors assess hazards on site and develop appropriate control plans that incorporate public health and safety requirements and incorporate public risk mitigation prior to engagement/commencement of construction. This includes the provision of fencing and warning signs where appropriate to keep the public safe from harm, and to prevent unauthorised access of people and stock into areas where hazards exist including, borrow areas, fill areas and haul roads.</p> <p>(c) Public and stakeholder consultation, education and information sharing.</p> <p>(d) Contractor and sub-contractor management.</p> <p>(e) Public notification of area of any blasting activities.</p> <p>(f) Induction/training requirements.</p> <p>(g) Emergency protocols/requirements, including arrangements for 24 hour emergency vehicle access (eg Civil Defence, Ambulance, Fire Service and Police).</p> <p>(h) Incident reporting procedures.</p> <p>(i) Appropriate hazard warnings (eg signs, sirens).</p> <p>(j) Restricting river use within 500m either direction of blasting.</p> <p><i>Operation</i></p> <p>(k) Procedures to review and update the Plan as required.</p> <p>(l) How to deal with emergency events such as oil spills, earthquakes, fires and floods.</p> <p>As part of implementing the Health and Safety Management Plan, the Requiring Authority shall:</p> <p>(a) Prepare and implement a monitoring plan for the structural safety of intake structures, inlet canals and main headrace</p> <p>(b) Identify contingency events/document associated emergency response plans.</p> <p>(c) Make the plan available to relevant parties (eg councils, employees, civil defence, residents, etc).</p>	<p>Included a reference to the ECMP document and condition compliance.</p>
<p><b>4.2 Access During Construction</b></p> <p>During construction, public access will be restricted to all construction, cut, fill and borrow areas by the use of suitable fences/barriers, with warning signs erected and maintained at appropriate locations.</p> <p><u><i>Note: Please see condition 3.1 regarding requirements to maintain alternative public access to riverbeds in such circumstances.</i></u></p>	<p>Noted a cross reference to obligations regarding alternative river access in such circumstances.</p>
<p><b>5.0 Landscape and Rehabilitation</b></p>	

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<p><b>5.1 Landscape and Rehabilitation Management Plan</b></p> <p><u>The Requiring Authority shall undertake rehabilitation of the land surface, topsoil, drainage and vegetation in all areas disturbed in the construction and / or maintenance of the scheme to achieve the following objectives:</u></p> <p><u>(a) To reinstate vegetation cover on previously vegetated areas disturbed by construction or maintenance activities, where those areas do not contain components of scheme infrastructure or permanent access;</u></p> <p><u>(b) To visually integrate finished structures, landforms and vegetation into the surrounding landscape so that as far as practicable they appear to be naturally occurring features or features which are already present in the immediate area. In particular the canal embankments and any excess cut stockpiles are to be shaped as naturalised landforms;</u></p> <p><u>(c) To ensure short and long term stability of disturbed land areas and their surrounding areas particularly on the terrace edges.</u></p> <p><u>(d) To minimise the loss of existing vegetation where possible, most notably riparian vegetation on the edge of any river terrace;</u></p> <p><u>(e) To compensate for the loss of any native vegetation which is removed during construction.</u></p> <p><del>The objectives of the Landscape and Rehabilitation Management Plan shall be:</del></p> <p><del>a) To ensure that all construction areas, not subject to operational buildings, permanent structures or access roads, are rehabilitated as far as practicable to a natural state, taking into account the time it takes for rehabilitation to occur;</del></p> <p><del>b) To ensure that the permanent structures of the CPWES blend into the surrounding landscape as much as practicable.</del></p> <p><del>e)a)</del></p>	<p>In accord with the comments from Minute 14 – the broad condition and objectives have been stated upfront, with the requirement for the preparation of the Management Plan being a secondary condition in order to achieve those objectives.</p> <p>The structure of the conditions is taken from the approval given in the ACWT land use consent.</p> <p>CPW has requested that ‘possible’ in (b) and (d) be replaced with ‘practicable’. I agree in the context of (b) and have made that change. I am less inclined to agree with such a change for (d), but note that it is potentially a matter of semantics in any case.</p>
<p><b>5.2 Landscape and Rehabilitation Management Plan</b></p> <p>The Requiring Authority shall prepare a Landscape and Rehabilitation Management Plan which shall be lodged with <u>and certified by</u> the Selwyn District Council <u>in accordance with the ECMP process set out in condition 1.5 when the Outline Plan is submitted.</u> Land restoration following construction must adhere to the Landscape and Rehabilitation Management Plan which shall apply to all areas within the designation except to the extent they are inconsistent with the conditions of any land use consents obtained from the Canterbury Regional Council.</p> <p><u>The Landscape and Rehabilitation Management Plan shall:</u></p> <p><u>(a) Detail how the above objectives are to be achieved;</u></p> <p><u>(b) Incorporate the proposed concept planting plan and mitigation measures contained in the evidence entitled <i>Statement of Evidence of Chris Glasson</i>, and in particular the Enhancement Measures described in paragraphs 158 to 162 (but excluding that information related to the aspects of the</u></p>	<p>Clarified process of certification required before commencement of construction.</p>

