

Attachment 9:

Draft Conditions of Consent.



CONSENT NUMBER

Cnr North Road and Price Street
(Private Bag 90116)
Invercargill

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Pursuant to the Resource Management Act 1991, resource consents are hereby granted by the Southland Regional Council (the "Council") to **Alliance Group Ltd** (the "consent holder") of **P O Box 1, Maitava** from **[date of granting]**.

Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.

Water Permit

Take and Use – Process Water

Details of Permit

Purpose for which permit is granted: To take water from a water race fed by the Maitava River, for meat processing, truck washing and related uses including cleaning, potable water and processing activities

Location - site locality Maitava
- map reference At or about NZTM: Easting 1281400, Northing 4876600
- environmental source Maitava River
- catchment Maitava

Legal description of land at the site: Maitava River

Expiry date: **[10 years after the commencement date]**

Schedule of Conditions

1. This consent shall expire on **[10 years after the commencement date]**.

Environment Southland is the brand name of
the Southland Regional Council

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(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity.)

2. This consent authorises the taking of up to 8,000 cubic metres per day of water from a water race fed by the Mataura River. That take shall occur between map reference NZMS 260 F46:913-386 and F46:911-382.

Water Take Metering and Reporting

3. The Consent Holder shall monitor the volume of water taken in each 15 minute interval, including the date taken, and supply an electronic record of the take each day:
 - (i) Once daily to the Consent Authority by means of telemetry in a form that is compatible with the Consent Authority's time-series database no later than the end of the next day; and
 - (ii) A summary of the take for the previous production season to the Consent Authority by 31 October each year.

Advice Note: The reported data can be provided in aggregated form that is the sum of all metered takes under this resource consent

4. The Consent Holder shall maintain:
 - (i) a water meter at the locations shown in Map A to record the water taken, within an error accuracy range of +/-5% over the meter's nominal flow range,
 - (ii) a datalogger with at least 12 months data storage capacity to record daily water use
 - (iii) a telemetry unit to report the water take at least once per day
 - (iv) record the rate and volume of take and the date and time this water was taken.
5. Each water meter shall be maintained in a location with straight length of pipe either side of the water meter.
 - (i) On the upstream side there shall be a length of straight pipe that is 10 times the diameter of the pipe, and on the downstream side there shall be a length of straight pipe that is 5 times the diameter of the pipe.
 - (ii) The meter location shall be easily accessible, and, within the distances specified in (i), the straight length of pipe shall have no fittings and obstructions in it.
6. Each water meter shall be verified for accuracy within the first year of its operation, and thereafter once every five years.
 - (i) Each verification shall be undertaken by a Consent Authority approved operator.
 - (ii) A Water Measuring Device Verification Form shall be completed and supplied to the Consent Authority with receipts of service within five working days of the verification.
7. The Consent Holder shall ensure the full operation of the water meters and datalogger at all times during the exercise of this consent. All malfunctions of the water meters and/or datalogger during the exercise of this consent shall be reported to the Consent Authority within five working days of observation and appropriate repairs shall be performed within five working days. Once the malfunction has been remedied, a Water Measuring Device Verification Form completed with photographic evidence must be submitted to the Consent Authority within five working days of the completion of repairs.

Commented [IM1]: Updated to 15 minute reporting to reflect new water take regulations

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Low Flow Contingency Plan

8. Within six months of the commencement of this consent, the Consent Holder shall update its Low Flow Contingency Plan (included as Attachment 1) to this consent, to minimise the abstraction of water during times when the flow of the Mataura River at the Tuturau recording site is less than 20 cubic metres per second. The Low Flow Contingency Plan shall be updated to:
- (i) Reflect the abstraction volumes and conditions of this consent, including any water efficiency measures resulting from the review identified in the associated wastewater discharge consent [number];
 - (ii) Include such actions as necessary to ensure that at all times the take does not cause the flow of water over the weir to reduce below a level of 0.05 metres of water passing over the centre of the weir;
 - (iii) Ensures water use is reduced to that necessary for the functioning of the Plant, including to meet hygiene and export requirements.

Commented [IM2]: Amended to require update of existing plan. Clause ii added to ensure take is consistent with the intent of the Mataura WCO

Intake Screens

9. Within **[one]** year of the commencement of this consent, the Consent Holder shall ensure that all intake structures operated in accordance with this consent are fitted with a 2 – 3mm screen mesh and that screen is maintained in good working order throughout the remaining life of this consent.

Charges

10. Charges, set in accordance with section 36(1) of the Resource Management Act 1991, shall be paid by the consent holder to the Southland Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Resource Management Act 1991.

Review

11. The Council may serve notice in accordance with Section 128 and 129 of the Act, during the month of December 2021, and in the month of December each year thereafter, of its intention to review the conditions of this consent for the purposes of:
- (i) Amending the metering and reporting conditions to ensure that they continue to provide accurate and relevant information on the water take;
 - (ii) Addressing any unanticipated adverse effect on the environment which may arise from the exercise of the consent; or
 - (iii) Complying with the requirements of a future Regional Plan, including a plan change to an existing regional plan.

Water Permit

Take and Use – Cooling Water

Details of Permit

Purpose for which permit is granted:	To take water from a water race fed by the Mataura River, for engine room cooling water and engine room condenser water
Location	Mataura
- site locality	
- map reference	At or about NZTM: Easting 1281400, Northing 4876600
- environmental source	Mataura River
- catchment	Mataura
Legal description of land at the site:	Mataura River
Expiry date:	[10 years from the commencement date]

Schedule of Conditions

1. This consent shall expire on [10 years from the commencement date].

(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity.)

2. This consent authorises the taking of up to 21,200 cubic metres per day of water from a water race fed by the Mataura River. That take shall occur between map reference NZMS 260 F46:913-386 and F46:911-382.

Water Take Monitoring and Reporting

3. The Consent Holder shall monitor the volume of water taken each day and supply an electronic record of the daily take for the previous production season to the Council by 31 October each year.

Advice Note: An acceptable method of monitoring the volume of water taken each day is by combining the records of pump capacities and pump operation. The reported data can be provided in aggregated form that is the sum of all takes under this resource consent.

Intake Screens

4. Within [one] year of the commencement of this consent, the Consent Holder shall ensure that all intake structures operated in accordance with this consent are fitted with a 2 – 3mm screen mesh and that screen is maintained in good working order throughout the remaining life of this consent.

