

## Attachment B – Proposed Consent Conditions (Updated 12 September 2024)

Note: The base set of conditions presented in this document are as per Attachment B of the evidence in chief of Daniel James Murray dated 3 September 2024. Further updates made to the conditions since this time are shown as tracked changes (additions and ~~deletions~~). **Highlights** indicate matters or cross-referencing which will need to be finalised by Environment Southland.

### Water permit (Section 14 RMA)

Purpose: To take, use, and divert water Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments
<b>General</b>			
1.	<p><del>a. Except as provided for in the conditions below and subject to any final design, the Manapōuri Lake Control Improvement Project (MLCIP) shall be constructed, operated and maintained in general accordance with:</del></p> <p><del>i) The Assessment of Effects on the Environment prepared by Tonkin + Taylor Limited dated December 2023 including all reports and drawings contained therein and the methodology detailed in “Construction Planning – Proposed Methodology” prepared by Damwatch Engineering Limited dated December 2023, and</del></p> <p><del>ii) The further information response under Meridian Energy Limited letterhead dated 4 June 2024 and appendices contained therein.</del></p> <p><del>a. Where there may be an inconsistency between the documents referred to in clause (a) above and the requirements of these conditions, these conditions shall prevail.</del></p> <p><i>[Condition deleted but condition numbering temporarily preserved to maintain internal cross-referencing etc]</i></p>	Condition 1 deleted in its entirety and replaced with an updated Condition 2.	Support this being deleted new condition is clearer.

Purpose: To take, use, and divert water Duration: 35 years	Explanation for proposed revisions made since evidence submission	TAMI comments
<p>2. <u>This resource consent authorises the take, use, and diversion of water as required to construct, operate and maintain the Manapōuri Lake Control Improvement Project at or about map reference NZTM E1186072 N4935093 and as shown on Figure 1 attached to and forming part of this consent. The activities authorised under this consent are:</u></p> <p><b><u>Construction works</u></b></p> <p><u>a. Take and use surface and ground water for dewatering and dust suppression; and</u></p> <p><u>b. Divert drainage water and stormwater associated with implementing erosion and sediment controls measures.</u></p> <p><b><u>Operational and maintenance activities</u></b></p> <p><u>c. Partially divert surface water in the Waiau Arm into the completed parallel channel; and</u></p> <p><u>d. Divert drainage water and stormwater associated with permanent structures, drainage features, and erosion and sediment controls measures.</u></p> <p><del>This resource consent authorises the take, use, and diversion of water as required to construct, operate and maintain the MLCIP, including for the purposes of:</del></p> <p><del>a. On a temporary basis, facilitating construction and maintenance activities, including within and in proximity to wetlands and for dewatering, dust suppression, and erosion and sediment control activities, and</del></p> <p><del>a. On a permanent basis, diverting some of the surface water in the Waiau Arm into the parallel channel.</del></p>	<p>Condition updated to more clearly delineate construction works and operational/ maintenance activities, and provide greater specificity around the authorised works.</p> <p>Activities subject to MTADA are intentionally omitted from this description.</p>	
<p>3. This resource consent shall be exercised in conjunction with Discharge Permit <b>[consent reference]</b> (or any subsequent variation versions).</p>		

Purpose: To take, use, and divert water Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments
4.	The Consent Holder shall comply with Schedule 1: General Conditions attached to and forming part of this consent.		

## Discharge permit (Section 15 RMA)

Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water. Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments
<b>General</b>			
1.	<p><del>a. Except as provided for in the conditions below and subject to any final design, the Manapōuri Lake Control Improvement Project (MLCIP) shall be constructed, operated and maintained in general accordance with:</del></p> <p><del>i) The Assessment of Effects on the Environment prepared by Tonkin + Taylor Limited dated December 2023 including all reports and drawings contained therein, and the methodology detailed in "Construction Planning – Proposed Methodology" prepared by Damwatch Engineering Limited dated December 2023, and</del></p> <p><del>ii) The further information response under Meridian Energy Limited letterhead dated 4 June 2024 and appendices contained therein.</del></p> <p><del>a. Where there may be an inconsistency between the documents referred to in clause (a) above and the requirements of these conditions, these conditions shall prevail.</del></p> <p><i>[Condition deleted but condition numbering temporarily preserved to maintain internal cross-referencing etc]</i></p>	Condition 1 deleted in its entirety and replaced with an updated Condition 2.	Support this being deleted new condition is clearer.
2.	<p><del>This resource consent authorises the discharge of water and sediment to water, and to land in circumstances where it may enter water, as required to construct, operate and maintain the Manapōuri Lake Control Improvement Project at or about map reference NZTM E1186072 N4935093 and as shown on Figure 1 attached to and forming part of this consent. The activities authorised under this resource consent are:</del></p> <p><b><u>Construction works</u></b></p>	<p>Condition updated to more clearly delineate construction works and operational/ maintenance activities, and provide greater specificity around the authorised works.</p> <p>Activities subject to MTADA are intentionally omitted from this description.</p>	