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<p><u>scheme that have been withdrawn) and shown in the Sections 15.4 to 15.6 of the Graphic Supplement;</u></p> <p><u>(c) The Landscape and Rehabilitation Management Plan shall be prepared and maintained for the duration of the construction period and a 24 month maintenance period following completion of all plantings required by conditions. The Plan shall be submitted to the SDC at least one month prior to construction commencing.</u></p> <p><u>(d) The Landscape and Rehabilitation Management Plan shall be prepared, implemented and maintained in conjunction with, and in a manner that is consistent with the Terrestrial Ecology Management Plan.</u></p> <p><u>(e) Be reviewed not less than annually and the revised Plan shall be submitted to the SDC for certification as outlined above within one month of the review being completed.</u></p> <p>The Landscape and Rehabilitation Management Plan shall cover the following areas <del>and/or projects</del>:</p> <ul style="list-style-type: none"> <li>(a) borrow areas within the designated land that will not ultimately be covered by the main headrace;</li> <li>(b) fill areas;</li> <li>(c) canal embankments <u>– all of which shall be either re-grassed or otherwise covered with rehabilitative/ amenity plantings;</u></li> <li>(d) sediment traps;</li> <li>(e) construction storage areas;</li> <li>(f) the construction zone generally where land has been disturbed.</li> </ul> <p>The Landscape and Rehabilitation Plan shall contain:</p> <ul style="list-style-type: none"> <li>(a) <u>Details of all landforms, finishing, layouts, soiling, planting and grassing, roads, tracks, structures and maintenance programmes proposed for the scheme;</u></li> <li>(b) Specifications for the use of recessive colours for all structures (all colours shall have a reflectivity of less than 40%)</li> <li>(c) final contours and finished heights of earthworks;</li> <li>(d) methods for stripping, storing and re-use of topsoil;</li> <li>(e) proposed planting – species, location and timing;</li> <li>(f) identification of specific ecological, heritage, cultural or geological features within or immediately adjoining the construction zone which are to be protected, the methods of such protection, and the identification of the features on a plan;</li> <li>(g) the staging of vegetation removal;</li> <li>(h) rehabilitation of haul roads;</li> <li>(i) methods and protocols for educating and training contracting personnel about the requirements of</li> </ul>	<p>Added reference to pest and weed control which was</p>

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<p>the Landscape and Rehabilitation Management Plan.</p> <p>(j) <u>On-going pest and weed control measures for both exposed areas and stockpiles over the construction period and rehabilitated landscape planting areas over the operation of the scheme.</u></p> <p>(k) <u>Methods for monitoring the success of re-vegetation plantings for at least 24 months following the planting;</u></p> <p>(l) <u>Methods to enable the completion of all such works at the earliest opportunity, but no later than 1 season following completion of construction.</u></p> <p>(m) <u>On-going methods to minimise fire risk (whether by grazing, mowing or other means) on the head race embankments.</u></p> <p>Landscape and rehabilitation shall be done in accordance with the following guidelines. These are design guidelines relating to specific elements associated with individual components of the scheme.</p> <p>1) <u>Waimakariri River Lower Intake</u></p> <ul style="list-style-type: none"> <li>• The intake structure will be located out of sight of the view from the gorge bridge</li> <li>• Concrete structures <del>e</del>-be left to weather naturally, or the intake structure could become more integrated if the above water part of the structure was constructed in exposed aggregate.</li> <li>• Any timber or iron components of the structure will be painted in recessive colours.</li> <li>• Any over mature pine trees in the vicinity of the intake will be removed at the time of construction.</li> <li>• Removal of the existing intake structure will be undertaken if it is made obsolete by the new intake.</li> </ul> <p>2) <u>Lower Waimakariri Canal and Pond</u></p> <ul style="list-style-type: none"> <li>• Restore the landforms adjacent to the pond and canal to relate to the existing landform.</li> <li>• The batter slopes of canal and pond will be grassed.</li> <li>• Removal of the pine plantations on the terrace slopes on which the canal will be located.</li> <li>• The terrace batter slopes will be grassed or planted in native plants.</li> <li>• For the successful revegetation of the terrace batter slopes, a planting and maintenance programme will be established. Colonising plants such as kohuhu, manuka, koromiko, cabbage tree, flax, coprosma, kowhai, red tussock and toi toi are the plant species should a revegetation programme be established. No planting would be established on the downside embankment above the invert level of the canal.</li> </ul> <p>3) <u>The Main Canal (Waimakariri River to Coalgate)</u></p>	<p>deleted as a separate Management Plan requirement as part of condition 1.5 above.</p> <p><u>As per the comments made by Mr J Deans on behalf of the Farmers Group – Southern Headrace.</u></p> <p>Draft conditions supplied by CPW already included greater detail regarding the outcomes sought to be achieved in relation to the most significant aspects of the scheme.</p>

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<ul style="list-style-type: none"> <li>• The batter slopes of the canal will be shaped so that they relate to the surrounding landform, particularly at the junction between the canal bank and the natural ground. The batter slopes will be grassed.</li> <li>• In some places where the canal has been widened the public could gain access for recreational purposes. In these areas, parking, tree planting with shade trees and easy access to the waters edge will be catered for.</li> </ul> <p>4) <u>Main Canal (Coalgate to Rakaia River)</u></p> <ul style="list-style-type: none"> <li>• Where the canal might impact on Coalgate, such as Coal Track Road, amenity planting adjacent to the road and canal will assist to reduce the impact of the canal embankments.</li> <li>• In areas where the canal passes through farmland and where trees have been removed, replacement planting with amenity trees will be undertaken.</li> <li>• In general terms the main canal embankments will be grassed.</li> </ul> <p>5) <u>Rakaia River Intake</u></p> <ul style="list-style-type: none"> <li>• The intake structures will take on a subservient appearance. Concrete will be left to weather naturally while any iron or timber will be painted in recessive colours.</li> <li>• All earthworks will be completed so that they relate to the surrounding riverbed landscape and no stockpiles will be left as undesirable forms.</li> </ul> <p>6) <u>Rakaia River terrace race</u></p> <ul style="list-style-type: none"> <li>• The riverbed terrace batter slope will be either grassed or planted in native vegetation. Should a revegetation process be undertaken, then a planting and maintenance programme will consist of planting colonising species such as kohuhu, manuka, koromiko, cabbage tree, flax, coprosma, kowhai, red tussock and toi toi. No planting would be established on the downside embankment above the invert level of the canal.</li> </ul> <p>7) <u>Utilities buildings</u></p> <ul style="list-style-type: none"> <li>• Throughout the landscape, recessive colours will be used for storage tanks, pump stations etc.</li> </ul>	
<p><b><u>5.3 Rehabilitation Requirements</u></b></p> <p>(a) Within two months of completion of any component of the construction works, the Requiring Authority shall issue a notice to the Selwyn District Council certifying that all construction debris or other materials from the construction works, <del>that may pose a hazard to public safety or recreational activities other than rock stockpiled for the purpose of maintaining erosion protection works or for landscaping purposes</del> have been removed.</p> <p>(b) <u>Within six months of completion of commissioning of the scheme, the Requiring Authority shall remove all temporary buildings, plant and equipment (whether attached to the land or not)</u></p>	

