

RANGITATA DIVERSION RACE MANAGEMENT LIMITED (RDRML) – KLONDYKE STORAGE PROPOSAL

Comments from submitters on conditions and RDRML response

Submitter	Comment	RDRML response	RDRML Proposed Outcome
General comments			
Kiwirail	No comments to make.		
John Ell	Bonds There can be no sound reasons as to why Bonds should not be imposed on RDML as they should not be treated any differently than organisations such as mining companies where there is extremely high probabilities of damage being caused to this river.	RDRML does not consider that a bond is necessary, however has provided draft wording should the commissioners be of the view that a bond is desirable.	No change to proposed draft conditions.
Peel Forest Advocates Group	Bonds PFAG support the inclusion of a bond.	RDRML does not consider that a bond is necessary, however has provided draft wording should the commissioners be of the view that a bond is desirable.	No change to proposed draft conditions.
	Earthworks PFAG identify a number of proposed amendments to the construction management plans that fall over the a number of regional and district consents, as follows: <ul style="list-style-type: none"> Amend the objective of the Construction Management Plan to state: “on both sides of the Rangitata River, including those staying in the DoC camping ground and the ECO Lodge” Contact details for the Liaison Officer shall be advertised on a notice at the Peel Forest Café and DoC Campsite booking office; There shall be no construction work / activity on during the whole of January; The lower levels in the struck-out table should be retained and if condition “d” above is not included, the January period should be included with the Sunday/Public Holiday conditions. 	RDRML considers the proposed amendment to ensure the contractor contact details are available at the Peel Forest Café and DoC Campsite booking office are appropriate. RDRML considers that the separation of the construction activities from the camping ground and eco lodge are considerable and the management responses required through the CMP and associated river works plans as proposed are appropriate. The ceasing of construction activities and reduction of noise limits during January is not practical and could result in significant nuisance effects. RDRML does not accept this change.	RDRML has proposed amended conditions regarding the provision of the Liaison Officer contact details.
	Public access <ul style="list-style-type: none"> That the access tracks to the Rangitata River be fully accessible for those needing mobility aids. 	RDRML is proposing to construct the access tracks to the recognised appropriate standard (SNZ HB 8630:2004, New Zealand	RDRML has proposed an amended condition.

	<ul style="list-style-type: none"> That practical public access be maintained to the existing public easement during weekend, public holidays and the month of January. 	Handbook Tracks and Outdoor Visitor Structures). RDRML will ensure that access is maintained during the timeframe proposed by the submitter.	
Consent CRC170654 (Flood Flow Water Take)			
Keith Gunn	Term should be 15 years; until 2042 is too long.	RDRML sought 35 years but has amended this to an expiry date in 2042 (24 years).	Retain proposed 24 year period.
CSIFG	Insert new condition 3A as follows: <u>This consent shall not be exercised until the fish screen required by condition (6) of CRC011237 has been installed, and compliance with conditions (6) and (7) of CRC011237 has been demonstrated, in accordance with condition (10) of that consent.</u>	RDRML accepts the proposed condition.	RDRML accepts the proposed condition.
	Insert new condition to provide for a River Sediment Monitoring Plan.	RDRML continues to propose wording for a condition to require a River Sediment Monitoring Plan.	RDRML has proposed an amended condition 10A.
	Insert new conditions addressing: <ul style="list-style-type: none"> Periodic surveys of channel morphology and bed-material size-grading downstream of the RDR intake to record the morphological change anticipated with flood harvesting; Monitoring fine sediment deposition in low energy environments downstream of the RDR intake; Monitoring of the connectivity of the proposed fish bypass channel with the Rangitata main channel at the discharge point (accepted by the Applicant); and Adaptive management responses should monitoring demonstrate that this is required. 	RDRML has proposed wording for a condition to require a River Geomorphology Monitoring Plan, 10B. RDRML has proposed a sediment monitoring condition (10A), which includes an adaptive management response mechanism. Condition 10A of CRC182542 provides for the monitoring and maintenance of the fish bypass outlet.	RDRML has proposed an amended condition for a River Sediment Monitoring Plan (10A) and a Geomorphology Monitoring Plan (10B).
	CSIFG is opposed to grant of consent for any additional abstraction. If the Commissioners are minded to grant consent on the basis of 1:1 flow sharing, the drafting of the wording of the condition is appropriate.	RDRML is not proposing a 1:1 flow sharing arrangement, however has proposed wording should the Panel determine it is desirable.	No change to proposed draft conditions providing for full flood flow take.
RWL	Insert additional conditions as follows: <u>3E TOTAL TAKE</u> <u>In the event that RDRML ceases taking (or is due to cease taking) all of the water allocated under the RDRML Consents, RDRML shall offer the water allocation to RWL. In either event;</u>	RDRML is not proposing a water sharing agreement with RWL.	RDRML does not support the proposed conditions.