<b>Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water.</b> <b>Duration: 35 years</b>	<b>Explanation for proposed revisions made since evidence submission</b>	<b>TAMI comments</b>
<p><u>a. Discharge suspended sediment to surface water from the disturbance and excavation of the bed of the Waiau Arm and riparian margins during parallel channel excavation activities;</u></p> <p><u>b. Discharge water and sediment to land, in circumstances where it may enter water, from development of (and where relevant, disestablishment and/or rehabilitation of) the Contractor's Establishment Area, Spoil Disposal Area, haul road, bunding, drainage features, erosion and sediment control measures, dewatering, and dust suppression activities.</u></p> <p><b><u>Operational and maintenance activities</u></b></p> <p><u>c. Discharge suspended sediment to surface water from the disturbance and excavation of the bed of the Waiau Arm, parallel channel, and riparian margins during maintenance activities, namely the removal of gravel and bed material, as necessary to maintain the parallel channel, and the existing channels of the Waiau Arm upstream of and around the confluence with the Mararoa River at the Manapouri Lake Control Structure;</u></p> <p><u>d. Discharge water and sediment to land, in circumstances where it may enter water, from permanent structures, drainage features, and erosion and control measures.</u></p> <p><del>This resource consent authorises the discharge of water, suspended sediment, and deposited fine sediment to land and water as required to construct, operate and maintain the MLCIP.</del></p>		
<p>3. This resource consent shall be exercised in conjunction with Water Permit [consent reference] (or any subsequent variation versions).</p>		
<p>4. The Consent Holder shall comply with Schedule 1: General Conditions attached to and forming part of this consent.</p>		
<p><b>Definitions used in this resource consent</b></p>		

<b>Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water.</b> <b>Duration: 35 years</b>	<b>Explanation for proposed revisions made since evidence submission</b>	<b>TAMI comments</b>
<p>5. In the conditions of this resource consent:</p> <ul style="list-style-type: none"> <li>a. “Parallel channel excavation works” means the construction of the parallel channel.</li> <li>b. “Maintenance activities” means those activities, including removal of gravel and bed material, as necessary to maintain the parallel channel, and the existing channels of the Waiau Arm upstream of and around the confluence with the Mararoa River at MLC, in general accordance with their constructed dimensions.</li> <li>c. “Duration of the parallel channel excavation works” means from the commencement of excavation works in the parallel channel to the conclusion of excavation works on the parallel channel including a period ending 5 days (120 hours) after the parallel channel is made fully open to the Waiau Arm.</li> <li>d. The “upstream monitoring site” (UMS) means the existing site monitored by Meridian Energy Limited in the Maraora River at the Cliffs <u>at or about map reference NZTM E1186690 N4935750 and as shown on Figure 1 attached to and forming part of this resource consent</u> <del>[map reference TBC – as per Figure 5.5 of this AEE]</del>,</li> <li>e. The “downstream monitoring site” (DMS) means the existing site monitored by the Southland Regional Council upstream of the confluence of the Excelsior Stream with the Lower Waiau River <u>at or about map reference NZTM E1185763 N4933776 and as shown on Figure 1 attached to and forming part of this resource consent</u> <del>[map reference TBC – as per Figure 5.5 of this AEE]</del>,</li> <li>f. “Total turbidity” shall be calculated by subtracting the mean hourly turbidity reading at the UMS from the same mean hourly turbidity reading at the DMS,</li> <li>g. “Deposited fine sediment” (DFS) means sediment less than 2 mm in diameter, and</li> <li>h. “Baseline DFS” is to be determined in accordance with condition [10].</li> </ul>	<p>Map references for the monitoring sites now included, noting these sites are also labelled on Figure 1 which is proposed to be included in the consent documents.</p>	

Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water. Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments										
<b>Parallel channel excavation works: Turbidity thresholds for the Lower Waiau River</b>													
6.	<p><b>Total turbidity</b> generated for the <b>duration of the parallel channel excavation works</b>, as attributable to the works, shall not exceed the maximum total hours for any of the following Formazin Nephelometric Units (FNU) thresholds:</p> <table border="1"> <thead> <tr> <th>FNU threshold</th> <th>Maximum total hours</th> </tr> </thead> <tbody> <tr> <td>&gt;330</td> <td>36</td> </tr> <tr> <td>&gt;160 to ≤330</td> <td>95</td> </tr> <tr> <td>&gt;30 to ≤160</td> <td>504</td> </tr> <tr> <td>&gt;12.4 to ≤30</td> <td>945</td> </tr> </tbody> </table>	FNU threshold	Maximum total hours	>330	36	>160 to ≤330	95	>30 to ≤160	504	>12.4 to ≤30	945	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
FNU threshold	Maximum total hours												
>330	36												
>160 to ≤330	95												
>30 to ≤160	504												
>12.4 to ≤30	945												
7.	<p>a. <del>To the extent reasonably practicable, <b>Total turbidity generated</b></del> for the <b>duration of the parallel channel excavation works</b>, as attributable to the works, shall not exceed the maximum consecutive hours for any of the following Formazin Nephelometric Units (FNU) thresholds:</p> <table border="1"> <thead> <tr> <th>FNU threshold</th> <th>Maximum consecutive hours</th> </tr> </thead> <tbody> <tr> <td>&gt;330</td> <td>12</td> </tr> <tr> <td>&gt;160 to ≤330</td> <td>32</td> </tr> <tr> <td>&gt;30 to ≤160</td> <td>168</td> </tr> <tr> <td>&gt;12.4 to ≤30</td> <td>315</td> </tr> </tbody> </table> <p>b. <del>In clause (a), in the event <b>total turbidity</b> reaches 95% of the maximum consecutive hours in any FNU threshold in condition (7)(a), the Consent Holder shall implement measures which are reasonably practicable to prevent the limits being reached, which</del> may include but are not limited to:</p> <ol style="list-style-type: none"> <li>i. Temporarily suspending work on the <b>parallel channel excavation works</b>, and/or <ul style="list-style-type: none"> <li>• <del>Increasing the duration of the initial first flush discharge from the parallel channel as it is opened to the Waiau</del></li> </ul> </li> </ol>	FNU threshold	Maximum consecutive hours	>330	12	>160 to ≤330	32	>30 to ≤160	168	>12.4 to ≤30	315	<p>Updated to provide improved clarity around total turbidity limits (consecutive hours) and actions which would be required in the event limits are approached.</p> <p>Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.</p>	
FNU threshold	Maximum consecutive hours												
>330	12												
>160 to ≤330	32												
>30 to ≤160	168												
>12.4 to ≤30	315												

Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water. Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments
	<del>Arm</del> Releasing a flushing flow down the Lower Waiau River from the Manapouri Lake Control Structure-		
8.	In condition [6], an FNU threshold may be exceeded for more than the total maximum hours stated, provided that there is a concomitant reduction in the total maximum hours provided for in the next highest FNU threshold.	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
9.	In the event that <b>total turbidity</b> does not exceed 160 FNU for a period of at least 180 consecutive days, the turbidity thresholds set out in Condition [6] will be reset to their original maximum total hours.	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
<b>Parallel channel excavation works: Deposited fine sediment (DFS)</b>			
10.	The Consent Holder shall measure <b>DFS</b> at the <b>DMS</b> weekly for a period of at least six weeks prior to commencing the <b>parallel channel excavation works</b> . The mean average <b>DFS</b> recorded during this period will be the " <b>baseline DFS</b> ".	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
11.	The Consent Holder shall measure <b>DFS</b> weekly at the <b>DMS</b> for the <b>duration of the parallel channel excavation works</b> and eight weeks thereafter, and document any changes to <b>DFS</b> relative to the <b>baseline DFS</b> . These changes shall be determined by using a rolling average of <b>DFS</b> measurements at the <b>DMS</b> over a four week period.	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
12.	If an additive increase of more than 20% cover in <b>DFS</b> above the <b>baseline DFS</b> at the <b>DMS</b> is observed which is attributable to fine sediment generated by <b>parallel channel excavation works</b> (attribution to be determined in accordance with condition [13] the Consent Holder shall adopt reasonably practicable measures to avoid, remedy or mitigate this effect. This includes but is not limited to: a. Releasing sufficient flow through the Manapōuri Lake Control Structure to mobilise <b>DFS</b> at the <del>downstream monitoring site</del> <b>DMS</b> ; b. Temporarily suspending work on the <b>parallel channel excavation works</b> ; and	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	