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<u>associated with the scheme.</u>																																																																																																														
<p><b>5.4 Landscape Reinstatement</b></p> <p>(a) <u>The reinstatement of all works areas and landscaping shall be completed within one season (12 months) of the finishing of construction in that area.</u></p> <p>(b) <u>In the event of rehabilitation plantings for any area not becoming successfully established, they will be replanted and maintained until successful.</u></p>																																																																																																														
<p><b>6.0 Noise and Vibration</b></p> <p><b>6.1 Construction Noise Limits</b></p> <p>All construction activity shall be conducted so that noise emissions do not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 “Acoustics – Construction Noise”. These limits shall apply at all occupied residential units and schools. The Requiring Authority shall liaise with all schools and avoid construction noise during any particularly sensitive times.</p> <table border="1"> <thead> <tr> <th rowspan="3">Time of week</th> <th rowspan="3">Time period</th> <th colspan="6">Duration of work</th> </tr> <tr> <th colspan="2">Typical duration (dBA)</th> <th colspan="2">Short-term duration (dBA)</th> <th colspan="2">Long-term duration (dBA)</th> </tr> <tr> <th>L<sub>eq</sub></th> <th>L<sub>max</sub></th> <th>L<sub>eq</sub></th> <th>L<sub>max</sub></th> <th>L<sub>eq</sub></th> <th>L<sub>max</sub></th> </tr> </thead> <tbody> <tr> <td rowspan="4">Weekdays</td> <td>0630-0730</td> <td>60</td> <td>75</td> <td>65</td> <td>75</td> <td>55</td> <td>75</td> </tr> <tr> <td>0730-1800</td> <td>75</td> <td>90</td> <td>80</td> <td>95</td> <td>70</td> <td>85</td> </tr> <tr> <td>1800-2000</td> <td>70</td> <td>85</td> <td>75</td> <td>90</td> <td>65</td> <td>80</td> </tr> <tr> <td>2000-0630</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td rowspan="4">Saturdays</td> <td>0630-0730</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td>0730-1800</td> <td>75</td> <td>90</td> <td>80</td> <td>95</td> <td>70</td> <td>85</td> </tr> <tr> <td>1800-2000</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td>2000-0630</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td rowspan="4">Sundays and public holidays</td> <td>0630-0730</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td>0730-1800</td> <td>55</td> <td>85</td> <td>55</td> <td>85</td> <td>55</td> <td>85</td> </tr> <tr> <td>1800-2000</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td>2000-0630</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> </tbody> </table>		Time of week	Time period	Duration of work						Typical duration (dBA)		Short-term duration (dBA)		Long-term duration (dBA)		L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>	Weekdays	0630-0730	60	75	65	75	55	75	0730-1800	75	90	80	95	70	85	1800-2000	70	85	75	90	65	80	2000-0630	45	75	45	75	45	75	Saturdays	0630-0730	45	75	45	75	45	75	0730-1800	75	90	80	95	70	85	1800-2000	45	75	45	75	45	75	2000-0630	45	75	45	75	45	75	Sundays and public holidays	0630-0730	45	75	45	75	45	75	0730-1800	55	85	55	85	55	85	1800-2000	45	75	45	75	45	75	2000-0630	45	75	45	75	45	75	<p>The proposed noise limits were reviewed by the SDC Noise expert and found to be appropriate.</p> <p>The recommended changes below do not change the bottom line standards that must be achieved, but rather attempt to strengthen the Management Plan process to detail how these standards will be achieved.</p>	
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<p><u>process, including the location of vibration and noise monitoring for construction activities that are adjacent to occupied dwellings:</u></p> <p>(q) <u>Noise and vibration complaint procedures and response procedures/times.</u></p>									
<p><b>6.3 Operational Noise Limits</b></p> <p>All operational noise from the scheme shall comply with the following noise limits when measured in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound":</p> <p>Within the notional boundary of any dwelling, rest home, hospital, or classroom in any educational facility, except where that dwelling, rest home, hospital or classroom is located within a Living Zone:</p> <table border="0"> <tr> <td>0730 to 2000 hrs</td> <td>60 dBA L<sub>10</sub></td> </tr> <tr> <td>2000 to 0730 hrs</td> <td>45 dBA L<sub>10</sub>, 70 dBA L<sub>max</sub></td> </tr> </table> <p>Within any site boundary in a Living Zone:</p> <table border="0"> <tr> <td>0730 to 2000 hrs</td> <td>55 dBA L<sub>10</sub></td> </tr> <tr> <td>2000 to 0730 hrs</td> <td>40 dBA L<sub>10</sub>, 70 dBA L<sub>max</sub></td> </tr> </table>	0730 to 2000 hrs	60 dBA L <sub>10</sub>	2000 to 0730 hrs	45 dBA L <sub>10</sub> , 70 dBA L <sub>max</sub>	0730 to 2000 hrs	55 dBA L <sub>10</sub>	2000 to 0730 hrs	40 dBA L <sub>10</sub> , 70 dBA L <sub>max</sub>	
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<p><b>7.0 Affected Properties</b></p> <p><b>7.1 Access to Canals and Races</b></p> <p>The Requiring Authority shall erect and maintain stock fences between the Central Plains Enhancement Scheme and adjacent farms to <u>the same standard as that existing, or otherwise required to</u> prevent cattle accessing the main headrace canal, or any inlet canal.</p> <p>Fencing between the Coalgate Reserve and the headrace shall be erected and maintained by the Requiring Authority in consultation with the Coalgate Reserve Committee.</p>	<p><u>This change was made to cover the situation where say a deer fence currently exists.</u></p>								
<p><b>7.2 Restoration Work – Private Property</b></p> <p>Where the works constructed under the designation affects land or chattels, the Requiring Authority shall reconfigure, relocate, or restore all existing:</p> <ul style="list-style-type: none"> <li>(a) fences;</li> <li>(b) irrigation facilities;</li> <li>(c) <u>Water races;</u></li> <li>(d) farm lanes/tracks;</li> <li>(e) buildings; and</li> <li>(f) landscaping <u>(including shelterbelts);</u></li> </ul>	<p>This has been amended to include water races and provide for alternative outcomes to be achieved were agreed to by the landowner and/or organisation responsible for any infrastructure affected.</p> <p><u>Submitters such as AF Bull have referred to the effects of potential loss of shelter.</u></p> <p><u>Various stock water supplies run across properties.</u></p>								

