

Comments on Conditions	XXX	Killermont - Comments	Killermont – Suggested amendments
1.	The works shall be limited to: a. The maintenance and use of an intake structure and associated infrastructure at or about NZMS 260 H39:6062-2992.		
2.	If further excavation at the site in the river bed is not to occur within seven days following the last working at the site, then the following shall occur: a. All deposits of gravel, sand and other natural material shall be levelled to the natural bed level; b. The excavation area shall be reshaped and formed to a state consistent with the surrounding natural river bed.	<i>Comment:</i> Change “further excavation” to “further works”	Agree  If further works at the site in the river bed is not to occur within seven days following the last working at the site, then the following shall occur: a. All deposits of gravel, sand and other natural material shall be levelled to the natural bed level; b. The excavation area shall be reshaped and formed to a state consistent with the surrounding natural river bed.
		Recommend following condition be included:  “The Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, shall be notified not less than 3 working days prior to the commencement of works described in condition (1)”	Agree
		<i>Comment:</i> The details on when and how long these works will take have not been described or included in conditions of consent. Given the high amenity values of the Ahuriri River, these details should be included as conditions of consent.	Disagree – The application and proposed conditions ensure that sufficient measures are in place. There is no need for a condition.
	<b>Accidental Discovery Protocol</b>		
4.	The consent holder shall ensure that the following procedure is adopted in the event that koiwi (human remains) or taonga (cultural artefacts) are unearthed or are reasonably suspected to have been unearthed during any maintenance activities. a. Immediately as it becomes apparent, or is suspected by workers at the site that koiwi or taonga have been uncovered, all activity at the site will cease. b. The plant operator will shut down all machinery or activity immediately, and leave the area and advise his or her supervisor of the occurrence. c. The supervisor shall take steps to immediately secure the area in a way that ensures that koiwi or taonga remain untouched as far as possible in the circumstances and shall notify the consent holder. d. The Project Manager will notify the New Zealand Police (in the case of koiwi) and the relevant runanga representatives that it is suspected that koiwi and/or taonga have been uncovered at the site. e. The runanga representatives will contact the appropriate kaumatua to act on their behalf in this matter in order to guide and advise the consent holder as to the appropriate course and the consent holder will immediately advise the consent holder of the identity of such kaumatua. f. The consent holder shall ensure that representatives on its behalf are available to meet and guide kaumatua and police (as appropriate) to the site, assisting with any requests they may make. g. If the kaumatua are satisfied that the koiwi or taonga are of Maori origin the kaumatua will decide how they are to be dealt with and will communicate its decision to the consent holder, New Zealand Police and such other parties as are considered appropriate.	d) “Project Manager” should read “consent holder”	Agree

	<p>h. Activity on site shall remain halted until the New Zealand Police and the kaumatua have given approval for operations to recommence.</p> <p>i. The consent holder shall ensure that kaumatua are given the opportunity to undertake karakia and such other religious or cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Maori (Maori custom and protocol).</p>			
	<b>Erosion Protection</b>			
5.	Maintenance works shall not cause erosion of the banks and bed of the Ahuriri River.	<i>Comment:</i> This is similar to Condition 6. Suggest that it is deleted.	Agree	Delete Condition 5
		<p><i>Comment:</i> A condition should be included to ensure that anyone operating under this consent is provided with a copy of it.</p> <p><i>Recommended Condition:</i>  <b>Prior to commencing excavation, a copy of this resource consent shall be given to all persons undertaking activities authorised by this consent.</b></p>	Agree	Prior to commencing excavation, a copy of this resource consent shall be given to all persons undertaking activities authorised by this consent.
6.	Maintenance works shall not be undertaken in any manner likely to cause erosion of or instability to, the banks or bed of the Ahuriri River; or reduce the flood-carrying capacity of the waterway.			

	<b>Sediment Control</b>			
7.	<p>During any maintenance the consent holder shall adopt the best practicable options to:</p> <ul style="list-style-type: none"> <li>a. Minimise soil disturbance and prevent soil erosion;</li> <li>b. Prevent sediment from flowing into any surface water; and</li> <li>c. Avoid placing cut or cleared vegetation, debris, or excavated material in a position such that it may enter surface water.</li> </ul>			
	<b>Birds</b>			
8.	<p>Prior to any maintenance works being carried out in the period 1 September to 1 February, the consent holder shall ensure that:</p> <ul style="list-style-type: none"> <li>(a) a suitably qualified and independent person inspects the proposed area of works, no earlier than eight working days prior to any works being carried out, and locates any bird breeding sites of birds listed in Appendix A;</li> <li>(b) the person carrying out the inspection prepares a written report that identifies all the located bird breeding or nesting sites and provides copies of that report to the consent holder and the Canterbury Regional Council;</li> <li>(c) the name and qualifications of the person carrying out the inspection are provided to the Canterbury Regional Council with the report;</li> <li>(d) any person carrying out works authorised by this consent are informed of any bird breeding or nesting sites located; and</li> <li>(e) where work ceases for more than 10 days, the site will be re-inspected for bird breeding and nesting sites in accordance with parts (a) to (d) of this condition.</li> </ul> <p><b>Appendix A – list of bird species</b>                  South Island Pied Oystercatcher                  Black Stilt                  Pied Stilt                  Wrybill                  Banded Dotterel                  Black-fronted Dotterel                  Grey warbler                  Fantail                  Bellbird                  Silvereve                  Spur-winged Plover                  Paradise Shelduck                  Grey Duck                  NZ Shoveler                  Grey Teal                  NZ Scaup                  Black-billed Gull                  Red-billed Gull                  Caspian Tern                  White-fronted Tern                  Black-fronted Tern                  White-winged Black Tern                  Australasian Bittern                  Marsh Crake                  Spotless Crake                  Cormorant/shag colonies                  Or any other bird species deemed by a suitably qualified person to require protection.</p>			