Purpose: To discharge contaminants to water and to land in circumstances where contaminants may enter water. Duration: 35 years		Explanation for proposed revisions made since evidence submission	TAMI comments
	c. Increasing the duration of the initial first flush discharge from the parallel channel as it is opened to the Waiau Arm.		
13.	An increase of 20% cover in <b>DFS</b> at the <b>DMS</b> will be considered attributable to the <b>parallel channel excavation works</b> if turbidity measured at the <b>DMS</b> minus turbidity measured at the <b>UMS</b> has exceeded 30 FNU for more than 37 hours consecutively during the preceding week.	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
<b>Maintenance activities</b>			
14.	Throughout the term of this consent, the Consent Holder shall ensure the parallel channel is maintained in general accordance with its as-built dimensions by periodically removing any build-up of gravel or other material within the parallel channel.		
15.	When undertaking <b>maintenance activities</b> , the Consent Holder shall: <ul style="list-style-type: none"> <li>a. Adopt all practicable measures to minimise the use of any machinery in flowing water and minimise generation of suspended sediment; and</li> <li>b. Deposit any excavated material in the existing spoil stockpile area.</li> </ul>	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	
16.	Any increase in turbidity in the Lower Waiau River, as measured at the <b>DMS</b> , as a result of <b>maintenance activities</b> shall not exceed 160 FNU for more than 12 consecutive hours, and must not exceed 330 FNU at any time.	Terms which are defined elsewhere in these resource consents are now bolded and underlined to improve clarity.	

## Schedule 1: General Conditions

General		Explanation for proposed revisions made since evidence submission	TAMI comments
1.	In the conditions of Water Permit [consent reference], Discharge Permit [consent reference], and Schedule 1: General Conditions, a Suitably Qualified Person means a person (or persons) who can provide sufficient evidence to demonstrate their suitability, competence, and experience in the relevant field of expertise.		
2.	<p>For the management plans referred to in conditions 11 and 16:</p> <p>a. At least 15 working days prior to implementation of the management plans, a copy shall be provided to the following parties for their information:</p> <ul style="list-style-type: none"> <li>• Southland Regional Council Compliance Manager,</li> <li>• Department of Conservation,</li> <li>• Guardians of Lakes Manapōuri, Monowai and Te Anau,</li> <li>• Te Ao Marama Inc,</li> <li>• Waiau Fisheries and Wildlife Habitat Enhancement Trust,</li> <li>• Waiau Rivercare Group, and</li> <li>• Waiau Working Party.</li> </ul> <p>b. The management plans shall be independently reviewed by a Suitably Qualified Person(s), with evidence of that review being provided in the management plan provided to the parties in condition (B2)(a).</p> <p><del>b.c.</del> <u>In the event that the management plans are materially updated or amended during or following construction works, an updated copy shall be provided to parties in condition (2)(a) for their information.</u></p>	<p>Fixed cross-reference.</p> <p>New clause (c) added to require any materially updated management plan to be provided to the relevant parties.</p>	<p>TAMI would like to be able to provide feedback to these draft plans and for that to be incorporated or explained why not.</p> <p>Currently the condition is for your information only.</p>
<b>Ecology (general)</b>			
3.	Except where authorised by Water Permit [consent reference] and Discharge Permit [consent reference], activities within		

General		Explanation for proposed revisions made since evidence submission	TAMI comments
	flowing water are to be minimised as far as reasonably practicable.		
4.	<p>a. All fuel storage or machinery refuelling shall occur outside the bed of the lake or river,</p> <p>b. All equipment, machinery, or operating plant shall be cleaned before entering, and leaving the site, in accordance with Biosecurity New Zealand's "Clean, check, dry" hygiene procedures for machinery, and</p> <p>c. All equipment, machinery, operating plant and debris associated with the structure or bed disturbance activity shall be removed from the site following completion of the parallel channel excavation works.</p> <p><i>Advice Note: Biosecurity New Zealand's hygiene procedures are available at <a href="http://www.biosecurity.co.nz">www.biosecurity.co.nz</a> and are intended to prevent the spread of pests and unwanted organisms as defined in the Biosecurity Act 1993, including <i>didymosphemia geminate</i>.</i></p>		
<b>Avifauna</b>			
5.	<p>a. Within 10 days prior to the commencement of construction works (including establishment works) occurring during the period commencing 15th September and ending 31st January (inclusive), a survey shall be undertaken by a Suitably Qualified Person to determine if any black fronted tern, black billed gull, banded dotterel, black fronted dotterel, or New Zealand pipit are nesting within the footprint to be disturbed by the works during that period.</p> <p><del>b.</del> No works shall occur within 50 m of a nesting bird identified in the survey in clause (a). Once nesting is complete, the 50 m exclusion zone at that nest no longer applies.</p> <p><del>b-c.</del> <u>The survey results from clause (a) shall be provided to the Consent Authority prior to commencement of construction works.</u></p>	New clause added to ensure survey results are provided to Environment Southland prior to construction works commencing.	
<b>Buchanan's sedge</b>			
6.	The Consent Holder shall undertake translocation and planting of Buchanan's sedge plants located within the Project Site, in		