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<p>(g) <u>Livestock drinking water:</u>  <u>To the satisfaction of the land/infrastructure owner.</u> This includes providing bridges and/or alternative structures where necessary to maintain viable lanes/tracks or irrigation facilities <u>to the affected property.</u></p>	<p><u>which have the potential to be disrupted by the construction of the distribution network.</u></p>
<p><b><u>7.3 Restoration Work – Council Community Drinking Supplies, Stock Water and Water Race Schemes</u></b></p> <p><u>As part of the ECMP the consent holder is to identify and outline procedures to manage any disruption to Community Water Supply, Stock Water and Water Race Schemes during the construction of the intakes and associated structures and the head race canal. As a minimum this is to achieve a continuity of supply in accordance with the SDC ‘levels of service’ in place at the time of construction. This may involve the provision of an alternative supply at the cost of the consent holder if required.</u></p> <p><u>The design of all crossing points is to be undertaken in conjunction with and be approved by the Selwyn District Council Asset Manager Utilities prior to the ECMP being submitted for certification in accord with condition 1.5.</u></p> <p><u>Please Note: Maps of all existing Council Water Race and Water Supply Schemes within the CPW command area are attached for reference.</u></p>	<p><u>This condition has been added to reflect the concerns raised in the comments submitted by Mr Hugh Blake-Manson on behalf of the SDC.</u></p>
<p><b><u>8.0 Significant Indigenous Vegetation Terrestrial Ecology</u></b></p> <p><b><u>8.1 Terrestrial Ecology Protection Plan</u></b></p> <p>Prior to any construction occurring, the Requiring Authority shall, in consultation with Selwyn District Council <u>and the Department of Conservation</u>, produce a <del>Significant Indigenous Vegetation Terrestrial Ecology</del> Protection Plan and adhere to this on an ongoing basis.</p> <p>The objectives of this plan <u>are as follows:</u></p> <p><u>(a) Avoid the loss or disturbance of indigenous vegetation and habitats will be to minimise to the greatest extent practicable <del>any loss or damage to existing significant indigenous vegetation</del>, and where that is not possible, to ensure there is no net loss of areas of significant indigenous vegetation.</u></p> <p><u>(b) Mitigate through appropriate methods the loss of indigenous vegetation and habitats destroyed, removed or disturbed, during construction and operation of the scheme.</u></p> <p><u>(c) Mitigate for the loss of indigenous vegetation-landform associations destroyed, removed or disturbed during construction.</u></p>	<p>These amendments are taken from the conditions imposed in the ACWT land use consent and provide a more robust framework in terms of what is to be achieved through the preparation of the Protection/Management Plan.</p>

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<p><u>(d) Ensure the successful establishment and long term viability of proposed mitigation plantings.</u></p> <p><u>(e) Minimise the potential for lizards and large ground-dwelling invertebrates to be significantly affected by construction.</u></p> <p><u>(f) Minimise the establishment or spread of noxious weeds within the areas and on to neighbouring properties.</u></p> <p>The Terrestrial Ecology Protection Plan shall:</p> <p><u>(a) Detail how the above objectives are to be achieved:</u></p> <p><u>(b) Include a map of <del>The applicant shall identify and map</del> any <u>known</u> significant indigenous vegetation that has the potential to be destroyed or adversely affected by construction activities.</u></p> <p><u>(c) Detail <del>the</del> calculation of 'no net loss' of biodiversity <del>shall use</del> <u>international best practice</u> approaches in regards to the valuation of the biodiversity costs associated with any damage, and the benefits of mitigation and biodiversity offsets.</u></p> <p><u>(d) Be prepared and maintained for the duration of the construction period and a 24 month maintenance period following completion of all plantings required. The Plan shall be submitted to the SDC for certification at least one month prior to construction commencing.</u></p> <p><u>(e) The Terrestrial Ecology Protection Plan shall be prepared, implemented and maintained in conjunction with, and in a manner that is consistent with the Landscape and Rehabilitation Management Plan.</u></p> <p><u>(f) The Terrestrial Ecology Protection Plan shall be maintained as current at all times by the Requiring Authority and be reviewed not less than annually. The review shall incorporate all monitoring results obtained during the preceding monitoring period. A copy of each annual Terrestrial Ecology Protection Plan review shall be forwarded to the SDC and the Department of Conservation within one calendar month of its completion.</u></p>	<p>CPW suggested that the word 'known' be added. I agree with this proposed change.</p>
<p><b>9.0 Dust</b></p> <p><b>9.1 Control of Dust</b></p> <p><u>All practicable measures shall be taken to limit the extent, duration and frequency of dust discharges from construction, operation and maintenance activities <del>shall not cause offensive or objectionable levels of dust beyond the construction area boundaries.</del></u></p>	<p>Dust is a potential issue where duplication issues with ECan consent conditions arise. On that basis CPW proposed that the dust conditions be deleted from the SDC consents/Notice of Requirement. However, having reviewed the proposed ECan dust conditions there are some matters included here that are not within the draft ECan conditions, namely matters relating to monitoring effectiveness, cleaning service, and contingency plans if controls fail.</p> <p>On that basis I have left these for the time being, but</p>