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Charges

5. Charges, set in accordance with section 36(1) of the Resource Management Act 1991, shall be paid by the consent holder to the Southland Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Resource Management Act 1991.

Review

6. The Council may serve notice in accordance with Section 128 and 129 of the Act, during the month of December 2021, and in the month of December each year thereafter, of its intention to review the conditions of this consent for the purposes of:
- (i) Amending the monitoring and reporting conditions to ensure that they continue to provide accurate and relevant information on the water take;
 - (ii) Addressing any unanticipated adverse effect on the environment which may arise from the exercise of the consent; or
 - (iii) Complying with the requirements of a future Regional Plan, including a plan change to an existing regional plan.

Discharge Permit

Discharge – Cooling Water

Details of Permit

Purpose for which permit is granted:	To discharge cooling and consenser water to the Mataura River.
Location	Mataura
- site locality	At or about NZTM: Easting 1281400, Northing 4876600
- map reference	Mataura River
- environmental source	Mataura
- catchment	
Legal description of land at the site:	Mataura River
Expiry date:	[10 years from the commencement date]

Schedule of Conditions

1. This consent shall expire on [10 years from the commencement date].

(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity.)

2. This consent authorises the taking of up to 21,200 cubic metres per day of water from a water race fed by the Mataura River. That take shall occur between map reference NZMS 260 F46:913-386 and F46:911-382.

Monitoring

3. The Consent Holder shall measure the temperature and the oxygen content of the water in the water race upstream and downstream of the point of discharge once per week when the flow of the Mataura River at Tuturau monitoring site is less than 40 cubic metres per second. Downstream monitoring is to be undertaken no further downstream than the Mataura Bridge.
4. The Consent Holder shall report the results of weekly temperature and dissolved oxygen (DO) monitoring for the previous production season to the Council by 31 October each year.

Receiving Environment Standards

5. The discharge shall not directly result in any of the following below the zone of reasonable mixing (unless otherwise specified below), defined as 250 m downstream of the wastewater outfall:
 - (i) The daily maximum ambient water temperature shall not be increased by more than 3°C when the natural or existing water temperature is 16°C or less, as a result of any discharge. If the natural or existing water temperature is above 16°C, the natural or existing water temperature shall not be exceeded by more than 1°C as a result of any discharge.

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- (ii) The pH of the water must be within the range 6 to 9, except when due to natural causes.
- (iii) The waters must not be tainted so as to make them unpalatable, nor must they contain toxic substances to the extent that they are unsafe for consumption by humans or farm animals, nor must they emit objectionable odours.
- (iv) There shall be no bacterial or fungal slime growths visible to the naked eye as obvious plumose growths or mats. Note that this standard also applies to within the zone of reasonable mixing.
- (v) There must not be any destruction of natural aquatic life by reason of a concentration of toxic substances.
- (vi) The natural colour and clarity of the waters must not be changed to a conspicuous extent.
- (vii) The oxygen concentration in solution in the waters must not be reduced below 5 milligrams per litre.

Commented [IM3]: Updated to reflect Mataura 3 in Operative and Proposed Plans

Charges

- 6. Charges, set in accordance with section 36(1) of the Resource Management Act 1991, shall be paid by the consent holder to the Southland Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Resource Management Act 1991.

Review

- 7. The Council may serve notice in accordance with Section 128 and 129 of the Act, during the month of December 2021, and in the month of December each year thereafter, of its intention to review the conditions of this consent for the purposes of:
 - (i) Amending the monitoring conditions to ensure that they continue to provide accurate and relevant information on the effects of the discharge
 - (ii) Addressing any unanticipated adverse effect on the environment which may arise from the exercise of the consent; or
 - (iii) Complying with the requirements of a future Regional Plan, including a plan change to an existing regional plan.

Discharge Permit

Discharge – Process Wastewater

Details of Permit

Purpose for which permit is granted: To discharge treated meatworks and process wastewater to water

Location - site locality: Mataura
 - map reference: At or about NZTM: Easting 1281400, Northing 4876600
 - receiving environment: Mataura River
 - catchment: Mataura

Legal description of land at the site: Lot 1 DP 12500 and Lots 1 and 2 DP 12431

Expiry date: [10 years from the commencement date]

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- This consent shall expire on [10 years from the commencement date].
(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity).
- This resource consent authorises the discharge of up to 8,000m³/day of treated wastewater from a meat processing plant into the Mataura River at the location specified above and no more than
 - XXXX m³/month (maximum and median)
 - XXXXXXX m³/year

Commented [IM4]: Placeholder to reflect evidence of Ms Andrew. Appropriate limits to be determined.

Discharge Standards

- The following limits apply to the treated wastewater prior to its discharge into the Mataura River, until superseded by the limits in Condition 5 below:

Parameter	Limit
Ammoniacal Nitrogen	Shall not exceed a maximum of 50 g/m ³ and consistently maintained at less than 30 g/m ³
cBOD5 Load	Shall not exceed a maximum of 3,500 kg/day
cBOD5	Shall not exceed a maximum of 300 g/m ³
Dissolved Reactive Phosphorus	Shall not exceed a 12 month rolling median of 0.5 g/m ³ and 95th %ile of 1.5 g/m ³ The total load of dissolved reactive phosphorus discharged

Commented [IM5]: From EMP

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	to the river shall not exceed 14.4 kg/day
Total Suspended Solids	Shall not exceed a maximum of 200g/m ³ and consistently maintained at less than 100 g/m ³
Dissolved Inorganic Nitrogen	Shall not exceed a 12 month rolling median of 40 g/m ³ and 95th %ile of 64 g/m ³
Total Kjeldahl nitrogen	Shall not exceed a 12 month rolling median of 60 g/m ³ and 95 th %ile of 80 g/m ³
Total Phosphorous	Shall not exceed a 12 month rolling median of 5.5 g/m ³ 95 th %ile of 10 g/m ³
Total Nitrogen	The annual load of total nitrogen measured in the discharge between 1 October and 30 September shall not exceed 60 tonnes
	The load of total nitrogen shall not exceed 418 tonnes (average of 52 tonnes per year)
<i>The limits for Ammoniacal Nitrogen and Total Suspended Solids shall be "consistently maintained" if not less than four results out of each set of five meet the lesser specified value, when a set of five results is obtained in accordance with the EMP.</i>	