General	Explanation for proposed revisions made since evidence submission	TAMI comments	
<p>accordance with clauses (a) to (e) below, to achieve no net loss of Buchanan's sedge plants within the Project site.</p> <ul style="list-style-type: none"> <li>a. Prior to the commencement of parallel channel excavation works, Buchanan's sedge plants within the construction footprint shall be transplanted into suitable habitat within the Project site but outside the construction footprint. Translocation shall follow best practice methods for transplanting sedges.</li> <li>b. Seed shall be collected from Buchanan's sedge plants within the Project site, if practicable, (or else within the Upukeroroa Ecological District) and provided to a commercial nursery to raise a minimum of 100 plants.</li> <li>c. Within 12 months of the completion of parallel channel excavation works, a minimum of 100 nursery-raised plants shall be planted into suitable habitats within the Project site. The number of translocated and nursery-raised Buchanan's sedge plants shall be recorded and their locations marked using a handheld GPS.</li> <li>d. The Consent Holder shall monitor the survival of translocated and nursery-raised Buchanan's sedge plants for 12 months after the nursery-raised plants have been planted.</li> <li>e. Within 10 working days of completion of the monitoring in clause (d), a brief report shall be prepared by a Suitably Qualified Person and provided to the Consent Authority. The monitoring report will include: <ul style="list-style-type: none"> <li>i. The number of surviving translocated and nursery raised Buchanan's sedge plants.</li> <li>ii. A map of the locations of the translocated and nursery raised Buchanan's sedge plants.</li> <li>iii. An overall statement on compliance with this condition (condition 6).</li> </ul> </li> </ul>			
<b>Freshwater Fauna</b>			
7.	At the following times and locations, and subject to condition (8), fish and kākahi potentially affected by the parallel channel excavation works shall be recovered and relocated, by a		TAMI/rūnaka to be invited to this to participate.

General	Explanation for proposed revisions made since evidence submission	TAMI comments
<p>Suitably Qualified Person(s), to identified suitable donor and receiving habitat:</p> <ul style="list-style-type: none"> <li>a. A maximum of three (3) days prior to any disturbance work or temporary closure of the lacustrine channels of the Waiau Arm;</li> <li>b. A maximum of three (3) days prior to establishing the Stage 3 breakouts during parallel channel excavation; and</li> <li>c. A maximum of three (3) working days prior to excavation or bunding work in the lagoon area.</li> </ul>		
<p>8. Except where condition (9) applies, the recovery required by condition (7) must continue until:</p> <ul style="list-style-type: none"> <li>a. A catch rate of less than 10% of the first or second (whichever is the greater) recovery event is achieved; and</li> <li>b. No brown trout, rainbow trout, or 'Threatened or At-risk' species are captured.</li> </ul>		
<p>9. Where fish numbers are low, such that compliance with condition (8)(a) cannot be achieved, the recovery must be completed as directed by a Suitably Qualified Person(s).</p>		
<p>10. Where pest fish species and exotic fish (with the exception of sports fish) are captured, they must be humanely euthanised and not relocated.</p>		
<p>11. A Freshwater Fauna and Management Plan (FFMP) must be prepared and implemented by a Suitably Qualified Person(s). The purpose of the FFMP is to demonstrate how effects on fish and kākahi will be minimised during the parallel channel excavation works and future maintenance activities. The FFMP must include at least, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Identification of key personnel undertaking the implementation of the FFMP, including their roles and responsibilities;</li> <li>b. For parallel channel excavation works: <ul style="list-style-type: none"> <li>i. Identification of suitable donor and receiving habitat for fish and kākahi that is not affected by the parallel channel excavation works;</li> </ul> </li> </ul>		

General		Explanation for proposed revisions made since evidence submission	TAMI comments
	<ul style="list-style-type: none"> <li>ii. Industry best practice methodologies, protocols and timing for recovery and relocation, which may include (but are not limited to) electro-fishing (including targeted larval lamprey electric fishing methods), trapping, spotlighting and netting, and dewatering and muck out;</li> <li>iii. Storage and transport measures including minimisation of predation and death during salvage; and</li> <li>iv. Euthanasia methods for diseased or pest species.</li> <li>c. For maintenance activities, a specific section outlining the measures to minimise effects on fish and kākahi in areas where surface water is present at the time of maintenance activities.</li> <li>d. For all works: <ul style="list-style-type: none"> <li>i. Guidance on fish migration and spawning times;</li> <li>ii. Placement of appropriate fish screens on the inlets of any pumps used; and</li> <li>iii. Measures to minimise effects on fish and kākahi from construction activities, including with respect to construction lighting.</li> </ul> </li> </ul>		
12.	The FFMP under condition (11) shall be adhered to throughout the parallel channel excavation works and maintenance activities.		
13.	<p>The Consent Holder shall provide written confirmation to the Consent Authority from a Suitably Qualified Person:</p> <ul style="list-style-type: none"> <li>a. At least 10 working days prior to the commencement of parallel channel excavation works, that the design of any permanent culverts within the lacustrine channels of the Waiau Arm is generally consistent with the principles of good fish passage design in Section 3.4 of the 'New Zealand Fish Passage Guidelines: For structures up to 4 metres, 2018'; and</li> <li>b. Within 6 months of the completion of the parallel channel excavation works, that the culverts have been installed</li> </ul>		Remove generally, the culverts should be consistent with the fish passage guidelines.