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	acknowledge that they can in time be deleted should such matters be incorporated into the ECan conditions.
<p><b>9.2 Dust Management Plan</b></p> <p><del>Prior to any construction, the Requiring Authority shall prepare a Dust Management Plan as part of the ECMP which shall be provided to the Selwyn District Council, and adhered to during construction. This plan shall cover:</del></p> <p><del>(a) Best practicable methods of dust suppression to minimise the effects of dust beyond the boundary of the construction site, including, but not limited to, use of sprinklers and water carts, and revegetation of stockpiles where appropriate;</del></p> <p><del>(b) Procedures for monitoring the effectiveness of the dust controls dust monitoring;</del></p> <p><del>(c) Nomination of an employee/contractor to be responsible for consulting with local residents about dust during construction;</del></p> <p><del>(d) Identification of areas within 1500m of any construction site which are sensitive to the effects of dust (eg, houses, specific crops, utilities, orchards) and identification of specific measures to mitigate the effects of dust on these sites;</del></p> <p><del>(e) Regular public road maintenance to ensure optimal surface conditions;</del></p> <p><del>(f) For concrete batching plants, specific methods to mitigate the effects of dust.</del></p> <p><del>(g) Proposed methods of providing a cleaning service to residents and businesses affected by dust from construction activities.</del></p> <p><del>(h) Procedures for monitoring the effectiveness of the controls;</del></p> <p><del>(i) A complaints procedure; and</del></p> <p><del>(j) Inspection and auditing procedures and contingency plans for if controls fail.</del></p>	<p><u>Dust is covered under CRC102336 and is not required to be covered in the SDC land use consent or Notice of Requirement.</u></p>
<p><b>9.3 Wind Monitoring</b></p> <p><del>The Requiring Authority consent holder shall install meteorological monitoring instruments at three locations in the scheme area to be agreed by Canterbury Regional Council. The meteorological monitoring instruments shall be installed at a height of at least 3 metres.</del></p> <p><del>The meteorological monitoring instruments shall continuously monitor and record:</del></p> <p><del>a. Wind speed; and</del></p> <p><del>b. Wind direction.</del></p> <p><del>The data should be recorded as 10 minute averages.</del></p> <p><del>The Requiring Authority consent holder shall ensure that the monitoring system is fitted with appropriate</del></p>	

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<p><del>systems that will trigger alarms when specified meteorological conditions are reached so that activities can be managed.</del></p>	
<p><b>9.4 Complaints</b></p> <p><del>During construction, the Requiring Authority shall maintain a complaints register dealing with dust. The register shall detail the time and type of complaint, cause of the complaint and action taken by the Requiring Authority in response to the complaint. The register shall be available to the Selwyn District Council at all reasonable times.</del></p>	
<p><b>10.0 Waste Management and Hazardous Substances</b></p> <p><b>10.1 Remediation Action Plan</b></p> <p>A Remediation Action Plan for contaminated areas will be prepared, lodged with the Selwyn District Council prior to any construction activity and adhered to where the construction of any works subject to the designation requires the disturbance on removal of any</p> <ul style="list-style-type: none"> <li>(a) landfill;</li> <li>(b) farm dump;</li> <li>(c) offal pit;</li> <li>(d) septic tank;</li> <li>(e) silage pits;</li> <li>(f) dairy effluent disposal ponds; and</li> <li>(g) coal mine or coal mine workings.</li> </ul> <p>The Remediation Action Plan above shall address the matters set out in (a) - (f) below, with a level of detail appropriate to the degree of risk presented by the disturbance, removal or inundation of each specific contaminated area:</p> <ul style="list-style-type: none"> <li>(a) The earthworks and transport controls to minimise the off-site mitigation of contamination (via air or water during the remedial works).</li> <li>(b) Appropriate measures for the control of dust or odour;</li> <li>(c) The diversion of stormwater away from the remedial works;</li> <li>(d) The treatment of contaminated stormwater or groundwater in the remediation area;</li> <li>(e) Sampling and reporting;</li> <li>(f) The health and safety requirements for remediation workers.</li> </ul>	
<p><b>10.2 Solid Waste</b></p> <p>A Waste Management Plan shall be prepared and lodged with the Selwyn District Council prior to any</p>	

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<p>construction activity and adhered to, for the management of domestic waste from site staff, construction waste and hazardous waste.</p> <p>At each construction area, provision shall be made for the recycling of paper, plastic, glass, aluminium, cans, waste oil and solvents. Containers and appropriate storage arrangements shall be provided for all other classes of waste.</p> <p>Cleanfill construction waste shall be disposed of within the area of the designation.</p> <p>All other construction waste shall be transported in enclosed containers to a Selwyn District or Christchurch City transfer station.</p>	
<p><b>10.3 Hazardous Substances</b></p> <p>All fuel, oil and hazardous substances shall be stored in accordance with a Hazardous Substances Management Plan to be prepared and submitted to the Selwyn District Council prior to this designation being given effect to.</p> <p>The Hazardous Substances Management Plan shall address the following matters:</p> <ul style="list-style-type: none"> <li>(a) Hazardous chemical storage</li> <li>(b) Fuel and chemical spill control</li> <li>(c) Spill containment</li> <li>(d) Spill clean up</li> <li>(e) Incident reporting</li> </ul> <p>That plan shall be kept on site and provided to the Selwyn District Council upon request.</p> <p>Fuel, oil and hazardous substance storage areas shall be bunded with capacity to contain 120% of the volume of stored material in the event of a spill.</p>	
<p><b>11.0 Cultural Impacts</b></p> <p><b>11.1 Accidental Discovery Protocol</b></p> <p>An accidental discovery protocol shall be prepared prior to any construction commencing and copies lodged with the Te Rūnanga o Ngāi Tahu and the Selwyn District Council. This protocol shall cover both prehistoric (Maori) and historic sites, and shall be prepared in consultation with the New Zealand Historic Places Trust (NZHPT) Te Rūnanga o Ngāi Tahu and <del>Ngāi Tuahuriri</del> <u>Te Taumutu Rūnanga</u>.</p> <p><del>The protocol shall require assessment by a qualified archaeologist of any potential archaeological site discovered. If such a site is determined to be an archaeological site as defined by the Historic Places Act 1993, then NZHPT and Ngāi Tahu shall be contacted and appropriate responses received before construction work recommences. Then the site shall be recorded, trial excavations carried out followed by more thorough excavation if this is considered necessary by a suitably qualified archaeologist.</del></p> <p>Where appropriate, all contractors, project managers and stakeholders shall be inducted into the</p>	<p>Much like dust there is a potential duplication between the two consent authorities. In any case the ADP included should be the same.</p> <p>Amendments made to better reflect standard practice in the case of accidental discovery. Potential for standard conditions across both ECan and SDC consents, if not the procedure agreed between CPW</p>