Commented [IM6]: From EMP

Commented [IM7]: Amended to reflect proposed 8 year upgrade timeframe

4. The following additional limit applies (in addition to those in Condition 3 above) after the commissioning of Wastewater Disinfection:

Parameter	Limit
<i>E.coli</i>	Shall not exceed an annual median of 1,000 colony forming units (cfu) per 100 ml and 95 th percentile of 10,000 cfu/100mL

Advice note: This limit applies until superseded by the E.coli limit in condition 5 below

5. The following limits apply to the treated wastewater prior to its discharge into the Mataura River, after the commissioning of the Wastewater Treatment Plant Upgrade:

Parameter	Limit
Ammoniacal Nitrogen	Shall not exceed a rolling 12 month median of 5 g/m ³ and 95 th percentile of 10 g/m ³
cBOD5 Load	Shall not exceed a maximum of 3,500 kg/day
cBOD5	Shall not exceed a rolling 12 month median of 50 g/m ³ and 95 th percentile of 100 g/m ³
Dissolved Reactive Phosphorus	Shall not exceed a 12 month rolling median of 0.5 g/m ³ and 95 th %ile of 1.5 g/m ³ The total load of dissolved reactive phosphorus discharged to the river shall not exceed 14.4 kg/day
Total Suspended Solids	Shall not exceed a rolling 12 month median of 20 g/m ³ and 95 th percentile of 40 g/m ³

Commented [IM8]: From EMP

Commented [IM9]: From Table 10 of the Take and discharge application. Note that these are different to the levels proposed in the draft conditions and the EMP

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Dissolved Inorganic Nitrogen	Shall not exceed a rolling 12 month median of 20 g/m ³ and 95 th percentile of 35 g/m ³
Total Nitrogen	Shall not exceed a rolling 12 month median of 20 g/m ³ and 95 th percentile of 40 g/m ³
	From 12 months after commissioning, the annual (1 October to 30 September) Total Nitrogen load does not exceed 25 tonnes.
Total Phosphorous	Shall not exceed a rolling 12 month median of 5 g/m ³ and 95 th percentile of 10 g/m ³
E. coli	95 th percentile of 1,000 cfu/100 ml

Commented [IM10]: From EMP

6. In the event one or more of the limits set out above is exceeded, the Consent Holder shall resample and/or retest that parameter as soon as practicable. In circumstances where one or more of the limits set out above are exceeded on two consecutive sampling occasions and these results are *confirmed exceedances*, the Consent Holder shall report to the Consent Authority in accordance with Condition 23.

Instream Limits

7. Notwithstanding the limits specified above, the discharge shall not directly result in any of the following below the zone of reasonable mixing (unless otherwise specified below), defined as 250 m downstream of the wastewater outfall:
- The daily maximum ambient water temperature shall not be increased by more than 3°C when the natural or existing water temperature is 16°C or less, as a result of any discharge. If the natural or existing water temperature is above 16°C, the natural or existing water temperature shall not be exceeded by more than 1°C as a result of any discharge.
 - The pH of the water must be within the range 6 to 9, except when due to natural causes.
 - The waters must not be tainted so as to make them unpalatable, nor must they contain toxic substances to the extent that they are unsafe for consumption by humans or farm animals, nor must they emit objectionable odours.
 - There shall be no bacterial or fungal slime growths visible to the naked eye as obvious plumose growths or mats. Note that this standard also applies to within the zone of reasonable mixing.
 - There must not be any destruction of natural aquatic life by reason of a concentration of toxic substances.
 - The natural colour and clarity of the waters must not be changed to a conspicuous extent.
 - The oxygen concentration in solution in the waters must not be reduced below 5 milligrams per litre.

Commented [IM11]: Updated to reflect Mataura 3 in Operative and Proposed Plans

Resilience and Water Saving Strategy

8. Within six months of the commencement of this consent, the Consent Holder shall prepare and submit to the Consent Authority a Resilience and Water Saving Strategy. The purpose of the Strategy shall be to identify:

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- (i) measures to avoid potential intermittent cross contamination points between the Green and Non-Green waste streams and potential failure points within the reticulation system; and
- (ii) methods to enable the recycling of white water within the wastewater treatment plant to reduce the total volume of wastewater discharged to the Maitara River to the extent that can be reasonably achieved:
 - without increasing the total contaminant load within the discharge when measured on a daily basis when assessed against the limits in Condition 2; and
 - without giving rise to adverse toxicity and eutrophication effects on aquatic organisms within the mixing zone and downstream.

This Strategy shall include:

- (iii) The new contaminant concentration limits to be applied to meet this obligation (acknowledging that the volume of the discharge is reduced meaning that the proportion of contaminant load to discharged volume will be higher within the discharged waste stream); and
 - (iv) A review by a suitably qualified and experienced ecologist which assesses the effects of the discharge in order to confirm that the newly set contaminant limits for the discharge will not give rise to unforeseen adverse toxicity and eutrophication effects on aquatic organisms within the mixing zone and downstream.
9. Within three years of the commencement of this consent, the Consent Holder shall implement the measures described in the Resilience and Water Saving Strategy. Once implemented and trialling of the new system is complete, the consent holder shall commission a review by a suitably qualified and experienced ecologist to assess the effects of the discharge in order to confirm that the newly set contaminant limits within the discharge are not giving rise to unforeseen adverse toxicity and eutrophication effects on aquatic organisms within the mixing zone and downstream

Wastewater Disinfection

10. Within [one] year of the commencement of this consent the Consent Holder shall install equipment to disinfect the process wastewater discharged from the site in order to inactivate pathogens. Following installation and commissioning of the disinfection equipment the discharged wastewater shall meet the *E.coli* standards in Condition 4 until superseded by the Wastewater Treatment Plant Upgrade.