	<p>a. <u>When offered, the water will be available to RWL from 0600 (local time) the following day and for a period specified by RDRML ("Water Exchange Period").</u></p> <p>b. <u>RDRML will not recommence abstracting its consented water allocation until the Water Exchange Period has expired.</u></p> <p><u>3F PARTIAL TAKE</u> <u>In the event that RDRML ceases taking (or is due to cease taking) a partial amount of the water allocated under the RDRML consents, RDRML shall, provided it is reasonably practicable to do so, offer the balance of the water allocation to RWL.</u></p> <p><u>3G In the event:</u></p> <p>a. <u>When offered, the water will be available to RWL from 0600 (local time) the following day and for a period specified by RDRML ("Water Exchange Period").</u></p> <p>b. <u>RDRML will not recommence abstracting its consented water allocation until the Water Exchange Period has expired.</u></p> <p><u>Advice note: For the avoidance of doubt, this condition does not apply to any flood water taken by RDRML when the Rangitata River is flowing at greater than 142.6m³/s under resource consent CRC170654 (flood flow water).</u></p>		
	<p>RWL proposes that:</p> <ul style="list-style-type: none"> • Sediment monitoring and/or remediation conditions should be included in all take, use, storage, and discharge consents granted as part of this application as all of those consents have the ability to affect sediment levels within the Rangitata River. • Sediment monitoring should be undertaken within the river to a point downstream of the RWL infrastructure sufficient to enable an assessment of actual effects on RWL arising from this part of the application. • The monitoring plan should include a minimum period of baseline monitoring (pre-construction and operation) and the post-operational monitoring period should be extended to a minimum of 10 years to enable the effects of the 10-year emergency discharge test to be monitored. 	RDRML has proposed a River Sediment Monitoring Plan.	RDRML has proposed an amended condition for a River Sediment Monitoring Plan (10A)
	Sediment monitoring should at least be required as an amendment to proposed condition 10A and that should be	RDRML has proposed a River Sediment Monitoring Plan.	RDRML has proposed an amended condition for a River Sediment Monitoring Plan (10A)

	<p>supplemented by a further condition requiring action to be taken by RDRML in the event that there is found to be an adverse effect from increased sedimentation in the river resulting from RDRML's activities. It proposes the following:</p> <p><u>10B In the event that the results of the monitoring programme required by condition 10A identify an adverse effect arising from the consent holder's activities on downstream infrastructure, including that owned and operated by Rangitata Water Limited, the consent holder shall either cease the activity causing the effect immediately and/or remediate any adverse effect where necessary.</u></p>		
WWNZ	<p>Amend condition 5 as it relates to the management of the Rangitata River flow. WWNZ state:</p> <p><i>This change is possibly necessary so as to be explicit in how the take will be made and as the five minute flow data generated and recorded at Klondyke will jump around. The change is possibly necessary to protect RDRML's gate control equipment being stressed by the subtle changes in take meaning constant changes to the gate opening/closing mechanism. However, this may not be a problem for RDRML, and so flows being interrogated on a five minute basis and takes acted on accordingly (flow data are currently recorded at five minute intervals at present), may be fine. If the latter is the case, then the words 'mean hourly' should be replaced by the 'five-minute' and the words 'for the preceding hour' should be deleted.</i></p>	RDRML's proposed wording of condition 5 reflects the flow rate at the Klondyke Recorder for the preceding hour and is consistent with other water take consents, including CRC182536 for the proposed Fish Screen water take.	No change to proposed draft condition.
	<p>Amend conditions 12A and 12B to more properly address times when the river is likely to be used, ie, over the paddling/irrigation season from 15 September to 14 May of the following year as in the WCO, and to be triggered by local kayaking clubs via Whitewater NZ, not RDRML, wording to come.</p>	RDRML has amended the proposed conditions to provide for voluntary flow restrictions over the period of 1 March to 31 May.	RDRML has proposed an amended condition.
Consent CRC182542 (change to CRC011237 for Mechanical Fish Screen)			
Keith Gunn	<p>They could commission the rotating fish screen inside two years rather than their proposed three years</p>	RDRML proposes implementation of the Mechanical Fish Screen by 1 May 2021, being a further reduction in timeframe. RDRML considers that the practical constraints of designing and constructing	RDRML has proposed an amended condition.