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<p>protocol and made aware of their individual responsibilities under the protocol.</p> <p>Before commencing any vegetation clearance or earthworks in any area listed in the <del>Proposed</del> Selwyn District Plan as a Wāhi Taonga site, Wāhi Taonga Management Area or Mahinga Kai site, the Requiring Authority shall contact local rūnanga for advice as to the most appropriate methods for avoiding, remedying or mitigating adverse effects of the proposed activity.</p> <p><u>In the event of any disturbance of Koiwi Tangata (human bones) or taonga (treasured artefacts), the Requiring Authority shall immediately:</u></p> <p><u>(a) Advise the Te Rūnanga o Ngāi Tahu, Te Taumutu Rūnanga, or their representative, and the SDC of the disturbance;</u></p> <p><u>(b) Cease earthmoving operations in the affected area until the area containing the Koiwi Tangata or taonga has been clearly demarcated, and Kaumatua and archaeologists have certified that it is appropriate for earthmoving to recommence.</u></p> <p><u>In the event of accidental discovery of archaeological remains, the following steps shall be taken:</u></p> <p><u>(a) All activity affecting the immediate area shall cease and the Regional Archaeologist of the New Zealand Historic Places Trust shall be contacted;</u></p> <p><u>(b) The site shall be secured to ensure that the remains are not further disturbed;</u></p> <p><u>(c) Further works affecting the remains will not commence until either:</u></p> <p><u>i. The Regional Archaeologist of the New Zealand Historic Places Trust has confirmed in writing that the archaeological provisions of the Historic Places Act 1993 do not apply; or</u></p> <p><u>ii. The requirements of the archaeological provisions of the Historic Places Act 1993 have been met, and if required, and archaeological authority has been granted by the New Zealand Historic Places Trust.</u></p> <p><u>(d) If human remains / koiwi tangata are located, in addition to the above steps, the Runanga representative for the area and the New Zealand Police must be contacted.</u></p>	<p>and other interested parties prior to the 24<sup>th</sup> March resumed hearing.</p>
<p><b>11.2 Site Survey</b></p> <p>Before the commencement of earthworks in the scheme, the Requiring Authority shall conduct an <u>archaeological</u> survey (including mapping) of <del>and map</del> all <u>known</u> areas <u>containing cultural sites of land</u> within the footprint of the scheme works to determine whether there are any <u>further</u> unrecorded cultural sites <u>that could be affected by the construction works</u>.</p> <p>Following the completion of the survey and Section 18 investigations under the Historic Places Act (1993) the Requiring Authority shall undertake a reappraisal of the Scheme's effects on archaeological sites and then follow the procedures required under the Historic Places Act.</p>	<p>It is noted that Minute 14 (section 5.23) indicated that it would not be necessary for CPW to carry out a comprehensive survey of the whole headrace and distribution network.</p> <p>As a result CPW proposed wording that required no survey at all, only mapping. My understanding is that the survey is required but that it should be restricted</p>

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	<p>to known areas where the likelihood of further discovery is greatest.</p> <p>The 'known areas' would have to be clarified in order that the condition can be effectively implemented. This could be done by listing them in the condition or by reference to an attached map. This can be done prior to the resumed hearing.</p>
<p><b>12.0 Heritage</b></p> <p><b>12.1 Historic Places Act Consents</b></p> <p>Prior to commencing any construction, the <del>consent holder</del> <u>Requiring Authority</u> shall obtain the appropriate consents to destroy, damage or modify any archaeological site, historic site or historic building classified under the Historic Places Act 1993, from the NZ Historic Places Trust for the work required to complete that stage of the project (section 18 Authority).</p> <p><del>The section 18 investigations shall be accompanied by a scheme wide survey of areas currently containing heritage items affected by the scheme works to assess the distribution of other unrecorded sites across the landscape. An appraisal of the scheme's effects on any new archaeological sites identified as a result shall be undertaken.</del></p> <p>Where practicable, all sites should be avoided, but where such sites cannot be avoided, full and appropriate recording and documentation of such sites should be undertaken before they are destroyed. Any mitigation of damage, modification or destruction of the sites shall be undertaken according to sections 10 and 12 of the Historic Places Act 1993.</p>	<p><u>CPW proposed deletion of this paragraph, in the earlier report it was retained as I considered that localised survey work should still be required in any known areas of archaeological interest directly affected by the scheme. However, this is a duplication of the requirement already set out in 11.2.</u></p>
<p><b>12.2 Archaeological and Heritage <u>Management Plan</u></b></p> <p>Prior to commencing any construction the <del>consent holder</del> <u>Requiring Authority</u> shall <del>commission</del> <u>prepare</u> an Archaeological and Heritage <u>Management Plan prepared by a suitably qualified professional in conjunction with Te Runanga o Ngai Tahu and the NZ Historic Places Trust and certified in accord with the process set out in condition 1.5. Once finalised, copies which</u> shall be lodged with the Selwyn District Council, <u>Te Runanga o Ngai Tahu</u> and the NZ Historic Places Trust. This plan shall be complied with and shall cover any destruction, damage or modification to any archaeological site, or historic site or building classified under the NZ Historic Places Act 1993 and identify any conditions to be complied with in relation to heritage. The Archaeological and Heritage <u>Management Plan</u> shall include:</p> <p>(a) <u>Methods for avoiding, remedying or mitigating adverse effects on known archaeological and cultural sites and heritage places.</u></p> <p>(b) <u>Methods for identifying unrecorded archaeological and cultural sites and heritage places which</u></p>	<p><u>Changes in accord with the comments made by the NZ Historic Places Trust.</u></p>