Wastewater Treatment Plant Upgrade

11. Within [one] year of the commencement of this consent the Consent Holder shall prepare and submit to the Consent Authority a Wastewater Treatment Upgrade Plan. This plan shall identify the technology and wastewater treatment plant upgrades necessary to improve the quality of the wastewater discharged to the Maitara River in order to meet the standards and limits specified in Condition 5.
12. The Wastewater Treatment Upgrade Plan shall include, but not be limited to, the following matters:
- (i) A description of the proposed technology and wastewater plant upgrades to be installed;

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- (ii) A description of the methodology of how the wastewater plant upgrades will be installed and a staged work plan describing the timing associated with the progressive implementation of these works;
 - (iii) The monitoring and reporting obligations associated with the wastewater treatment plant upgrades.
13. Following the submission of the Wastewater Treatment Upgrade Plan, the Consent Holder shall report to the Consent Authority on a bi-annual basis on its progress towards implementation and commissioning of the wastewater treatment plant upgrade. This reporting shall describe any interim measures undertaken to improve the quality of the discharge, or physical plant works or operational changes associated with the upgrade.
14. The Consent Holder shall ensure that the Wastewater Treatment Plant Upgrade prescribed in the Wastewater Treatment Upgrade Plan is fully commissioned and operational no later than [five] years from the commencement of this consent.
15. Within six months after the Wastewater Treatment Plant Upgrade has been commissioned and has been fully operational for twelve months, the Consent Holder shall engage an appropriately qualified and independent expert to review the effect of the upgraded discharge on water quality in the Maitara River. The purpose of this review shall be to determine whether the anticipated water quality improvements have been achieved, and whether the limits set in Condition 5 are appropriate to maintain and enhance water quality and ecological health in the Maitara River. The review shall include:
- (i) An assessment of the improvement in water quality in the river following the upgrade;
 - (ii) An evaluation of the monitoring results with regard to the limits in Condition 5;
 - (iii) A review of relevant guidelines or standards for these parameters applicable at the date of the review, and other catchment wide improvements relating to water quality.
16. A copy of this review shall be provided to the Consent Authority, who may then trigger a review of the discharge limits in accordance with Condition 31.

Further Investigation Programme

17. [Placeholder for a condition(s) requiring further consideration of land based and other treatment options]

Environmental Monitoring Plan

18. No later than six months from this consent commencing the Consent Holder shall prepare and submit to the Consent Authority an Environmental Monitoring Plan (EMP) for certification. The purpose of the EMP is to describe the methods for monitoring the physical characteristics and water quality parameters of the discharge, and the physical, water quality and biological characteristics and parameters of the Maitara River receiving waters as prescribed by this consent. The objectives of the EMP are to:
- (i) Confirm compliance with consent limits on discharge quality;
 - (ii) Understand the effects of the discharge on Maitara River water quality and confirm no unexpected effects are arising as a result of the exercise of this consent.
19. The EMP shall include but not be limited to:

Commented [IM12]: From minutes of meeting with Hokonui Rūnanga
To be developed

Commented [IM13]: It is anticipated that the final EMP will be largely the same as the draft provided by the Applicant (See Attachment 5 to this report)

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- (i) The inclusion of a description and maps identifying the monitoring sites;
- (ii) A description of the methods and appropriate timing for undertaking the following monitoring requirements:
 - Discharge wastewater monitoring
 - Receiving water quality monitoring
 - Ecological instream monitoring
 - Fish health monitoring, including kanakana populations in the vicinity of the site
 - Cultural monitoring indicators
- (iii) The reporting requirements associated with any monitoring undertaken in accordance with these conditions.
- (iv) Response to any non-compliance with discharge standards.

Commented [IM14]: From minutes of meeting with Hokonui Rūnanga

20. The EMP, as a minimum, shall provide for the following monitoring requirements:

- (i) maintenance of records of the times and volumes of treated wastewater discharged on each day the permit is exercised;
- (ii) representative weekly samples of the treated wastewater at the point of discharge for the following parameters:

Parameter
Enumerate E.coli
Temperature
pH
Total Kjeldahl nitrogen
Ammoniacal nitrogen
Dissolved inorganic nitrogen
Total nitrogen
Total suspended solids
Total phosphorous
Dissolved reactive phosphorous
Carbonaceous BOD5

Commented [IM15]: From EMP

- (iii) representative weekly samples of receiving water quality both upstream and downstream of the point of discharge while a discharge is occurring for the following parameters:

Parameter
Enumerate E.coli

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Temperature
pH
Dissolved oxygen concentration and saturation
Nitrate - nitrite nitrogen
Total Kjeldahl nitrogen
Ammoniacal nitrogen
Dissolved inorganic nitrogen
Total nitrogen
Total suspended solids
Total phosphorous
Dissolved reactive phosphorous
Carbonaceous BOD5

Commented [IM16]: From EMP

Commented [IM17]: From EMP

- (iv) ecological monitoring to understand the effects of the discharge including by monitoring the periphyton and benthic invertebrate communities of the Maitara River at points above and below the point of the discharge.
- (v) a fish health monitoring survey.
- (vi) A visual assessment of the presence of bacterial or fungal slime growths within and downstream of the zone of reasonable mixing.
- (vii) Cultural monitoring indicators, developed in conjunction with Hokonui Rūnanga.

Commented [IM18]: From Maitara 3 Standards

Commented [IM19]: Placeholder - from minutes of engagement with Hokonui Rūnanga.

- 21. The monitoring of the discharge and receiving environment shall be undertaken at the locations and frequencies specified in the EMP. All monitoring shall be undertaken using methods and standards agreed with the Consent Authority (as outlined in the EMP) and all water samples shall be collected using laboratory supplied containers.
- 22. The EMP shall be reviewed by the Consent Holder at five yearly intervals. The purpose of this review shall be to confirm that it accurately reflects current on-site activities and operations and to identify if changes to procedures contained within the EMP are required. The results of the review shall be reported to the Consent Authority within 30 working days of the review being undertaken. If the review results in amendments to the EMP, the amended sections shall be provided to the Consent Authority for certification at this time.

Contingency Plan

- 23. The Consent Holder shall maintain a contingency plan to be activated in the event of a discharge of raw or partially treated wastewater from any part of the reticulation system to the Maitara River. The plan shall include notification of the Council's Director of Environmental Management and the Area Manager Murihiku (DoC) without undue delay. If the discharge is likely to contain high pathogen levels from stockyard/gut processing effluent the consent holder shall also notify without undue delay the Medical Officer of Health (or the

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Health Protection Officer) and Te Ao Marama. A copy of this plan is to be provided to the Consent Authority within six months of the commencement of the consent.

24. The Consent Holder shall maintain a contingency plan for the avoidance, remedy or mitigation of adverse effects on the river during extreme low-flow events (river flows of less than 10 cumecs, as recorded in the Mataura River at Environment Southland's Tuturau monitoring site). A copy of this plan is to be provided to the Consent Authority within six months of the commencement of the consent.

