HOLLAND BECKETT
LAW

30 May 2018

Canterbury Regional Council
PO Box 345
CHRISTCHURCH 8140

BY EMAIL
alison.cooper@ecan.govt.nz

Attention Alison Cooper

Dear Alison

Klondyke Storage - RDRML's final proposed consent conditions

1. In accordance with the directions of the Hearings Commissioners (Minute 7), we now **enclose** RDRML's final proposed consent conditions.

2. In respect of each of the consent suites, we **enclose**:

   (a) A table setting out the comments received on the last set of the applicant's conditions dated 11 May 2018;

   (b) A tracked change version of conditions; and

   (c) A clean version of conditions.

3. The comments in the tables are relatively fulsome but we highlight the following matters:

   (a) Ashburton District Council conditions

   The consent authority seeks conditions as to bonding for road related works, which the applicant does not propose to accept. On this issue, RDRML is an organisation that is long established and well-known into the community. Further, it has the financial resources to undertake the works required and appropriate insurance cover to provide for any other unforeseen situation. As such, RDRML does not consider that a bond associated with the road maintenance conditions is necessary.

   (b) Canterbury Regional Council – fish screen consents

   The main areas of contention in relation to the fish screen consents relate to the time for implementing the new fish screen and the minimum technical requirements applying through consent conditions. In respect of these matters:

   (i) The applicant proposes that the fish screen be implemented within 30 months.

   (ii) On the technical requirements applying through consent conditions to performance of the fish screen, the RDRML proposes that the conditions use the existing published guidelines as the appropriate compliance measure (rather than look to adapt or add to these). These are principally the NIWA (2007) Fish Screening: Good Practice Guidelines for Canterbury but as noted at the hearing, the relevant condition also refers to "and/or Schedule 2 of the

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Canterbury Land and Water Regional Plan" (condition 7 of consent CRC CRC182542).

(c) Canterbury Regional Council – storage pond consents

In relation to the storage pond consents, we highlight the following matters in relation to which we comment as follows:

(i) Sediment. The fine sediment monitoring conditions (conditions 10A.1-10A.3 of consent CRC170654) received commentary from various parties. RDRML considers that it has accommodated most comments but notes that:

(1) RDRML consider that the monitoring of the river between the Arundel Bridge and river mouth is best addressed through a collaborative approach with other agencies and organisations that have a particular relevance to this reach, such as the Canterbury Regional Council and Rangitata Water Limited. However, in order to ensure that the methodology and reporting for the whole of the river is considered in a holistic manner, RDRML propose that the development of the monitoring regime for the river from the RDR intake to the mouth be developed as part of the (River Fine Sediment Management Plan (**RFSMP**). The implementation of the RFSMP shall be undertaken by RDRML, for the reach between the RDR intake to the Arundel Bridge, with the remaining section to the river mouth to be completed by other parties.

(2) RDRML note that a number of submitters have requested an 'adaptive management/cascade approach' be included in the condition to ensure that should effects on the environment from the activity be identified, changes are made to amend operations and address the effect. Such a provision is included under the terminology 'cascade of management responses'.

(ii) Geomorphology. Very few comments were received on this condition (condition 10B of consent CRC170654) which appears to be agreed.

(iii) Emergency discharge water quality. Comments were received on monitoring associated with the emergency discharge of water and the appropriate parameters for that. RDRML's proposal is to make the relevant conditions consistent with the Water Conservation (Rangitata River) Order 2006 as the principal statutory instrument applicable to that water body.

(iv) Whitewater New Zealand (WWNZ) comments. WWNZ has commented on a number of matters and RDRML considers that it has reasonably accommodated WWNZ's comments. We note that in relation to the flood flow take, RDRML has adopted WWNZ's proposed approach to the key flow conditions (conditions 5 (Options A and B) of consent CRC170654).

4. RDRML requests that the Hearing Commissioners grant the resource consents subject to the conditions proposed by RDRML (with its preference for consent CRC170654 being Option A).

Yours faithfully
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