

**Erection and Maintenance of River Discharge Structure and Bed Level Control – Conditions**

No.	Applicants Proposed Conditions	Horizons Condition and Comment						
	<p><b>Definitions:</b></p> <p>In the following conditions:</p> <table border="1" data-bbox="118 409 1389 546"> <tr> <td data-bbox="118 409 445 441">Land treatment area</td> <td data-bbox="445 409 1389 441">Means the land identified in Plan Number ? to which treated wastewater will be applied.</td> </tr> <tr> <td data-bbox="118 441 445 493">Treated wastewater</td> <td data-bbox="445 441 1389 493">Means secondary treated wastewater derived from the Permit Holder's Manawatu Processing plant's wastewater treatment and storage ponds.</td> </tr> <tr> <td data-bbox="118 493 445 546">Pond solids</td> <td data-bbox="445 493 1389 546">Means the solids that have settled out and been retained in the Permit Holder's Manawatu Processing plant's wastewater treatment ponds.</td> </tr> </table>	Land treatment area	Means the land identified in Plan Number ? to which treated wastewater will be applied.	Treated wastewater	Means secondary treated wastewater derived from the Permit Holder's Manawatu Processing plant's wastewater treatment and storage ponds.	Pond solids	Means the solids that have settled out and been retained in the Permit Holder's Manawatu Processing plant's wastewater treatment ponds.	
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	<b>General Requirements</b>							
1	<p>The activities authorised by this Land Use Consent are restricted to:</p> <ul style="list-style-type: none"> <li>a) The installation, operation, and maintenance, of pipelines and an outlet structure (at approximate map reference NZTopo50 BM34: 1819765E, 5543130N), within 8 metres of the true left bank of the Oroua River and Otoku Stream to convey treated wastewater;</li> <li>b) The installation, operation and maintenance of a bed level control structure in the bed of the Otoku Stream at and immediately upstream from its confluence with the Oroua River; and</li> <li>c) The associated temporary discharge of sediment during construction,</li> </ul> <p>on the property legally described as "legal river", ID 4105837 (47.2899 ha), being part of the Oroua River bed adjacent to and west of AFFCO New Zealand Ltd site.</p>							
2	<p>The Consent Holder must undertake the activities in general accordance with the information supplied in the consent application, the Assessment of Environmental Effects dated 31 March 2015 including all concepts, parameters, drawings, activity specifications, proposed mitigation measures, methods concerning how the activity will be conducted and the scale, character and intensity of effects. Where the information is inconsistent with the requirements of specific consent conditions, the conditions prevail.</p>							
3	<p>The Consent Holder must complete the construction and commissioning of the works authorised by condition 1(a)-(c) within 4 years from commencement of this consent.</p>							
	<b>Design and Construction</b>							
4	<p>The Consent Holder must ensure the proposed pipeline, outfall structure and bed level control structure is designed in accordance with the Manawatu-Whanganui Regional Council's engineering requirements.</p>							
	<b>Pre-Construction Requirements</b>							
5	<p>At least 20 working days prior to commencement of the activities, the Consent Holder must provide to the Manawatu-Whanganui Regional Council's Regulatory Manager for certification a copy of the design and specification of all works, as prepared by an appropriately qualified and experienced Engineer. No work may commence until the Manawatu-Whanganui Regional Council's Regulatory Manager certifies in writing that the work may proceed in accordance with the design and specification provided.</p>							
6	<p>At least 20 working days prior to commencement of the activities, the Consent Holder must provide to the Manawatu-Whanganui Regional Council's Regulatory Manager for technical certification an Erosion and Sediment Control Plan (ESCP) to address erosion and sediment control for the land disturbance and vegetation clearance authorised by this Consent. The ESCP must be developed in accordance with the "Greater Wellington Regional Council Guidelines – Guidelines for the Wellington Region 2002 and reprint 2006" and include as a minimum, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Details of principles, procedures and practices that will be implemented to minimise the potential for sediment to enter surface water bodies (including drains);</li> <li>b) Provision of a construction timetable for bulk earth disturbance works and establishment of the erosion and sediment control structures;</li> <li>c) Provision of a timetable for progressive site rehabilitation, re-vegetation and stabilisation;</li> <li>d) Rainfall response and contingency measures for managing the stability of the disturbed or excavated areas to prevent sediment release into surface water bodies during high rainfall events;</li> <li>e) A site plan showing: <ul style="list-style-type: none"> <li>a) the location of surface water bodies (including