Commented [IM20]: From existing consent

Reporting

25. The results of the sample analysis for each successive five week period shall be provided to the Consent Authority within two weeks of the receiving the all of the laboratory results for that period, unless otherwise agreed with the Consent Authority.
26. The Consent Authority shall be notified within 24 hours of any *confirmed exceedance* of a limit prescribed by the conditions of this consent. This notification shall include advice of any corrective actions taken by the Consent Holder. An incident report shall be provided to the Consent Authority within twenty working days of the notification of the exceedance. This report shall include:
- (i) Identification of the likely cause of the limit exceedance;
 - (ii) The resulting effects on the receiving environment likely to arise because of the limit exceedance;
 - (iii) The management responses undertaken or which may be necessary to prevent any further limit exceedances occurring;
 - (iv) Remedial action undertaken or which may be necessary.
27. The Consent Holder shall prepare and submit an Annual Monitoring Report to the Consent Authority. The report shall cover the 1 October to 30 September period and shall be provided to the Consent Authority by 30 November each year. The annual report shall include, but not be limited to the following information:
- (i) presentation and summary of all wastewater and receiving water monitoring results and biological monitoring as required by this consent, including any recommendations for improved monitoring
 - (ii) the identification of any recorded non-compliances with consent standards and the measures taken to ensure compliance is achieved.
 - (iii) assessment of the effects of the discharge on river water quality and periphyton and benthic invertebrate communities.

Technical Working Party

28. The Consent Holder shall facilitate the continuation of the Mataura Wastewater Technical Working Party (TWP) and shall distribute the annual monitoring report described in Condition 24 to the members of the TWP. The purpose of the TWP shall be to receive reports, review results and **discuss the results of the monitoring and any concerns for consideration** as required.
29. The TWP shall comprise representatives from:
- (i) The Consent Holder

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- (ii) The Southland Fish and Game Council
- (iii) The Department of Conservation
- (iv) Te Ao Marama Incorporated
- (v) Hokonui Runanga
- (vi) Public Health South
- (vii) Gore District Council
- (viii) Consent Authority

30. The Consent Holder shall be responsible for convening meetings, the provision of a venue for meetings and providing any necessary administrative support to the TWP. Should any of the external parties referred to in this condition chose not to continue to be part of the TWP then the Consent Holder shall not be deemed to be in breach of these conditions.

Charges

31. Charges, set in accordance with section 36(1) of the Resource Management Act 1991, shall be paid by the consent holder to the Southland Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under section 35 of the Resource Management Act 1991.

Review

32. The Council may serve notice in accordance with Section 128 and 129 of the Act, during the month of December 2021, and in the month of December each year thereafter, of its intention to review the conditions of this consent for the purposes of:
- (i) Amending the monitoring and reporting conditions, including the EMP, to ensure that they continue to provide accurate and relevant information on the effects of the discharge;
 - (ii) Addressing any unanticipated adverse effect on the environment which may arise from the exercise of the consent, including the content and application of any Contingency Plans and the revision of the best practicable option to address any adverse effects.
 - (iii) Amending discharge standards and load limits in response to the review report provided in accordance with Condition 15.
33. The Council may serve notice in accordance with Section 128 and 129 of the Act, within 12 months of any Regional Plan or plan change giving effect to the National Policy Statement for Freshwater Management (2020) becoming operative, of its intention to review the conditions of this consent for the purposes of:
- (i) Amending the discharge standards and loads to reflect the objectives and limits set in the Regional Plan , including the timeframes by which amended discharges standards and loads are required to be achieved.
 - (ii) Providing for any investigations necessary to identify Plant improvements require to achieve any revised discharges standards and limits.

Commented [IM21]: From existing consent

Commented [IM22]: New – to explicitly provide for a review process to align the discharge consent to the future requirements of a plan change to implement the NPS FM, should it be necessary before expiry of the consent

CONSENT NUMBER

Land Use Permit

Mataura Weir

Details of Permit

Purpose for which permit is granted:	To use an existing weir on the Mataura River
Location - site locality	Mataura River, adjacent to 18-30 McQueen Avenue, Mataura
- map reference	At or about NZTM: Easting 1281400, Northing 4876600
- catchment	Mataura
Legal description of land at the site:	Crown land (river bed)
Expiry date:	7 November 2026

Schedule of Conditions

1. This consent shall expire on 7 November 2026.
(Note: Pursuant to Sections 123 and 124 of the Resource Management Act 1991, a new consent will be required at the expiration of this consent. The application will be considered in accordance with the plans in effect at that time, and the adverse effects of the proposed activity.)
2. This consent authorises the land use associated with the existing Mataura River Weir.
3. This consent is subject to the conditions of Permits AUTH-20171566-01 AUTH-20171566-02 and those below.

Trap and Transfer - Kanakana

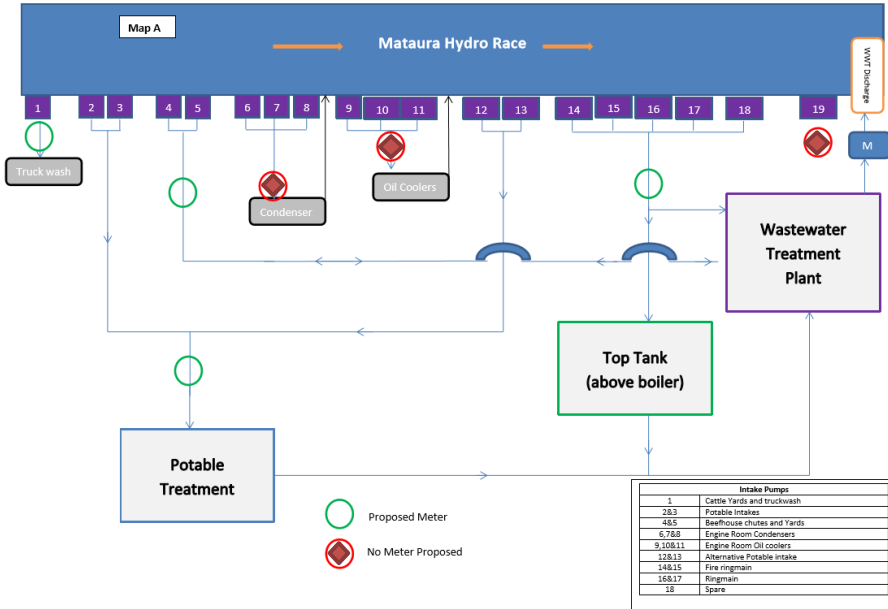
4. Within six months of the commencement of this consent, the Consent Holder shall engage an appropriately qualified freshwater ecologist (or similar) to investigate the practicalities and likely outcomes of extending the existing Elver Trap and Transfer programme (under Permits AUTH-20171566-01 AUTH-20171566-02) to include kanakana.
5. A copy of this review shall be provided to the Consent Authority and Hokonui Rūnanga.
6. If the review concludes that the trap and transfer of kanakana is practicable and beneficial, then this shall be included in the existing Trap and Transfer programme (under Permits AUTH-20171566-01 AUTH-20171566-02).

