

Comments on Conditions	XXX	Killermont Comments	Killermont's Suggested Amendments to Conditions
1.	<p>The works shall be limited to:</p> <p>a. The construction, maintenance and use of an intake structure and associated infrastructure at or about NZMS 260 H39:552-283 downstream to H39:561-278.</p>	<p><i>Comment:</i> This condition does not adequately define the scope of the activity. There is also no link to any location or design plans of the intake structure.</p> <p><i>Recommended Condition (sets out what requires consent):</i></p> <p>The works shall be limited to the excavation and disturbance of the bed and banks of the Ahuriri River for the purpose of the placement, extension, removal, demolition or maintenance of an intake structure in or on the bed and banks of the Ahuriri River for abstracting water under consent CRC041331.</p>	<p>Reword the condition to be consistent with that proposed for WHL Killermont</p>
		<p><i>Recommended condition:</i></p> <p>Works shall only be carried out within the bed and banks of the Ahuriri River between map reference NZMS 260 H39:552-283 and H39:561-278, as shown on Plan CRC041776, attached to this consent.</p>	<p>This condition is unnecessary given the amendments to Condition 1</p>
		<p>The proposal was to install a pump station and piped intake on the banks of the Ahuriri River for the take associated with CRC041777. Is this not proposed now? Clarity needed on what the applicant is proposing to do.</p>	<p>Proposal is for gallery intake</p>
2.	<p>Excavation shall not exceed a depth of 3 metres below the level of the river bed prior to excavation.</p>	<p><i>Comment:</i> This condition does not provide sufficient detail regarding the scope of works that will be authorised by this consent, including the extent of works or when and how long these works will take.</p>	<p>Agree in part. Not considered that a timing condition is necessary.</p> <p>Area to included in condition.</p>
3.	<p>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:</p> <p>a. All deposits of gravel, sand and other natural material shall be levelled to the natural bed level;</p> <p>b. The excavation area shall be reshaped and formed to a state consistent with the surrounding natural river bed.</p>		
		<p>Recommend following condition be included:</p> <p><i>“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)”</i></p>	<p>Agree</p>
4.	<p>Prior to commencing excavation, a copy of this resource consent shall be given to all persons undertaking activities authorised by this consent.</p>		

	<p>Accidental Discovery Protocol</p>			
<p>5.</p>	<p>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 the course of construction and other activities.</p> <ul style="list-style-type: none"> 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. h. Activity on site shall remain halted until the New Zealand Police and the kaumatua have given approval for operations to recommence. 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>d) "Project Manager" should read "consent holder"</p>	<p>Agree</p>	<p>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 the course of construction and other activities.</p> <ul style="list-style-type: none"> j. 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. k. The plant operator will shut down all machinery or activity immediately, and leave the area and advise his or her supervisor of the occurrence. l. 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. m. The Consent Holder 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. n. 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. o. 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. p. 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. q. Activity on site shall remain halted until the New Zealand Police and the kaumatua have given approval for operations to recommence. r. 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>Erosion Protection</p>			
<p>6.</p>	<p>Works shall not cause erosion of the banks and bed of the Ahuriri River.</p>	<p>Not necessary as covered under Condition 8 below?</p>	<p>Agree</p>	<p>Delete Condition 6</p>

7.	Erosion controls shall be installed on all earthworks to prevent sediment from flowing into any surface water body.			
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8.	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.			
	Sediment Control			
9.	The consent holder shall adopt the best practicable options to: a. Minimise soil disturbance and prevent soil erosion; b. Prevent sediment from flowing into any surface water; and c. Avoid placing cut or cleared vegetation, debris, or excavated material in a position such that it may enter surface water.			
10.	The consent holder shall ensure that construction of the intake does not occur during the period of 1 June to 14 November inclusive, in any one year.			
11.	At least 20 working days prior to the commencement of the works, the consent holder shall submit to the Canterbury Regional Council, Attention: RMA Enforcement and Compliance Manager an Erosion and Sediment Control Plan (ESCP) that includes, but is not limited to the following: a. a locality map; and b. detailed drawings showing the type and location of erosion and sediment control measures, on-site catchment boundaries, and off-site sources of run-off; and c. drawings and specifications of all designated erosion and sediment control measures with supporting calculations; and d. a programme of works, which includes but is not limited to a proposed timeframe for the works; e. a schedule of inspections and maintenance of erosion and sediment control measures; and f. details of when the erosion and sediment control measures are to be established and decommissioned; and g. measures to ensure that there is no tracking of mud or earth onto the surrounding road network, including the provision of shaker ramps and/or wheel washes where appropriate; and h. measures to be undertaken should erosion and sediment control measures fail and result in contamination of any watercourse or water body.			
12.	The ESCP shall be prepared in general accordance with the Environment Canterbury Erosion and Sediment Control Guidelines 2007 (ECAN ESC Guidelines).			
13.	The ESCP shall be communicated to all persons undertaking activities authorised by this consent and a copy of the ESCP shall be kept on site at all times.			
14.	The Erosion and Sediment Control Plan and any revisions of that document shall be submitted to the Canterbury Regional Council Attention: RMA Compliance and Enforcement Manager for certification that the Erosion and Sediment Control Plan meets all the requirements of the conditions of this consent.			
15.	No activities authorised by this consent shall commence or be undertaken other than in full compliance with the Erosion and Sediment Control Plan that has been certified by or on behalf of the Canterbury Regional Council RMA Compliance and Enforcement Manager in terms of condition 11.			
16.	Prior to any construction works being carried out in the period 1 September to 1 February, the consent holder shall ensure that: (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; (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; (c) the name and qualifications of the person carrying out the inspection are provided to the			