		the screen limit any further reduction in the time frame.	
CSIFG	Amend conditions 5 and 6 to require the implementation of the Mechanical Fish Screen by August 2019.	RDRML proposes implementation of the Mechanical Fish Screen by 1 May 2021, being a further reduction in timeframe. RDRML considers that the practical constraints of designing and constructing the screen limit any further reduction in the time frame.	RDRML has proposed an amended condition.
	Amend condition 6 to read: Prior to 1 August 2019, the consent holder shall construct a mechanical rotary fish screen that shall be installed, operated and maintained to ensure that fish are prevented from being lost from the Rangitata River .	RDRML's response regarding the Fish Screen construction is outlined above. RDRML agrees with the insertion of the words ' <i>mechanical rotary</i> ' but does not agree with the use of the term ' <i>being lost from the Rangitata River</i> '.	RDRML has proposed an amended condition.
	Amend condition 7 as follows: b. Wedge wire bars with a 2mm slot width; c. A maximum -approach -velocity of less than 0.12 m/s; d. The sweep velocity past the fish screen elements shall be greater than the approach velocity and sufficient to result in an exposure time not exceeding 60 seconds ; e. A fish bypass channel shall be designed and operated that is effective in attracting and conveying fish away from the screens and down a bypass channel to the river unharmed; ... h. An Operations and Maintenance programme that will ensure the screen meets the effectiveness criteria in the Good Practice Guidelines and specifically includes: i. mechanisms to monitor and clean screening surfaces to ensure they do not become clogged with material; ii. a programme to monitor and detect any damage to screening surfaces, seals, and movement operation of the screens; iii. Mechanisms to remediate any damage to address (ii) above, to ensure repairs occur within 48 hours; and iv. A programme to undertake monitoring and maintenance of the fish bypass and fish bypass discharge point to achieve conditions (6) and 7(e) and (f).	RDRML proposes the retention of the draft conditions that reflect the standards of the NIWA Guidelines. The proposed amendments to (b) and (e) are considered appropriate. The addition of (h) (iii) and (iv) are considered appropriate and are adopted by RDRML, with the exception of a 48 hour period to repair any damage is not practical given the specifications of the screen and isolated nature of the site. It is noted that the screen can continue to fully function with a screen removed from the water for repair.	RDRML has proposed an amended condition.