General		Explanation for proposed revisions made since evidence submission	TAMI comments
	accordance with the designs referred to in condition [13](a).		
<b>Wetland remediation</b>			
14.	<p>To remediate the removal of Wetland 1 (<a href="#">shown on Figure 2 attached to and forming part of this resource consent</a>), within 12 months of the completion date of the parallel channel excavation works, the Consent Holder shall implement wetland remediation, in accordance with clauses (a) to (c) below, to achieve no net loss of indigenous Juncus rushland marsh within the Project site.</p> <p>a. Juncus sarophorus, Juncus edgariae and Carex virgata shall be planted over a minimum area of 200m<sup>2</sup>, with that area meeting the following further criteria:</p> <p>i. Located within the area mapped as Wetland 3 (shown on <del>Attachment XXX</del><a href="#">Figure 2 attached to and forming part of this resource consent</a>).</p> <p>ii. Have hydrological conditions appropriate for the long-term survival of the three plant species.</p> <p>iii. Be generally comprised of exotic grasses or herbs.</p> <p>b. Plants shall be planted at spacings that, when mature, will achieve an overall cover of indigenous wetland plants that exceeds 65 percent vegetation cover across the wetland remediation site.</p> <p>c. At a period not exceeding three years following the completion date of the parallel channel excavation works, the Consent Holder shall provide to the Consent Authority a report from a Suitably Qualified Person setting out the extent to which the wetland remediation is achieving compliance with this condition, including confirmation that the overall percentage cover of indigenous wetland plant species within the wetland remediation site exceeds 65 percent.</p>	Condition updated to refer to Figure 2, which shows the locations of Wetlands 1 and 3.	TAMI would like report as well
<b>Water quality monitoring programme (WQMP)</b>			

General		Explanation for proposed revisions made since evidence submission	TAMI comments
15.	<p>a. In the first summer period (1 January to 31 March) following the completion of the parallel channel excavation works, the Consent Holder will prepare and implement a water quality monitoring programme (WQMP) for the detection of phytoplankton blooms in the parallel channel and existing channels (adjacent to the parallel channel).</p> <p>b. The protocol for the WQMP shall be prepared by a Suitably Qualified Person and provided to the Consent Authority for its records prior to the implementation of the WQMP.</p> <p>c. The WQMP will consist of fortnightly measurements of water temperature, dissolved oxygen, water clarity, pH and chlorophyll a at two Representative Sites over <del>three</del> <u>five</u> consecutive summer periods (the 'Overall Monitoring Period'). <del>In the event fewer than five fortnightly measurements are taken in any given summer period, the Overall Monitoring Period shall be extended for one further summer period.</del></p> <p>d. For the purposes of clause (c), 'Representative Sites' means one site in the parallel channel and one site in the existing channel. The location of the Representative Sites shall be agreed in writing with the Consent Authority prior to the implementation of the WQMP.</p> <p>e. Within three working days of receiving notice that chlorophyll a has been detected in a sample at or above 5 mg/m<sup>3</sup>, the Consent Holder will release a flow of 35–45 cumecs for 24 hours across the Manapōuri Lake Control Structure into the Lower Waiau River.</p> <p>f. If two or more chlorophyll a readings are detected at levels at or above 5 mg/m<sup>3</sup> across the Overall Monitoring Period, a review (in the form of a written report) will be undertaken by a Suitably Qualified Person to consider whether further monitoring is required, and whether the flow release management response specified in clause [e] needs to be amended. The Consent Holder will provide</p>	Update made to clause (c) following further discussions with the Waiau Working Party.	TAMI to be kept updated on this condition.