drains);</li> <li>b) extent of proposed soil disturbance (including borrow areas), vegetation clearance, and cut and fill areas; and</li> <li>c) any temporary or permanent stockpile areas;</li> </ul> </li> <li>f) Methods and measures to ensure sediment entering surface water bodies is minimised between 1 December to 28 February (includes contact recreation season); and</li> </ul>	<p>At least 20 working days prior to commencement of the activities, the Consent Holder must provide to the Manawatu-Whanganui Regional Council's Regulatory Manager for technical certification an Erosion and Sediment Control Plan (ESCP) to address erosion and sediment control for the land disturbance and vegetation clearance authorised by this Consent. The ESCP must be developed in accordance with the "Greater Wellington Regional Council Guidelines – Guidelines for the Wellington Region 2002 and reprint 2006" and include as a minimum, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Details of principles, procedures and practices that will be implemented to minimise the potential for sediment to enter surface water bodies (including drains);</li> <li>b) Provision of a construction timetable for bulk earth disturbance works and establishment of the erosion and sediment control structures;</li> <li>c) Provision of a timetable for progressive site rehabilitation, re-vegetation and stabilisation;</li> <li>d) Rainfall response and contingency measures for managing the stability of the disturbed or excavated areas to prevent sediment release into surface water bodies during high rainfall events;</li> <li>e) A site plan showing: <ul style="list-style-type: none"> <li>a) the location of surface water bodies (including drains);</li> <li>b) extent of proposed soil disturbance (including borrow areas), vegetation clearance, and cut and fill areas; and</li> <li>c) any temporary or permanent stockpile areas;</li> </ul> </li> <li>h) Methods and measures to ensure sediment entering surface water bodies is minimised <del>between 1</del></li> </ul>						

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	g) Identification and contact details of personnel responsible for the operation and maintenance of the key erosion and sediment control measures.	<del>December to 28 February (includes contact recreation season);</del> and i) Identification and contact details of personnel responsible for the operation and maintenance of the key erosion and sediment control measures.
7	The Consent Holder must ensure that no earthworks authorised by this Land Use Consent commence until the Manawatu-Whanganui Regional Council's Regulatory Manager certifies in writing that the ESCP satisfies the requirements of Condition 6.	
8	The Consent Holder must submit any proposed changes to the ESCP to Manawatu-Whanganui Regional Council's Regulatory Manager for technical certification prior to the implementation of any proposed changes.	
9	The Consent Holder must undertake the activities in accordance with the ESCP most recently certified pursuant to Condition 7 or 8.	
10	At least 20 working days prior to undertaking any maintenance works associated with the activities, the Consent Holder must provide to Manawatu-Whanganui Regional Council's Regulatory Manager, details of the proposed works and a methodology for undertaking the works, including provision for compliance with these Conditions.	
11	At least 20 working days prior to commencing the activities, the Consent Holder must submit a flood contingency plan to Manawatu-Whanganui Regional Council's Regulatory Manager. The flood contingency plan must include: a) Mechanisms for advance flood warning; b) Provision of relevant contact phone numbers; and c) Methods for removal of machinery, should this be necessary.	
12	The Consent Holder must complete the construction of the authorised structures as quickly as possible and ensure that all equipment and materials required to complete construction are present on site prior to any works commencing.	
13	The Consent Holder may only commence works where: a) There is at least four days of settled and/or dry weather forecast by the New Zealand Meteorological service (MetService) for the Oroua River catchment; and, b) The Consent Holder has notified the Manawatu-Whanganui Regional Council's Regulatory Manager and the Area Engineer Central at least two working days prior to the planned commencement of the works.  <b>Advice note:</b> The Regulatory Manager and Area Engineer – Central can be contacted on Freephone 0508 800 800.	
<b>Water Quality and Sediment Control</b>		
14	The Consent Holder must ensure that activities which may result in the release of sediment to the Oroua River do not occur between 15 August and 30 November (inclusive).	Comment – unclear what this condition relates to
15	The Consent Holder must ensure that any excavated as a result of the activities is lifted clear of all surface water bodies and disposed of in a location where sediment cannot be washed back into surface water.	
16	The Consent Holder must ensure that all bare areas are stabilised within 10 working days of completion of the relevant work.	