	Amend condition 8 to replace 'fish exclusion device' with 'fish screen'.	RDRML agrees with the proposed amendment.	RDRML accepts proposed condition.
	Amend condition 9 to insert 'for certification prior to commencement of construction'.	RDRML agrees with the proposed amendment.	RDRML accepts proposed condition.
	<p>Insert a condition to require a Fish Screen Management Plan as follows:</p> <p><u>9A Prior to the installation of the fish screen, a Fish Screen Management Plan (FSMP) shall be prepared by a suitably qualified and experienced fisheries ecologist with experience in salmonid and native fisheries and fish exclusion, in consultation with Central South Island Fish and Game. The Fish Screen Management Plan shall set out methods and timeframes for monitoring of the function and effectiveness of the fish screen and fish bypass to demonstrate compliance with conditions (6) and (7). The monitoring programme shall include:</u></p> <ul style="list-style-type: none"> <u>a. Methods to obtain field measurements to demonstrate velocities are being achieved as required by conditions 7(c) and (d);</u> <u>b. Methods to demonstrate the effectiveness of the fish bypass in attracting and conveying fish; and</u> <u>c. Methods and a programme for verifying, by way of live fish trials, ongoing compliance with condition (6) that includes the full migration season for out-migrating salmon (ie 1 August to 31 July).</u> <p><u>The FSMP shall also include the Operations and Management Plan required by condition 7(h).</u></p> <p><u>The FSMP shall be provided to Canterbury Regional Council, Attention Regional Leader – Monitoring and Compliance for certification that it has been prepared in accordance with this condition, copy to Central South Island Fish and Game, prior to commencement of construction.</u></p>	RDRML agree with a condition providing for the development of a Fish Screen Management Plan. However consider that the period identified in (c) does not reflect all fish migration periods.	RDRML has proposed an amended condition.
	<p>Amend condition 10 to require monitoring of FSMP as follows:</p> <p><u>After installation of the fish screen referred to in condition (6) monitoring shall be undertaken in accordance with the FSMP to demonstrate compliance with conditions (6) and (7). Monitoring shall be undertaken or supervised by an appropriately qualified and experienced fisheries ecologist with knowledge of salmonid and native fisheries and fish exclusion. The results of each stage of monitoring shall be provided to Canterbury Regional Council, Attention Regional Leader – Monitoring and Compliance and Central South Island Fish and Game within one month of completion.</u></p>	RDRML accept the proposed amendments to the condition to reflect the development of a FSMP. It is considered appropriate to provide the monitoring to the Canterbury Regional Council, who can make it available to other interested parties.	RDRML has proposed an amended condition.

	<p>Replace condition 10A and introduce condition 10AA as follows:</p> <p><u>10A. In the event that the monitoring undertaken in accordance with condition (10) demonstrates that the fish screen does not achieve conditions (6) or (7), the consent holder shall immediately commission a report. The report shall be prepared by an appropriately qualified and experienced fisheries ecologist with knowledge of salmonid and native fisheries and fish exclusion, in consultation with Central South Island Fish and Game. The report shall recommend remedial action to be undertaken by the consent holder in order for fish screen to achieve compliance with conditions (6) and (7) and timeframes for completion of that remedial action. The report shall be provided to the Canterbury Regional Council, Attention Regional Leader – Monitoring and Compliance for certification that it has been prepared in accordance with this condition, copy to Central South Island Fish and Game, no later than three months after completion of the monitoring which identified non-compliance. Once the report is certified by the Regional Council, the consent holder shall implement the recommended remedial action within the timeframes recommended in the report.</u></p> <p><u>10AA. Following implementation of any remedial action required by condition (10A), the consent holder shall repeat the action required by condition (10), until compliance with conditions (6) and (7) has been demonstrated.</u></p>	<p>RDRML consider that a condition to report on the functioning of the screen and enable remedial actions to be taken to address compliance with the Fish Screen design criteria is appropriate. The provision of any such report should however be provided to the Canterbury Regional Council, who can make it available to other interested parties.</p>	<p>RDRML has proposed an amended condition.</p>
NZSAA	<p>Include a condition to insert a fish deflector above the RDR intake and locate the Fish Screen between the intake and canal, use live fish for testing of the screen efficiency, angler involvement in the verification process and the setting of testing protocols.</p>	<p>RDRML proposes to initiate the design and construction of the Fish Screen immediately following the issue of resource consent. The proposed conditions require compliance with the NIWA Guidelines and the Fish Screen Management Plan requires a comprehensive verification process to be completed.</p>	<p>RDRML has proposed amended conditions as identified in the response to the CSIFG comments on the FSMP.</p>
CRC182536 (Water Take for Fish Screen)			
CSIFG	<p>Amend condition 2 to read:</p> <p><u>Whenever water is being taken into the RDR, 5m³/s of water shall be taken for operation of the bypass, unless</u></p>	<p>RDRML proposes a staged abstraction regime to reflect the river values and based on the flow of the Rangitata River.</p>	<p>No change to proposed draft conditions.</p>