	<p>Canterbury Regional Council with the report;</p> <p>(d) any person carrying out works authorised by this consent are informed of any bird breeding or nesting sites located; and</p> <p>(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.</p> <p>Appendix A – list of bird species</p> <p>South Island Pied Oystercatcher Black Stilt Pied Stilt Wrybill Banded Dotterel Black-fronted Dotterel Grey warbler Fantail Bellbird Silvereye 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>			
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17.	The consent holder shall ensure that no construction or maintenance work is undertaken within 100m of any bird breeding or nesting sites as identified in accordance with condition 16.			
18.	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.			
19.	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.	Advice note needs to be included. Note: You can access the most current version of these procedures from the Biosecurity New Zealand website http://www.biosecurity.govt.nz or Environment Canterbury Customer Services.	Not necessary to identify in consent where these can be found.	
20.	The consent holder shall ensure that during construction: 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.			

21.	The consent holder shall ensure that works do not prevent the passage of fish, or cause the stranding of fish in pools or channels.			
22.	The consent holder shall ensure that machinery shall be free of plants and plant seeds prior to use in the waterbody.			
Upon Completion				
23.	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.			
24.	All spoil and other waste material from the works shall be removed from site on completion of works.			
Fish Screens				Gallery Intake
25.	The consent holder shall ensure that water is abstracted using a gallery intake and shall be designed to prevent native and exotic fish species from entering the system. The fish screen shall be designed and constructed in a manner that ensures the principals of the NIWA fish screening guidelines are achieved.	<p>“principles”</p> <p><i>Recommended condition for gallery intakes:</i></p> <p>Gallery condition</p> <p>(a) The consent holder shall ensure that water is abstracted using a gallery intake and shall be designed to prevent native and exotic fish species from entering the system.</p> <p>(b) The fish screen shall be designed by a person with experience in freshwater ecology and fish screening techniques, and constructed in a manner that ensures the principals of the NIWA fish screening guidelines (Fish Screening: Good Practice Guidelines for Canterbury, NIWA Client Report 2007-092, October 2007. (Copy available on www.ecan.govt.nz)) are achieved.</p> <p>(c) No water may be taken in terms of this permit until, upon completion of the intake structure a report is provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager. The report shall be prepared by the consent holder for certification and shall demonstrate compliance with the following:</p> <p>(i) Design plan for the gallery specifying gallery dimensions;</p> <p>(ii) Detail of depths and sizes of layers of gravel over the gallery;</p> <p>(iii) Photographic evidence of key stages of construction of the gallery, including</p>	<p>Given a gallery intake is proposed there is no requirement for a fish screen and it is therefore suggested that this condition be deleted.</p> <p>It is also noted that the proposed condition specifies the method through which water should be abstracted. It is not considered appropriate for this permit for to dictate the method by which water is to be extracted. Reference to <u>how</u> water is to be extracted should be left to consents for the taking of water. It would, however, be appropriate to include conditions associated with the physical works associated with the intake gallery.</p> <p>Having regard to the above, conditions (a) and (b) should be deleted. Conditions (c) and (d) are supported, with minor amendments.</p>	<p>25. Upon completion of any intake structure a report shall be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager. The report shall be prepared by the consent holder for certification and shall demonstrate compliance with the following:</p> <p>(a) Design plan for the gallery specifying gallery dimensions;</p> <p>(b) Detail of depths and sizes of layers of gravel over the gallery;</p> <p>(c) Photographic evidence of key stages of construction of the gallery, including demonstrating compliance with gravel specifications in sub clause (c)(ii) above;</p> <p>(d) Any ongoing maintenance required by the manufacturer is carried out in accordance with their specifications.”</p> <p>26. Any intake structure shall be maintained in good working order. Records shall be kept of all inspections and maintenance. And those records shall be provided to the Canterbury Regional Council upon request.</p>

		<p>demonstrating compliance with gravel specifications in sub clause (c)(ii) above;</p> <p>(iv) Any ongoing maintenance required by the manufacturer is carried out in accordance with their specifications.”</p> <p>(d) The intake structure shall be maintained in good working order. Records shall be kept of all inspections and maintenance. And those records shall be provided to the Canterbury Regional Council upon request.</p>		
26.	<p>Upon completion of the intake structure a report to the Canterbury Regional Council shall be prepared by the consent holder for certification, the report shall demonstrate compliance with the following:</p> <p>(a) Design plan for the gallery specifying gallery dimensions;</p> <p>(b) Detail of depths and sizes of layers of gravel over the gallery;</p> <p>(c) Photographic evidence of key stages of construction of the gallery;</p> <p>(c) Any ongoing maintenance required by the manufacturer is carried out in accordance with their specifications.</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>
	Review			
27.	<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>