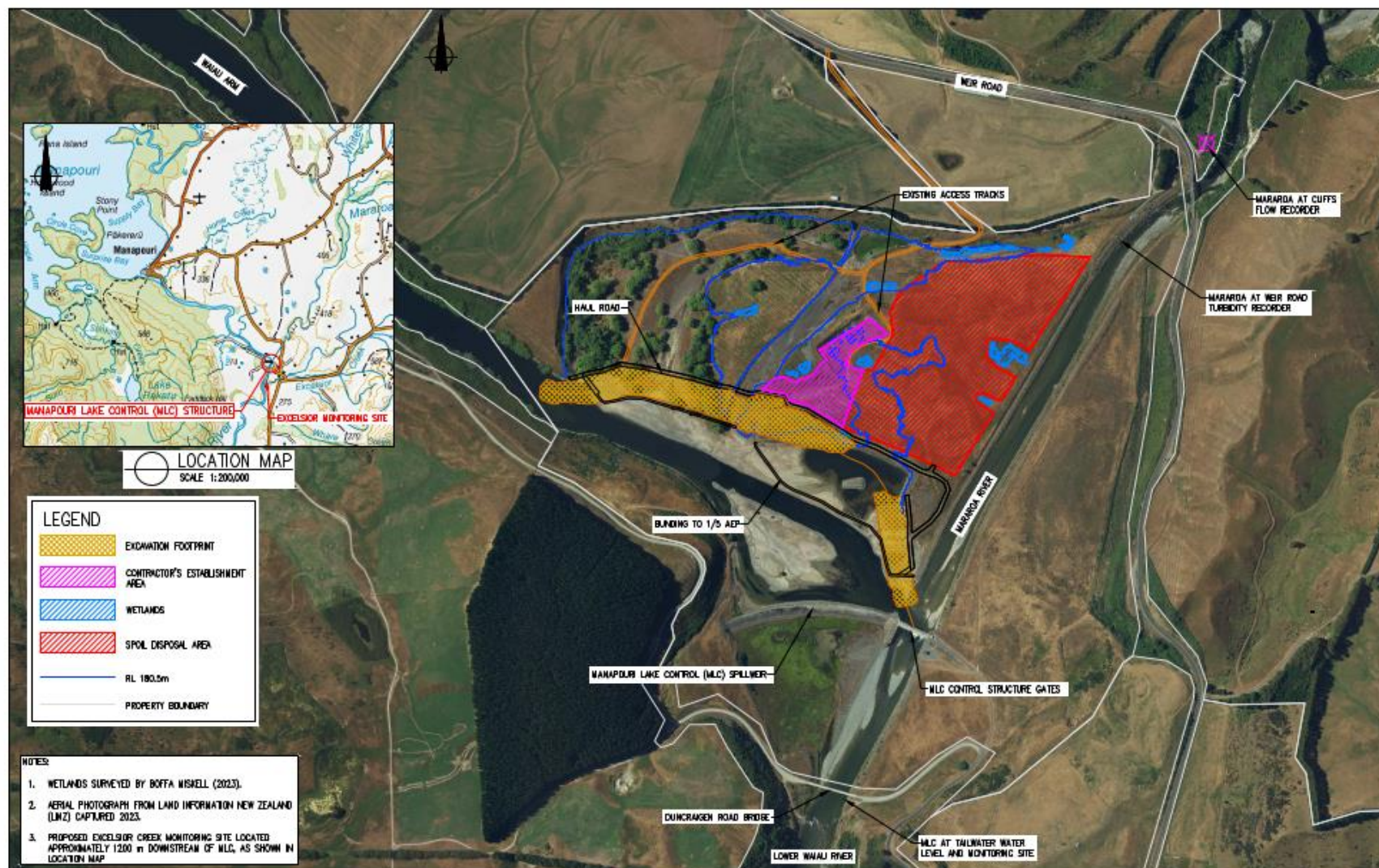
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	<p>the report to the Consent Authority within 6 months of the last fortnightly measurement in the WQMP being taken.</p> <p><i>Advice Note: For the avoidance of doubt, if fewer than two chlorophyll a readings are detected at levels at or above 5 mg/m3 across the Overall Monitoring Period, the WQMP under this condition shall cease.</i></p>		
<b>Erosion and sediment control</b>			
16.	<p>Land-based activities <u>(those activities not located in the bed of a river or lake)</u> associated with <del>these consents</del> <u>construction works and maintenance activities</u> shall be undertaken in accordance with an Erosion and Sediment Control Plan (ESCP). The ESCP shall be prepared by a Suitably Qualified Person and at minimum include details of:</p> <ol style="list-style-type: none"> <li>Appropriate structural and non-structural erosion and sediment control measures to be installed, <u>as the circumstances require</u>, before and during <del>all</del> <u>construction works and maintenance activities</u> to minimise the potential for sediment to enter surface water:</li> <li>Key environmental risks, particularly in relation to topography, soil type and form, and the receiving environment, including proximity to any sensitive receivers:</li> <li>The approach and procedures for ensuring advance warning of a rainfall event:</li> <li>Procedures for decommissioning the erosion and sediment control measures:</li> <li>Procedures for determining the staging and sequencing of earthworks:</li> <li>Methods for amending and updating the ESCP as required.</li> </ol>	Condition updated to ensure the ESCP addresses future maintenance activities.	
<b>Landscape and rehabilitation</b>			
17.	During parallel channel excavation works, all work areas shall be maintained in a tidy state. Following the completion of the		