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<p><u>are discovered during the construction of the scheme and appropriate accidental discovery protocols to deal with these (see condition 11.1).</u></p> <p>(c) <u>The consent holders other legal responsibilities when dealing with archaeological and cultural and heritage places, including Iwi Management Plans, the Ngai Tahu Claims Settlement Act 1998, the Protected Objects Act 1975 and the Historic Places Act 1993 (see condition 12.1).</u></p> <p>(d) <u>The identification of areas where there are likely to be sites of significance that require the presence of a cultural monitor on site during construction.</u></p> <p>(e) Responsibilities of contractors and project managers</p> <p>(f) Control of vegetation, stock and soil erosion</p> <p>(g) Public access and vandalism</p> <p>(h) Methods of excavation</p> <p>(i) Sampling and analysis of archeological materials</p> <p>Any taonga tuturu (artefacts of tangata whenua origin) that are recovered during the works are the property of the Crown and should be registered with the Ministry for Culture and Heritage. Such artefacts shall be stored in an appropriate repository either in a local or regional museum.</p>	
<p><b>13.0 Utilities</b></p> <p><b>13.1 Power Utilities</b></p> <p>Where any part of a building or structure needs to be constructed/located within the restricted areas specified under Table 2 of the NZECP 34:2001, prior to that construction commencing, the Requiring Authority must submit to the Selwyn District Council (and a copy to Transpower) a certificate from a suitably qualified electrical engineer confirming that any building or structure complies with the minimum safe distances from the Benmore – Haywards A Benmore – Islington A, Roxburgh – Islington A, Brackendale – Hororata A, and Hororata – Islington E lines as specified in Table 3 of the NZECP 34:2001.</p> <p>Please note that the distances specified include an allowance for climatic conditions (ie, conductor swing).</p> <p>No buildings or structures (including temporary buildings) shall be located within 12 metres of the outer edge of the visible foundations of any transmission line tower.</p> <p>No fences of conductive materials shall be located within 5 metres of the outer edge of the visible foundations of any transmission line tower.</p> <p>All buildings and other structures constructed on site shall be located so as not to preclude existing 4-wheel drive access to any transmission line support structure.</p> <p>All machinery and mobile plant operated on site must maintain a minimum clearance distance of 4 metres from all transmission line conductors at all times.</p>	

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<p>No person shall, in the case of any tower supporting any conductor, excavate or otherwise interfere with any land:</p> <ul style="list-style-type: none"> <li>(a) at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or</li> <li>(b) at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the tower; or</li> <li>(c) in such a way as to create an unstable batter.</li> <li>(d) When, in exceptional circumstances, the Requiring Authority wishes to undertake works within the specified distances, Transpower shall be consulted with in order to provide the requisite approvals for encroachment, in accordance with the NZECP 34:2001.</li> </ul> <p>Excavated or other material must not be deposited under or near the Benmore – Islington A, Roxburgh – Islington A, Brackendale – Hororata A, and Hororata – Islington E transmission lines so as to reduce the vertical distance from the ground to the conductors to a distance less than:</p> <ul style="list-style-type: none"> <li>(a) 6.5 metres vertically, across or along driveways or on any other land traversable by vehicles;</li> <li>(b) 5.5 metres vertically, on any land not traversable by vehicles due to inaccessibility; and</li> <li>(c) 3 metres in any distance other than vertical on all land.</li> </ul> <p>Excavated or other material must not be deposited under or near the Benmore – Haywards A transmission line so as to reduce the vertical distance from the ground to the conductors to a distance less than:</p> <ul style="list-style-type: none"> <li>(a) 8 metres vertically, across or along driveways or any other land traversable by vehicles;</li> <li>(b) 6.5 metres vertically, on any land not traversable by vehicles due to inaccessibility;</li> <li>(c) 3 metres in any distance other than vertical on all land.</li> </ul> <p><i>Please note that the distances specified include an allowance for mechanic creep (ie permanent elongation of the conductors).</i></p> <p>The Requiring Authority must ensure that the discharge of dust created by earthworks, transportation and construction activities does not create any dust hazard or nuisance to any high voltage transmission lines.</p> <p>Prior to the commencement of any construction, the Requiring Authority must submit a “Dust Management Plan” for the activity to the Consents Manager, Selwyn District Council (and a copy to Transpower). In particular, the Dust Management Plan shall specify the potential dust sources and the mitigation measures to be undertaken to minimize dust in order to protect the existing high voltage transmission lines and locations where ground levels may change in and around transmission lines.</p> <p>All land use activities, including earthworks located on site must comply with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 or any subsequent amendment to this code.</p> <p>All trees and vegetation planted on site must comply with the Electricity (Hazards from Trees)</p>	