Commented [IM23]: Aligned to existing consents for hydro-generation

Commented [IM24]: From Applicant discussions with Hokonui Rūnanga

Environment Southland is the brand name of the Southland Regional Council

Map A – Water Meter Locations



Water and Discharge Permit

Pursuant to Section 104B of the Resource Management Act 1991, a resource consent is hereby granted by the Southland Regional Council to **Alliance Group Limited** of **P O Box 1, Maitara 9356** from **28 February 2019**.

Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.

Details of Permit

Purpose for which permit is granted:	To dam, divert, use and discharge water for hydro-electric power generation.
Location	Maitara River, adjacent to 18-30 McQueen Avenue, Maitara
- site locality	
- map reference	1,281,405E 4,876,540N NZTM 1,281,368E 4,876,414N NZTM
- catchment	Maitara River
Legal description of land at the site:	Crown land (riverbed)
Expiry date:	7 November 2026

Schedule of Conditions

1. This consent shall expire on 7 November 2026.
2. The water diversion authorised by this consent shall not cause the flow at the centre of the existing weir on the Maitara River to fall below a depth of 0.05 metres.
3. The Consent Holder shall maintain a monitoring system to provide immediate warning to its staff that the flow at the centre of the existing weir on the Maitara River is approaching a depth of 0.05 metres so that the rate of diversion of water is reduced or ceased to ensure the requirement of Condition 2 is always met.

4. No alteration to the existing weir or diversion channel shall be carried out by the Consent Holder without the written approval of the Consent Authority.
5. When a reduction or cessation in the rate of diversion of water is necessary to comply with condition 2, the Consent Holder shall notify the Consent Authority (email: escompliance@es.govt.nz) of the reduced rate or cessation immediately.

Advice Note: The required reduction in rate of diversion to achieve compliance with condition 2 may be achieved by a combination of reduced rate by the Consent Holder and a similar level of reduction in the rate of diversion undertaken by the holder of consent 203311. This arrangement cannot be imposed as a consent condition on either of the two consents and it is recommended that this be formalised between the two consent holders by way of a side agreement.

6.
 - (a) The Consent Holder shall maintain a fish ladder across the weir structure at all times.
 - (b) Within twelve months of the date of commencement of this consent the fish ladder shall be inspected by a suitably qualified, independent and experienced freshwater fisheries biologist (the Biologist) to assess whether it adequately provides for the upstream passage of salmonids that would normally migrate past this point in the river. A report (the Fish Ladder Review Report) prepared by the Biologist on the findings of this inspection, including recommendations, if any, of any amendments needed to the fish ladder to ensure its ability to function adequately, shall be prepared and provided to the Consent Authority, Attention: RMA Compliance and Enforcement Manager (or their equivalent) within one month of the inspection.
 - (c) If the Fish Ladder Review Report contains any recommendations for amendments to the fish ladder, then these shall be implemented within three months of the report being submitted to the Consent Authority. Once the amendments are made the Consent Holder shall arrange for the Biologist to reinspect the fish ladder to confirm that the recommended amendments have been appropriately made. A letter/report from the Biologist shall be provided to the Consent Authority within one month of the reinspection confirming that the recommended amendments have been appropriately made to the fish ladder.
 - (d) A Fish Ladder Operation and Maintenance Plan shall be provided to the Consent Authority, Attention: RMA Compliance and Enforcement Manager (or their equivalent) within three months of either the Fish Ladder Review Report or the reinspection letter/report (if one was needed) having been provided to the Consent Authority. The Consent Holder shall implement the Fish Ladder Operation and Maintenance Plan once it has been provided to the Consent Authority.
7. Within six months of the date of commencement of this consent the Consent Holder shall submit an Elver Trap and Transfer Plan ('the Plan') to the Consent Authority, Attention: RMA Compliance and Enforcement Manager (or their equivalent) for certification.

The Plan shall be prepared by a suitably qualified, independent and experienced freshwater fisheries biologist and shall be in general accordance with the draft Elver Trap and Transfer Plan for Mataura Falls attached as part of the section 42A report, dated 3 November 2018 (prepared by Vaipuhi Consulting: V3.0 March 2018). Hokonui Rūnaka shall be invited to enter into a partnership with the Consent Holder to contribute to the preparation of the Plan. This invitation shall be extended to Hokonui Rūnaka at the commencement of this consent in order to allow sufficient time to be available to meet the requirements of this condition.

The objective of the Plan shall be to facilitate a trap and transfer system to maintain and enhance the upstream passage of elvers over the Mataura Falls and the weir structure and their transfer back into the mainstem of the river during those times of the year that elvers are most likely to migrate upstream.