	<p>f. a lesser volume of water is being taken for the purposes of testing operation or the bypass in accordance with conditions 9A and 10 of CRC182542, or</p> <p>g. monitoring undertaken in accordance with conditions 9A and 10 of CRC182542 demonstrate, to the satisfaction of the Canterbury Regional Council, effectiveness of the fish bypass in attracting and conveying fish at a flows less than 5m³/s.</p>		
CRC170657 (Water Permit for Dam)			
CSIFG	Insert conditions regarding the development and implementation of a Water Quality Management Plan, including compliance with WCO water quality standards.	RDRML has proposed further amendments to the WQMP to incorporate monitoring for dissolved oxygen, pH, temperature, clarity, total carbon total nitrogen, total phosphorus and sediment anoxia.	RDRML has proposed an amended condition.
RWL	<p>Amend condition 21 to include: ... to cover all damage from negligence by the consent holder and/or by Act of God (i.e. earthquake)...</p> <p>Insert additional condition 21A: The consent holder shall not, at any time, fill, store or convey water through the Dam unless the public liability insurance required by condition 21 is current and in force.</p> <p>Amend condition 23 to make reference to Rangitata Water Limited</p>	RDRML considers that the currently proposed suite of insurance conditions provides appropriate coverage and no amendments are required.	No change to proposed draft conditions.
	<p>Insert additional condition 25A: The consent holder shall, prior to arranging the public liability insurance required by condition 21 consult with the parties identified by the final dam breach as affected by the worst case failure scenario, as to the value of their investments for insurance purposes.</p>	RDRML considers that the currently proposed suite of insurance conditions provides appropriate coverage and no amendments are required.	No change to proposed draft conditions.
	<p>Amend condition 26 to include: The consent holder shall provide a copy of the advice required by condition (25) to the Regional Leader - Monitoring and Compliance at the Canterbury Regional Council for review and comment. The Canterbury Regional Council shall provide a copy of the advice required by condition 25 to, and consult with, Rangitata Water Limited prior to providing any comment or suggestions to the consent holder. The consent holder shall, when establishing the public liability insurance required by condition (21), take account of, and provide for any comments and suggestions that are made by the Canterbury Regional Council.</p>	RDRML considers that the currently proposed suite of insurance conditions provides appropriate coverage and no amendments are required.	No change to proposed draft conditions.

	<p>Amend condition 28 to include:</p> <p>The limits of indemnity and coverage and terms of the public liability insurance policy put in place as a requirement of condition (22) are to be reviewed, by the consent holder, at least once every three years. If that review results in amendment or alteration to the insurance cover, then the consent holder shall provide a copy of the review and recommendations to the Canterbury Regional Council, Attention: Regional Leader - Monitoring and Compliance for certification that the amendments still achieve the requirements of conditions (21), (22) and (23). <u>The Canterbury Regional Council shall consult with Rangitata Water Limited prior to certifying the amended or altered insurance policy.</u> Any amendments to the insurance cover may only occur after the consent holder has received the Regional Council's certification.</p>	<p>RDRML considers that the currently proposed suite of insurance conditions provides appropriate coverage and no amendments are required.</p>	<p>No change to proposed draft conditions.</p>
	<p>Insert addition conditions as follows:</p> <p><u>WATER STORAGE</u></p> <p><u>3A The consent holder shall not take water into storage unless that water has first been offered to RWL under CRC134810 and in accordance with the conditions set out in this consent.</u></p> <p><u>3B The consent holder shall before the first exercise of this consent install a separate measuring device to continuously measure the rate of take into storage to within an accuracy of plus or minus ten percent.</u></p> <p><u>3C The rate of flow taken shall be recorded by electronic means, at no greater than fifteen-minute intervals, by a tamper-proof recording device such as a data logger. The recording device shall:</u></p> <p><u>a. be set to wrap the data from the measuring devices such that the oldest data will automatically be overwritten by the newest data; and</u></p> <p><u>b. store the entire year's data in each one 12 month period from 1 July to 30 June in the following year, which the consent holder shall then download and store in a commonly used format and provide, or make available, to the Canterbury Regional Council and RWL annually by 31 August and at any other time upon request; and</u></p> <p><u>c. Shall be connected to a telemetry system which collects and stores all the data continuously; and</u></p>	<p>RDRML is not proposing a water sharing agreement with RWL.</p>	<p>RDRML does not support the proposed conditions.</p>

