

Panel Draft Conditions

CRC262541 – Section 15 Consent to discharge contaminants to land or water

Meridian Energy: Response to draft conditions and comments

Condition

Scope

Note: This consent authorises the discharge of contaminants (including sediment-laden water, dust deposition, and incidental hydrocarbon discharges) to land and water arising from dam protection works at Lake Pūkaki between 510.5 and 518.0 m RL associated with the Lake Pūkaki Dam Resilience Works Project.

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General Conditions

1. All discharges to land and water authorised by this consent shall be located at Lake Pūkaki within the area identified as 'works area' on Plan CRC262541 at or about map reference NZTM 1371515E, 5103020N
2. Construction sequencing and staging shall occur in general accordance with Section 9.6 of the Rip-rap design and construction methodology report included with application FTAA-2510-1120. Specifically, it shall be as follows:
 - a. Tranche 1 – Main Dam (rip-rap placement 518.6 m RL to 514.5 m RL). Establish a key toe at 513.0 m RL
 - b. Tranche 1 – left and right abutment (rip-rap placement 517.0 m RL to 513.0 m RL)
 - c. Tranche 2 – Main Dam (rip-rap placement 513.0 m RL to 510.5 m RL)
 - d. Tranche 2 – Abutments (rip-rap placement 513.0 m RL to 510.5 m RL)
3. All practicable measures shall be undertaken to prevent oil and fuel leaks from vehicles and machinery including but not limited to:
 - a. There shall be no storage of fuel or refuelling of vehicles and machinery within 20 metres of flowing water or water bodies.
 - b. Fuel shall be stored securely or removed from the site overnight.
 - c. The pump shall be attended at all times during refuelling.
 - d. Drip trays shall be used at all times during refuelling.
 - e. A spill response kit shall be kept on site at all times.

EROSION AND SEDIMENT CONTROL PLAN

4. The Canterbury Regional Council shall be notified at least ten working days:
 - a. prior to commencement of works; and

- b. prior to the re-commencement of works, where works have been discontinued for more than 8 days.
 - c. Notification shall include:
 - d. Consent number.
 - e. Proposed start and end dates.
 - f. Name, address and contact telephone number of the person supervising the works.
5. Before discharging, the consent holder shall provide a copy of this consent to staff and contractors undertaking the activities authorised by this consent and explain to them how to comply with the conditions.
 6. Prior to the first exercise of this consent, the consent holder shall establish and maintain an Erosion and Sediment Control Plan ('ESCP') in accordance with the Canterbury Regional Council Erosion & Sediment Control Toolbox for Canterbury. The objective of the ESCP is to set out the measures to be implemented during construction to minimise as far as reasonably practicable the erosion and the discharge of sediment and other contaminants into Lake Pūkaki and the Pūkaki Riverbed.
 7. The ESCP shall include the following information as appropriate to the scale, location and type of earthworks:
 - a. contour information
 - b. erosion and sediment controls including specific design location, dimensions and capacity
 - c. details of measures to control sediment runoff, dust and the removal of soil, debris and other materials from public roads or places.
 - d. catchment boundaries for the sediment controls
 - e. discharge locations for each catchment/sediment control device
 - f. details of measures for managing any contaminated land
 - g. details of construction methods to be employed including timing and duration
 - h. identification of the suitably qualified persons to manage the erosion and sediment controls
 - i. maintenance requirements
 - j. reinstatement provisions
 - k. Provision for monitoring of any discharges including triggers that may warrant further management responses
 - l. practicable measures to be undertaken to prevent the spill of fuel, hydraulic fluid, or other potential liquid contaminants, including but not limited to requirements that:
 - i. No fuel may be stored, or vehicles or machinery refuelled within 20 metres of the lake or flowing water.
 - ii. Fuel, hydraulic fluid and other potential liquid contaminants shall be stored securely or removed from site overnight.