The Plan shall include details relating to:

- (a) The design specifications of the trap and transfer system. This shall be prepared in accordance with the Best Practice Guidelines for the Passage of Fish at Hydroelectric Dams. Part 1: Upstream Migrants (Paterson and Boubee 2010) or any revisions of these guidelines;
 - (b) When inspections of the base of the Mataura Falls (both sides) will commence and the frequency of such inspections necessary to identify elver accumulation;
 - (c) The triggers that determine when the trap will be installed. This shall be determined based on the quantum of elvers identified at the base of the Mataura Falls;
 - (d) The frequency of necessary inspections of the trap system during its operation and transfer requirements;
 - (e) The triggers that will allow for the trap to be removed at the end of the migration season;
 - (f) Annual reporting requirements;
 - (g) Details of maintenance requirements;
 - (h) Review requirements; and
 - (i) Predator management.
8. The Consent Holder shall submit a draft of the Elver Trap and Transfer Plan ('Draft Plan') to the Department of Conservation Attn: Operation Manager Murihiku (or equivalent), Hokonui Rūnaka Attn: The Chair, Te Ao Marama Inc Attn: Kaupapa Kaiao Manager (or equivalent), and the Southland Fish and Game Council Attn: Manager Southland Fish and Game (or equivalent) for comment prior to submitting the Final Trap and Transfer Plan to the Council for certification. The Draft Plan shall be provided to these organisations at least 40 working days prior to its submission for certification to the Consent Authority.
9. Upon receipt of the Draft Plan required by condition 8, the organisations listed in that condition shall be provided with the opportunity to participate in a collaborative workshop with the Consent Holder to discuss and review the Draft Plan. The Consent Holder shall circulate a record of the discussion to those organisations within 5 working days of the completion of the workshop. Those organisations shall be given the opportunity to provide oral feedback at the workshop and written feedback to the Consent Holder on the Draft Plan within 15 working days of the completion of the workshop. If no feedback is received by that deadline the Consent Holder can consider that the organisation which has not responded has no further comments on the Draft Plan.
10. The Consent Holder shall provide any feedback received from the organisations listed in condition 8 on the Draft Plan to the Consent Authority at the time it is submitted for certification, along with a clear explanation of where any comment has or has not been incorporated into the Plan and the reasons why.
11. The Consent Holder shall be required to implement the requirements of the certified Elver Trap and Transfer Plan prepared in accordance with condition 7 on an annual basis. Trap and transfer work shall be undertaken by a suitably qualified and licensed person with a special permit from the Ministry of Primary Industries (MPI) to take, transfer and release fish under the Fisheries Act 1996, and a transfer and release permit from MPI under the Conservation Act 1987.

If river flow conditions require the trap to be removed, the trap shall be reinstated as soon as it is practical to do so, but no longer than 24 hours after river conditions improve and it is considered safe to reinstall the trap.

The Elver Trap and Transfer Plan shall be reviewed annually and, if amendments are required, a revised Plan shall be submitted to the organisations listed in condition 8 and the Consent Authority at least 40 working days prior to the intended start of the next trap and transfer programme. If a revised Plan is prepared the collaborative process specified under condition 9 shall be offered to the organisations listed in condition 8 afresh.

12. The Consent Holder shall invite Hokonui Rūnaka to work in partnership with it to observe the trap and transfer programme and, if requested, to assist with the implementation the Plan.
13. Following implementation of the Elver Trap and Transfer Plan the Consent Holder shall ensure that a report is prepared and provided to the organisations listed in condition 8 and to the Consent Authority by the 30th April each year. This report shall contain the following details:
 - (a) The date inspections started;
 - (b) Date the trap was installed and removed, including during the migration season;
 - (c) Relevant environmental variables including daily river flow, water temperature, and rainfall during trapping;
 - (d) Weight of elvers transferred;
 - (e) Details of any by-catch caught, including species, size, condition, injuries/death and release locations of live by-catch;
 - (f) Transfer location(s) of elvers and other fish species;
 - (g) Any amendments identified as being necessary to the Trap and Transfer Plan for the following season; and
 - (h) Any matters raised by Hokonui Rūnaka that would assist with the implementation of the Trap and Transfer Plan in subsequent seasons.
14. Within six months of the date of commencement of this consent the Consent Holder shall submit a Downstream Fish Migration Monitoring Programme ('Monitoring Programme') to the Consent Authority, Attention: RMA Compliance and Enforcement Manager (or their equivalent) for certification.

The Monitoring Programme shall be prepared by a suitably qualified, independent and experienced freshwater fisheries biologist and shall be in general accordance with the draft 'Downstream Eel Monitoring Programme for Mataura Falls' attached as part of the section 42A report, dated 3 November 2018 (prepared by Vaipuhi Consulting: V3.0 March 2018). Hokonui Rūnaka shall be invited to enter into a partnership with the Consent Holder to contribute to the preparation of this plan. This invitation shall be extended to Hokonui Rūnaka at the commencement of this consent in order to allow sufficient time to be available to meet the requirements of this condition.

The primary objective of the Monitoring Programme shall be to set out how monitoring of the effects of the hydro scheme on the downstream migration of fish should be undertaken.

The primary purpose of the Monitoring Programme shall be to identify if fish are entering the turbine and, if so, how many, their size, and species are entering the turbine during the eel migration period. This monitoring information shall be used to determine what, if any, adverse effects the hydro scheme is having on downstream fish migration and the magnitude of any such effects, including on a cumulative basis, taking into account the likely corresponding

effects created by the diversion authorised by consent 203311. The timing of eel movement to the turbine within the migration period shall also be investigated. To assist with the implementation of this Monitoring Programme the trash screen bar size shall be modified and maintained at all times so that the spacing between the bars does not exceed 20 millimetres.

The Monitoring Programme shall include details relating to:

- (a) Modifications required to the race, trash screen, screen cleaner and trash sluice to assist the inspection process;
 - (b) Monitoring dates which are targeted at ensuring that the eel migration season is properly covered by the investigations;
 - (c) Screen inspection frequencies, including the need to increase frequencies during elevated flow events;
 - (d) Methods for determining:
 - (i) The numbers of fish diverted from the mainstem of the Mataura River into the diversion channel;
 - (ii) The number and condition of fish entrapped in the race and protocols for the handling, captive holding, transportation and release of these fish back to flowing water in the mainstem of the river downstream of the Mataura Falls; and
 - (iii) The numbers of fish, including injury and mortality rates, passing through the trash screen and into the turbine.
 - (e) Protocols for inspecting the screen and the sluice for impinged fish and methods to be employed to maximise their survival as far as is practicable, including minimising the risk of injury to fish from impingement on the screen and/or mechanical cleaning of the screen;
 - (f) The recording and reporting obligations associated with monitoring undertaken;
 - (g) Review of the programme and procedure for modifications particularly if mortality and injuries rates to fish increase;
 - (h) Any predator management required;
 - (i) Provision for Hokonui Rūnaka to work in partnership with the Consent Holder and to participate in the Monitoring Programme, including observation of the monitoring of the trash screen and holding chute and the fish collection and monitoring process;
 - (j) Protocols for the storage of eel carcasses and their subsequent provision to Hokonui Rūnaka; and
 - (k) Protocols for removing eel otoliths and their issuance to NIWA or a suitable alternative entity for analysis. The results of this analysis shall be provided to Hokonui Rūnaka 30 days after it is received by the Consent Holder.
15. The Consent Holder shall provide copies of a Draft Downstream Fish Migration Monitoring Programme ('Draft Monitoring Programme') to the Department of Conservation Attn: Operation Manager Murihiku (or equivalent), Hokonui Rūnaka Attn: The Chair, Te Ao Marama Inc Attn: Kaupapa Kaiao Manager (or equivalent), and the Southland Fish and Game Council Attn: Manager Southland Fish and Game (or equivalent) for comment prior to submitting the Final Monitoring Programme to the Consent Authority for certification. The Draft Monitoring Programme shall be provided to these organisations at least 40 working days prior to its submission for certification to the Consent Authority.
16. Upon receipt of the Draft Monitoring Programme required by condition 15, the organisations listed in that condition shall be provided with the opportunity to participate in a collaborative workshop with the Consent Holder to discuss and review the Draft Monitoring Programme. The Consent Holder shall circulate a record of the discussion to those organisations within 5 working days of the completion of the workshop. Those organisations shall be given the opportunity to provide oral feedback at the workshop and written feedback to the Consent