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<p>Regulations 2003 or any subsequent amendment to these regulations.</p> <p>Existing access arrangements to transmission line support structures shall be retained where practicable. Where the Requiring Authority requires or causes a change in access arrangements, then alternative arrangements shall be made (to the satisfaction of Transpower) to provide safe 4-wheel drive, 24hr access to support structure bases (including during the construction period).</p>	
<p><b>14.0 Bonding</b></p> <p><b>14.1 Environmental Bonding</b></p> <p>The Requiring Authority shall enter into a bond in favour of the Selwyn District Council for its interest as outlined in Schedule 3 attached.</p>	
	Does not appear to be the ability to impose a review condition on a designation.
<p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li><u>The Council will require payment of its administrative charges in relation to monitoring, as authorised by the provisions of section 36 of the Resource Management Act 1991.</u></li> <li><u>Work affecting archaeological sites is subject to a consent process under the Historic Places Act 1993. An authority (consent) from the NZ Historic Places Trust must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The consent holder is advised to contact the NZ Historic Places Trust for further information.</u></li> </ol>	<p><u>Additional advice note as recommended by both Te Runanga o Ngai Tahu and the NZHPT.</u></p>

<p><b>Schedule 3: Bonding</b></p> <p><del>4.1 Bonding</del></p> <p><del>The Consent Holder/Requiring Authority shall provide and maintain in favour of the Canterbury Regional Council and the Selwyn District Council (jointly for their respective interests) a bond to secure compliance by the Consent Holder/ Requiring Authority with the conditions of the following resource consents and designations: —</del></p> <p><del>(a) Resource Consent Numbered XX to XX, granted by Environment Canterbury;</del></p> <p><del>(b) Resource Consent Numbered XX to XX, granted by Selwyn District Council;</del></p> <p><del>(c) Designations Numbered XX to XX, granted by Selwyn District Council;</del></p> <p><del>including the completion of all rehabilitation works required by these consents and designations</del></p>	<p><u>Updated bonding proposal has been put forward by CPW.</u></p> <p>As per proposal put forward by CPW.</p>
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and all monitoring obligations of the Consent Holder/ Requiring Authority and all works to avoid, remedy, or mitigate any significant adverse effects on the environment arising as the result of the exercise of the consents or rights pursuant to the designations.

#### 1.2 ~~Form of Bond~~

The bond shall be in a form generally used by a bank or insurance company registered to conduct business in New Zealand and approved by, Environment Canterbury and the Selwyn District Council (“the Councils”), or, in the event of the Councils not agreeing, approved by an independent firm of solicitors nominated by the Councils jointly.

#### 1.3 ~~Content of Bond~~

The bond shall provide that the Consent Holder/ Requiring Authority shall be liable and remain liable for meeting:

- (a) ~~The cost of completing the works required to operate the Scheme in accordance with the consents; or alternatively~~
- (b) ~~The cost of remedying or mitigating any breach of the conditions of the consents as detailed in condition 1.1 above; and~~
- (c) ~~The cost of avoiding, remedying or mitigating and/or monitoring any significant adverse effect on the environment, and caused by the Scheme, which became apparent during or after the expiry of the consents set out above.~~

#### 1.4 ~~Payment~~

The payment of the bond quantum by the Consent Holder/ Requiring Authority shall be guaranteed by a guarantor acceptable to the Councils.

The guarantor shall bind itself to pay up to the bond quantum for the carrying out and completion of all obligations of the Consent Holder/ Requiring Authority under the bond.

#### 1.5 ~~Term~~

The bond shall be executed before the commencement of any construction works on the Scheme and may be renewed from time to time in accordance with this condition and shall remain in place for a period of 10 years after the surrender, expiry or lapsing of the consents referred to in condition 1.1.

#### 1.6 ~~Amount~~

The amount of the bond shall be set initially by agreement between the Consent Holder/ Requiring Authority and the Councils, taking into account the estimated cost of meeting the obligations for which the bond is given as set out in condition 1.3 above.

- (a) ~~The amount of the bond will then be reviewed and reassessed by the Consent Holder/ Requiring Authority and the Councils every 12 months from the date the initial bond amount was lodged until a date two years after the date on which all consents listed in condition 1.1 have been given effect to. After that, it will be reviewed and reassessed by the Consent Holder/ Requiring Authority and the Councils at five yearly intervals for the~~

~~duration of the consents to which this condition relates.~~

- ~~(b) During the construction phase of the Scheme, a scope of works planned for the balance of the construction period will be provided by the Consent Holder/ Requiring Authority to the Councils, both prior to setting the initial bond amount, and again at each annual reassessment, to assist in setting the bond amount as outlined in condition 1.6(a) above.~~
- ~~(c) In the event of the Consent Holder/Requiring Authority and the Councils not reaching agreement on a bond amount within thirty working days (30) days of the date the review and reassessment falls due, it will be assessed by an independent bond assessor appointed by the Councils jointly, and the decision of that person shall be final and binding~~
- ~~(d) If at any time the amount of the bond is varied pursuant to this condition then the Consent Holder/Requiring Authority and guarantor approved by the Councils, shall within thirty (30) working days of notification to the Consent Holder/ Requiring Authority of the varied bond amount, execute and lodge with the Councils a new bond for the varied amount or the additional amount required in excess of the existing bond.~~
- ~~(e) The Consent Holder/ Requiring Authority will not exercise, or shall cease to exercise, these consents:
  - ~~1. Until the bond referred to in condition 1.5(a) above is executed by the Consent Holder/Requiring Authority and guarantor and deposited with the Councils; and~~
  - ~~2. In respect of any varied bond referred to in conditions 1.5 (b)and (d) above, after thirty (30) working days has expired from the date the Consent Holder/Requiring Authority was notified of the terms of the varied bond by either Council, unless the varied bond has been executed by the Consent Holder/Requiring Authority and guarantor, and has been deposited with the Councils, or the varied bond decreases the bond amount required to be provided by the Consent Holder/Requiring Authority.~~~~

~~1.7 Section 109~~

~~The provisions of Section 109 of the Act shall apply to any bond required pursuant to this condition.~~

~~1.8 Costs~~

~~The Consent Holder/Requiring Authority shall meet the costs of providing any bond, including the costs of preparation of the bond and any substitute bond, and the costs of any professional bond assessor engaged to resolve the appropriate quantum of the initial bond to be provided or any varied bond on review and reassessment.~~