9.	The consent holder shall ensure that any maintenance work does not occur within 100 metres of birds, which are nesting or rearing their young in the bed of the river identified in accordance with condition 8.			
10.	Any maintenance works that require bed disturbance in flowing water should be avoided in the first two weeks of November and outside that period Fish and Game should be consulted prior to any works.			
11.	To prevent the spread of Didymo or any other aquatic pest, the consent holder shall ensure that activities authorised by this consent are undertaken in accordance with the Biosecurity New Zealand's hygiene procedures.	Need advice note for this condition  Note: You can access the most current version of these procedures from the Biosecurity New Zealand website <a href="http://www.biosecurity.govt.nz">http://www.biosecurity.govt.nz</a> or Environment Canterbury Customer Services.	Not necessary to identify in consent where these can be found.	
12.	The consent holder shall ensure that during any maintenance activities: a. All practicable measures shall be undertaken to prevent oil and fuel leaks from vehicles and machinery. b. There shall be no storage of fuel or refuelling of vehicles and machinery within 20 metres of the bed of a river. c. Fuel shall be stored securely or removed from site overnight.			
13.	The consent holder shall ensure that works do not prevent the passage of fish, or cause the stranding of fish in pools or channels.			
14.	The consent holder shall ensure that machinery shall be free of plants and plant seeds prior to use in the waterbody.			
	<b>Fish Screen</b>			
14.	The consent holder shall ensure that: (a) Water shall only be taken when a fish screen with a maximum mesh width and height size of 3 millimetres or slot width and height of 2 millimetres is operated and maintained across the intake to ensure that fish and fish fry are prevented from passing through the intake screen. (b) The fish screen shall be positioned to ensure that there is unimpeded fish passage to and from the waterway and to avoid the entrapment of fish at the point of abstraction, and to minimise the risk of fish being damaged by contact with the screen face. (c) The fish screen shall be designed and installed to ensure that: i. the majority of the screen surface is oriented parallel to the direction of water flow. ii. where practicable, the screen is positioned in the water column a minimum of 300 millimetres above the bed of the waterway and a minimum of one screen radius from the surface of the water. iii. the approach velocity perpendicular to the face of the screen shall not exceed 0.06 metres per second if no self-cleaning mechanism exists, or 0.12 metres per second if a self-cleaning mechanism is operational. iv. the sweep velocity parallel to the face of the screen shall exceed the design approach velocity. (d) The fish screen shall be designed or supplied by a suitably qualified person who shall ensure that the design criteria specified in condition 14(a) –(c)(iv) of this consent is achieved. Prior to the installation of the fish screen, a report containing final design plans and illustrating how the fish screen will meet the required design criteria, and an operation and maintenance plan for the fish screen shall be provided to Environment Canterbury, Attention: RMA Compliance and Enforcement Manager.			

	<p>(e) A certificate shall be provided to Environment Canterbury by the designer or supplier of the fish screen to certify that the fish screen has been installed in accordance with the details provided to Environment Canterbury in accordance with condition 14(a) of this consent.</p> <p>(f) The fish screen shall be maintained in good working order. Records shall be kept of all inspections and maintenance, and those records shall be provided to Environment Canterbury upon request.</p>			
	<p><b>Upon Completion</b></p>			
<p>15.</p>	<p>All disturbed areas outside the lake or river bed shall be stabilised and revegetated with similar species to those found in the intermediate vicinity of the particular site following completion of the works.</p>			
<p>16.</p>	<p>All spoil and other waste material from the works shall be removed from site on completion of works.</p>			
		<p><i>Review condition:</i></p> <p>“The Canterbury Regional Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent for the purposes of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.”</p>	<p>Suggest that condition should refer to a review under s.128 of the RMA.</p>	<p>The Canterbury Regional Council may once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent, pursuant to Section 128 of the RMA, for the purposes of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.</p>
			<p>Lapse Date, lapse need is to be 10 years from issue of consent.</p>	<p>For the purposes of Section 125 of the Resource Management Act (1991), this consent shall lapse 10 years from the date it is granted.</p>