Holder on the Draft Plan within 15 working days of the completion of the workshop. If no feedback is received by that deadline the Consent Holder can consider that the organisation which has not responded has no further comments on the Draft Monitoring Programme.

17. The Consent Holder shall provide any feedback received on the Draft Monitoring Programme to the Consent Authority at the time it is submitted for certification, along with a clear explanation of where any comment has or has not been incorporated into the draft Monitoring Programme and the reasons why.
18. The Consent Holder shall implement the certified Downstream Fish Migration Monitoring Programme on an annual basis for the first five years following date of commencement of this consent. The person undertaking the monitoring shall be either a suitability qualified and experienced person or a person who has been trained in the handling and measuring of fish for scientific studies by a suitably qualified and experienced person.

The Downstream Fish Migration Monitoring Programme may be reviewed annually by the Consent Holder and if amendments are required a revised Monitoring Programme shall be submitted to the organisations listed in condition 15 and the Consent Authority at least 40 working days prior to the intended start of the next monitoring period. If a revised Monitoring Programme is prepared the collaborative process available under condition 16 shall be offered to the organisations listed in condition 15 afresh.

19. Following each annual monitoring campaign carried out to meet the requirements of the Downstream Fish Monitoring Programme, the Consent Holder shall engage a suitably qualified, independent and experienced freshwater fisheries biologist to prepare a report ('the Monitoring Report') that: 1) summarises the results of the monitoring; 2) assesses the actual propensity for entrapment of fish within the intake channel and for entrapped fish to enter the turbine; and 3) provides a recommendation as to whether it is necessary to design and implement different option(s) for monitoring.

As a minimum the Monitoring Report shall:

- (a) Include a summary of all data collected as required under the conditions of this consent and the Downstream Fish Migration Monitoring Programme with regard to impacts on downstream fish migration including the number and species of fish that were impinged on the screen and would otherwise have entered the turbine operated by the Consent Holder and their fate;
 - (b) Critically analyse the information collected in accordance with the conditions of this consent, in terms of identifying the magnitude of the potential or actual adverse effects of the hydro scheme on downstream fish migration;
 - (c) Critically evaluate the data in order to recommend whether alterations/additions to the monitoring programme are required;
 - (d) Include a summary of the fate of fish that have been collected as part of the Downstream Fish Monitoring Programme, including the numbers of fish released back into the mainstem of the Mataura River below the Mataura Falls; and
 - (e) Any matters raised by Hokonui Rūnaka that would assist with the implementation of the Downstream Fish Migration Monitoring Programme in subsequent seasons.
20. The Monitoring Report required by condition 19 shall be submitted to the Consent Authority within 30 working days of the annual monitoring required by condition 18 being completed

and a copy of the Monitoring Report shall also be provided to the Department of Conservation Attn: Operation Manager Murihiku (or equivalent), Hokonui Rūnaka Attn: The Chair, Te Ao Marama Inc Attn: Kaupapa Kaiao Manager (or equivalent), and the Southland Fish and Game Council Attn: Manager Southland Fish and Game (or equivalent).

21. Where the Consent Holder is required to submit the Elver Trap and Transfer Plan and Downstream Fish Migration Monitoring Programme (each hereafter constituting a 'document') to the Consent Authority for "certification" it shall mean the process set out in the following paragraphs (a) to (d) and the terms "certify" and "certified" shall have the equivalent meanings:
 - (a) The Consent Holder supplies the document to the Consent Authority, Attention: RMA Compliance and Enforcement Manager (or their equivalent), and the council assesses the document submitted to ensure it achieves the requirements of the relevant condition(s) of consent (this will include that the document proposed for certification meets the objective(s) and content requirements set out in the condition(s));
 - (b) Should the document supplied in accordance with (a) above, in the opinion of the Consent Authority, achieve the requirements of the relevant condition(s), the Compliance and Enforcement Manager (or their equivalent) will issue a written confirmation to the Consent Holder that the requirements of the relevant condition(s) have been satisfied;
 - (c) If the Consent Authority is not satisfied that the document supplied is in accordance with (a) above achieves the requirements of the relevant condition(s), the Compliance and Enforcement Manager (or their equivalent) will advise (in writing) the Consent Holder of the Consent Authority's concerns and ask that the document be modified so as to address the concerns, and then be resubmitted;
 - (d) This process shall be repeated until the Compliance and Enforcement Manager (or their equivalent) is able to certify that the requirements of the applicable condition(s) have been satisfied.
22. Where no written confirmation, pursuant to either Conditions 21(b) or 21(c), is provided within 20 working days of document being provided to the Consent Authority, the document shall be deemed to be certified for the purpose of the respective condition to which the document pertains.
23. The Consent Authority may serve notice of its intention to review the conditions of this consent in terms of section 128 of the Act as follows:
 - (a) Within three months of receiving the annual Monitoring Report required by condition 19 of this consent, should the monitoring identify that significant adverse effects on downstream fish migration are arising.

A handwritten signature in black ink, appearing to read 'Rob Lieffering', written in a cursive style.

Dr Rob Lieffering
Independent Hearing Commissioner