17	The Consent Holder must ensure that no holes or mounds are left within any part of the bed of the Oroua River after the completion of the activities.  <b>Advice Note:</b> for the purposes of this condition, any raising of ground levels to construct the authorised structures are not a 'mound'.	
18	The activities must not result in the discharge of contaminants that are toxic to aquatic ecosystems.  <b>Advice note:</b> This includes leakage of fuel, oil and other contaminants from machinery used for the activities.	
19	The Consent Holder must ensure that the activities do not result in suspended sediment being conspicuous during Saturdays, Sundays and public holidays during 1 December to 28 February (inclusive).	
20	During 1 December to 14 August (inclusive) the Consent Holder must ensure that any of the activities causing the discharge of sediment to the Oroua River must not be undertaken for more than 24 hours in total across any given five consecutive days.	Comment – unclear as to why this condition is put forward, as dotterel not recorded as being present in this area and dates don't line up with general dotterel condition. Dotterel conditions generally relate more to gravel extraction.

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	<b>Advice Note:</b> Sediment release is not permitted between 15 August and 30 November due to the dotterel nesting habitats present within the Oroua River.	
<b>Containment Management</b>		
21	The Consent Holder must ensure that: <ul style="list-style-type: none"> <li>a) Machinery or vehicles entering any water body have had a stand down period of at least 48 hours since being in contact with another water body other than a water body in the upstream catchment of the Oroua River;</li> <li>b) Following use any machinery or vehicles must have a stand down period of at least 48 hours prior to use in any catchment, other than a water body in the upstream catchment of the Oroua River; and</li> <li>c) Standard check, clean or dry procedures are used for any vehicles, equipment, clothing or footwear that has been in contact with a water body other than a water body in the upstream catchment of the Oroua River within the past 48 hours.</li> </ul>	
22	The Consent Holder must comply with all notices and guidelines issued by Biosecurity New Zealand in relation to avoiding spreading the Pest Organism <i>Didymosphenia geminata</i> , known as “Didymo” (refer to <a href="http://www.biosecurity.govt.nz/didymo">www.biosecurity.govt.nz/didymo</a> ).	
<b>Cement Management</b>		
23	The Consent Holder must ensure that no uncured cement or cement based products enter the flowing water in any surface water body (including drains) within the application site during the activities. Any uncured cement placed in or near a watercourse must be placed in such a manner that no concrete or cement leaches out and enters the watercourse. Such measures may include: <ul style="list-style-type: none"> <li>a) Working during summer low flow conditions; or</li> <li>b) Containing the concrete in a watertight form work.</li> </ul>	
<b>Dust Management</b>		
24	The Consent Holder must ensure that the activities do not cause any objectionable deposition of dust at or beyond the boundary of the site. <p><b>Advice Note:</b> A deposition of dust will only be considered objectionable after a Manawatu-Whanganui Regional Council officer has considered the Frequency, Intensity, Duration, Offensiveness and Location of the deposited dust (i.e. the FIDOL factors).</p>	
<b>Accidental Discovery Protocol</b>		
25	In the event of an archaeological site, waahi tapu or koiwi being discovered or disturbed during the activities, the Consent Holder must immediately cease further work in the immediate vicinity and inform Ngati Kauwhata, Tanenuiarangi Manawatu Incorporated, the Manawatu-Whanganui Regional Council’s Regulatory Manager, Heritage New Zealand and (in the event that human remains are found) the New Zealand Police. Further work at the site must be suspended while iwi carry out their procedures for removal of taonga. The Manawatu-Whanganui Regional Council’s Regulatory Manager will advise the Consent Holder when work at the site can resume. <p><b>Advice Note:</b> In accordance with Section 14(1) of the Coroners Act 2006, in the event that human remains are found the police should be contacted immediately and all works in the immediate vicinity will cease until advice is given that works can recommence.</p>	
<b>Maintenance and Reinstatement</b>		
26	Any structures constructed by the activities will remain the responsibility of the Consent Holder and must be maintained so that: <ul style="list-style-type: none"> <li>a) Any erosion, scour or instability of the river bed or banks that is attributable to the structures is remedied by the Consent Holder within 10 working days, and</li> <li>b) The structural integrity of the structures remains sound.</li> </ul>	
27	In the event that any damage is caused to any Manawatu-Whanganui Regional Council stopbank or river protection works as a result of the activities, the Consent Holder must immediately contact the Manawatu-Whanganui Regional Council’s Area Engineer Central and repair the damage to the standard required by the Area Engineer.	