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	parallel channel excavation works, all temporary buildings and structures, plant, machinery and equipment shall be removed (except machinery required for the works in conditions (18) and (19) below) and the site left in a tidy state.		
18.	Following the completion of parallel channel excavation works, the spoil disposal area, contractors establishment area, and any construction area in the Waiau Arm no longer required for permanent structures, shall be shaped and profiled to be sympathetic to the contours of the surrounding landscape and piles or humps shall be avoided.		
19.	The spoil disposal area and contractors' establishment area shall be rehabilitated within the next available planting season following the completion of the parallel channel excavation works. This rehabilitation shall achieve a final cover of pasture or similar vegetation.		
<b>Future gravel extraction from gravel stockpile cell</b>			
20.	Any future removal of gravel from the spoil disposal area shall be limited to within the defined 'gravel stockpile cell' as shown on <del>map X in Appendix X</del> <u>Figure 1 attached to and forming part of these resource consents</u> and shall be completed in sequential stages moving from south to north to facilitate progressive rehabilitation.		
21.	Once any future gravel removal from within the 'gravel stockpile cell' is complete, the resultant surface shall be scarified to promote plant growth and rehabilitated within the next available planting season. This rehabilitation shall achieve a final cover of pasture or similar vegetation.		
<i>Advice note for Conditions 20 and 21: Any future gravel removal and processing from the gravel stockpile cell may be subject to requirements of additional resource consents.</i>			
<b>Notifications, records and reporting</b>			

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22.	<p><u>The Consent Holder shall notify the Consent Authority in writing no less than ten working days prior to the following activities under these resource consents:</u></p> <p>a. <u>Commencing any construction works;</u>  b. <u>Removing the plugs from the parallel channel excavation during Stage 3 construction works;</u>  c. <u>Completion of construction works; and</u>  d. <u>Commencing any maintenance activities.</u></p> <p><del>The Consent Holder shall notify the Consent Authority in writing:</del>  a. <del>No less than ten working days prior to commencing any works under these resource consents; and</del>  e. <del>No less than ten working days after completion of the works under these resource consents.</del></p>	Updated to include additional notifications.	TAMI should be notified as well
23.	<p>The Consent Holder shall maintain a record of the following activities, and shall supply this record to the Consent Authority upon request:</p> <p>a. Turbidity and <del>deposited fine sediment</del><b>DFS</b> monitoring during <del>the parallel channel excavation</del><u>construction</u> works under Discharge Permit <b>[consent reference]</b>; and  b. A record of any incidents or complaints <u>during construction works and maintenance activities.</u></p>		
<del>24.</del>	<p><u>In the event of a non-compliance with conditions 6-13 of Discharge Permit <b>[consent reference]</b> during construction works the Consent Holder shall notify the Consent Authority immediately. The notification shall include a summary of the actions undertaken to address the non-compliance.</u></p>	New condition which requires Environment Southland to be notified in the event of any non-compliance with turbidity or DFS conditions during construction works.	
<b>Accidental discovery protocol</b>			
<u>24-25.</u>	<p>In the event of a discovery, or suspected discovery, of a site of cultural importance (Waahi Taonga/Tapu) during the exercise of this consent, the Consent Holder shall immediately cease operations in that location and inform the local iwi authority (Te Ao Marama Inc, office@tami.maori.nz). Operations may recommence at a time as agreed upon in writing with the Consent Authority. The discovery of Koiwi (human skeletal</p>		

General		Explanation for proposed revisions made since evidence submission	TAMI comments
	remains) or Taonga or artefact material (e.g. pounamu/greenstone) would indicate a site of cultural importance. [Appendix 1] outlines the process that is to be followed in the event of such a discovery.		
<b>Review</b>			
<u>25-26.</u>	<p>The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of these resource consents at five year intervals , or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, for the purposes of:</p> <ol style="list-style-type: none"> <li>a. Determining whether the conditions of these resource consents are adequate to deal with any adverse effect on the environment, including cumulative effects, which may arise from the exercise of the resource consents, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of these resource consents;</li> <li>b. Ensuring the conditions of these resource consents are consistent with any National Environmental Standards Regulations, relevant plans and/or the Environment Southland Regional Policy Statement;</li> <li>c. Requiring the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment arising as a result of the exercise of these resource consents.</li> </ol>		

**Figure 1: Key Features of the Manapouri Lake Control Improvement Project**



**Figure 2: Location of Wetlands 1 and 3**