	<p><u>d. no data in the recording device shall be deliberately changed or deleted.</u></p> <p><u>3D The measuring and recording devices shall be accessible by the Canterbury Regional Council at all times for inspection and/or data retrieval.</u></p>		
	Amend Condition 36 to include RWL.	RDRML does not consider it necessary to provide the draft Emergency Action Plan specifically to RWL. The NZSOLD Guidelines ensure that appropriate consideration of RWL's activities is given.	No change proposed to draft condition.
CRC182630 (To Use Water For Storage)			
RWL	Proposed conditions 3A to 3G should also be inserted into any consent, including CRC182630, which enables the take to storage of RDRML's existing run of river take and use consents to ensure that any effect on RWL's CRC134810 is avoided.	RDRML considers that resource consent for the storage of water is not required and the proposal does not result in an adverse effect on RWL's consent CRC134810.	No conditions are necessary.
	The Applicant has not proposed any conditions for this proposed consent. If CRC182630 is granted to enable the take to storage of water taken under the existing RDRML run of river consent CRC011237 (or any subsequent replacement consent), RWL requests that appropriate conditions are imposed which are consistent with its legal submissions, evidence and proposed amendments above.	RDRML considers that resource consent for the storage of water is not required.	No conditions are necessary.
CRC182631 (To use water under CRC170654 for storage, irrigation, and stockwater purposes, and to generate electricity at Montalto and Highbank Power Stations)			
RWL	The Applicant has not proposed any conditions for this proposed consent. If CRC170654 is granted as a take, use and store consent, or CRC182631 is granted separately to enable the use and storage of the flood flow take, RWL requests that it is granted with appropriate conditions which are consistent with RWL's legal submissions, evidence and proposed amendments to the conditions for CRC170654 above.	The resource consent applications enable the use of the water in the Dam for existing consented activities. These existing resource consents include conditions.	No conditions are necessary.
CRC170652 (Earthworks for Dam)			
Peel Forest Advocates Group	Require the monitoring associated with the ERPMP and LMP to be undertaken over a period of 15 years, rather than the 5 years proposed.	RDRML considers that based on the expert advice it has received, the proposed relocation and monitoring programme is appropriate.	No change proposed to draft condition.
CRC182541 (Emergency Discharge)			

CSIFG	<p>Insert additional conditions requiring:</p> <ul style="list-style-type: none"> • Adherence to the water quality standards in clause 11 WCO; • Monitoring of water quality within the storage pond (as for CRC170657); • Monitoring of receiving water quality in the Rangitata River; • Adaptive management responses in the event that receiving water quality does not meet the standards in clause 11 WCO 	RDRML has proposed an additional condition requiring the discharge to meet water quality standards of the WCO. It is noted that resource consent CRC170657 requires the monitoring of water in the Dam to meet the WCO standards. RDRML does not consider that monitoring of the water quality of the Rangitata River prior to the testing discharges is necessary.	RDRML has proposed an amended condition.
RWL	The proposed sediment monitoring and/or remediation conditions should be inserted into this consent for completeness. Emergency discharges, and emergency discharge testing has the potential to affect RWL's infrastructure.	RDRML is proposing a sediment monitoring condition associated with CRC170654 (Flood Flow Water Take). The testing of the control gate is infrequent and the volume of discharge limited.	No sediment monitoring condition to be included on resource consent (however is provided for in CRC170654).
Fish Screen Management Plan			
CSIFG	Proposed amendments to provide consistency with conditions of CRC182542.	RDRML notes that the outcomes of the FSMP are directly linked to the proposed conditions of CRC182542.	The FSMP will be developed in accordance with the conditions of resource consent CRC182542.
ADC – LUC16/0067			
WWNZ	<p>Amend condition 22.3 regarding the design of the WWC as follows:</p> <p>The consent holder shall:</p> <p>a. commission the design of the WWC by an internationally recognised firm with experience in the design, construction and operation of such facilities</p> <p>b. have Whitewater NZ and other interested parties assist in construction of the design brief and participate in the process, including interactions with the designer where appropriate, to confirm the final design</p> <p>c. require the course designer to oversee the construction of the course and any alterations to it to ensure it meets the design specification</p> <p>d. require the course designer to commission the course as soon as practicably possible once water is available in the pond to supply the Mayfield/Hinds/Valetta irrigation scheme.</p>	RDRML considers it important that the design of the WWC reflect the desires of the community and is designed appropriately. Amendments have been proposed to the wording of the draft conditions to address the matters that WWNZ are seeking, as well as the views of the wider community.	RDRML has proposed an amended condition.