Advice Note: The Canterbury Regional Council Erosion & Sediment Control Toolbox for Canterbury can be found at <http://esc Canterbury.co.nz/>

8. Before first exercise of this consent, the consent holder must provide a copy of their proposed ESCP to the Canterbury Regional Council (attention: Manager Compliance) for confirmation that it complies with the conditions of this consent (the 'Approved ECSP'). If no response from Canterbury Regional Council is provided within 20 working days of submitting the plan for certification the consent holder shall proceed as if the plan has been approved.
9. The ESCP may be amended and changed by the consent holder provided such amendments are consistent with the objective of minimising any effects of sediment or construction on the lake environment. An amended ESCP shall be submitted to Canterbury Regional Council (attention: Manager Compliance) for confirmation that it complies with the conditions of this consent.
10. The consent holder may implement any amended ESCP after 20 working days of it being submitted for certification if Canterbury Regional Council has not notified the consent holder of its decision. If Canterbury Regional Council notifies the consent holder that the amended ESCP does not comply with the conditions of this consent the consent holder shall immediately revert (within 5 working days) to implementing the Approved ESCP.
11. When discharging in and adjacent to water, the consent holder shall, in accordance with the Erosion and Sediment Control Plan (ESCP), ensure that sediment losses to natural water are minimised where practicable and that silt control measures are in place.
12. During the period of the discharges, erosion and sediment controls shall be implemented to mitigate sedimentation effects associated with the construction of the rock armouring in accordance with the ESCP approved as the part of the grant of this consent.

TEMPORARY REINSTATEMENT OF THE SITE

13. In the event the lake is forecast to rise above the works level, and works remain incomplete, the consent holder shall ensure that work areas within the predicted area of inundation are rehabilitated to minimise any loss of material.

FINAL REINSTATEMENT OF THE SITE

14. Within 14 days of the final completion of rock armouring activities at the site:
 - a. All temporary deposits of gravel, sand and other natural material (including reject material) shall be levelled to the natural ground level or removed from site.
 - b. All created access ramps will be removed, and the area shall be reshaped and formed to a state consistent with the surrounding dam.
 - c. Any temporary structures and construction materials shall be removed.
 - d. Re-grassing of any remaining areas of bare ground to match the surrounding existing land.
 - e. Rock stockpile areas may be retained for other necessary maintenance works associated with other aspects of the Lake Pūkaki and related engineering structures.
15. In the event that any contaminated soil or material is uncovered by the works that has not been already identified, a contamination discovery protocol must be implemented, including but not limited to the following steps:
 - a. Earthworks within ten metres of discovered contaminant soil or material must cease immediately;

- b. All practicable steps must be taken to prevent the contaminated material becoming entrained in stormwater. Immediate steps must include, where practicable:
 - i. Diverting any stormwater runoff from surrounding areas away from the contaminated material; and
 - ii. Minimising the exposure of the contaminated material, including covering the contaminants with an impervious cover;
 - c. Notification of the Canterbury Regional Council (Attention: Contaminated Sites Manager), within 24 hours of the discovery;
 - d. Earthworks within ten metres of discovered contaminant soil or material must not recommence until a suitably qualified and experienced contaminated land practitioner (SQEP) confirms to Canterbury Regional Council (Attention: Compliance Manager), that continuing works does not represent a significant risk to the environment;
 - e. All records and documentation associated with the discovery must be kept and copies must be provided to the Canterbury Regional Council upon request.
16. Any material removed from the site during the works that is potentially or confirmed as contaminated, must be disposed of at a facility authorised to receive such material.
17. 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:
- a. Dealing with an adverse effect on the environment occurring as a result of the exercise of this resource consent; or
 - b. Requiring best practicable options to be adopted by the consent holder to remove or reduce any adverse effect on the environment as a result of the exercise of this resource consent; or
 - c. Requiring the consent holder to carry out monitoring and reporting instead of, or in addition to, that required by the resource consent; or
 - d. Requiring the consent holder to comply with a relevant rule in an operative regional plan.
18. If this consent is not exercised before (35 years – final date to align with duration) then it shall lapse in accordance with section 125 of the Resource Management Act 1991.

Advice Note: A 35-year duration was sought by Meridian as part of the Fast-track process. 'Exercised' is defined as implementing any requirements to operate this consent and undertaking the activity as described in these conditions and/or application documents.