



Appendix 1: Recommended conditions of consent

To avoid repetition, this is a compilation of conditions for both CODC and QLDC consents. Where conditions only apply within one jurisdiction, this is identified. A separate certificate of consent will need to be issued for each jurisdiction.

It is recommended that the expiry date aligns with ORC consenting requirements.

General

1.  suction dredge mining activity [and establishment of the slipway – CODC only] must be carried out in accordance with the plans and all information submitted with the application, further information and additional information provided at the hearing and the plans attached to this consent:
 - Application for RC220255 [CODC only]
 - Application for RM220834 [QLDC only]
 - Further Information Responses to QLDC and CODC dated 19 April 2023 and ORC dated 18 July 2023
 - CDG MTOP Version 7 (30 June 2023)
2. If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.
3. The Consent Holder must ensure that all persons operating the dredge have read and are familiar with the conditions of these consents. A copy of the conditions must be kept on the dredge at all times.
4. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 -  b) Charges authorised by regulations.
5. The consent holder is:
 - a) responsible for all contracted operations relating to the exercise of this consent; and
 - b) to ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent, have access to the contents of consent documents and to all associated erosion and sediment control plans and methodology; and
 - c) to ensure compliance with land use consent conditions.

Operational Matters

6. Works must only be carried out between the hours of 7:00 am and 10:00 pm.
7. Works must not be undertaken on any public holiday and between 24 December and 03 January or Easter and Labour weekends.
8. At the notional boundary, being a line 20 metres from part of any living accommodation or the legal boundary where this is closer to the living accommodation, noise generated by the operation must not exceed the following levels:

Daytime hours	Limits	Nighttime hours	Limits
0800h to 2000hr	50 dB LAeq(15 min)	2000hr to 800ha	40 dB LAeq(15 min) 75 dB LAFmax

Noise must be measured in accordance with NZS6801:2008 and NZS6802:2008.

9. The following commercial operators must be notified by email each week, of dredge location and the movements over the next week or at any other time the dredge moves location:
 - a) Go Jet
 - b) Lakeland Adventures
 - c) Wanaka Fishing Charters
 - d) Aspiring Fishing Guide
 - e) Southern Rivers Fishing
 - f) Alpine Fishing Guides
 - g) Paddle Wanaka
10. Signage must erected at the closest public launch facilities upstream and downstream of the dredging operation. The signage must be positioned in a visible location at the launch facilities and must alert river users that the dredge is operating of the area and include the primary location of the dredge at any given time. Signage must be updated as required to accurately reflect the current location of the dredge within the operational area. .
11. The tender used to access the dredge must be located such that it is visible to other river users and secured well clear of navigable waterways.
12. No mooring or anchor lines are permitted to extend into the riverbed beyond the port or starboard beam of the dredge.
13. Dredging must not to occur within 150 metres of an angler if that angler has been actively fishing at the proposed mining location prior to the dredge's arrival.
14. The mining operation must be operated such that no greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

Annual work program and reporting

15. An annual work program must be prepared and must, at a minimum include, but not be limited to:

- a) Monitoring requirements and procedures for refuelling;
- b) Contingency plans in the event of system malfunctions or breakdowns;
- c) The means of receiving and dealing with any complaints; and
- d) Emergency contact phone numbers.

16. A record of activity undertaken in accordance with this consent must be submitted to the Consent Authority by 28 February annually, and made available for inspection at other times upon request. The report must at a minimum include:

- a) Records showing the location of dredging activity complied with the annual work program, including the provision of GPS coordinates.
- b) Records of any malfunctions and breakdowns in the refuelling system and any remedial action undertaken.
- c) A record of any complaints received including:
 - i. The date, time, location and nature of the complaint;
 - ii. The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
 - iii. Action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.

Operational Extent

17. .

18. The area between the confluence with the Lindis River and Lake Dunstan/ Te Wairere as shown in the plans attached to this consent is excluded from the operational area. [CODC only]

19. The area known as "Devil's Nook" as shown in the plans attached to this consent is excluded from the operational area. [QLDC only]

20. Mining must not take place within 50 metres upstream or downstream of the confluence with any tributary.

21. A GPS device must be on or near the dredge to continuously record the location of the dredge in relation to areas of operation authorised by this consent.

22. The total height of the dredge, including any antenna or other fixtures that can articulate and extend vertically above the craft, must be no more than 7.5 metres vertically above the water line.

23. The consent holder must maintain a horizontal and vertical 15 metres setback to any high voltage transmission line at all times.

24. The consent holder must take all measures to ensure the dredge and associated equipment is secured in high flows and flooding events to prevent any obstruction or blockage in river channel and damage to any bridges, dams or other structures.

Fuel Storage

25. Prior to the exercise of this consent, the Consent Holder must ensure that:

- a) an industry standard hose and filler nozzle with automatic cut-off is fitted for refuelling equipment;
- b) an additional shutoff valve is fitted to the handle and a remote stop push button and cable accessible at the filler nozzle location to stop the pump at the bulk tank;
- c) the bulk onshore fuel tank is double skinned or banded and is located in an area which is setback 50 metres is above 1 in 50 year flood levels, in a safely accessible location;
- d) spill kits are located at the bulk tank and onboard the dredge; and
- f) all staff receive training in the location and use of spill kits.

26. Each time the fuel tank is to be relocated, the consent holder must provide the relevant consent authority a copy of the proposed location for technical certification prior to installation. Within 5 days of the fuel tank being installed, the ORC and QLDC Harbour masters must be provided with written notice and a plan which shows the location of the fuel tank.

Slipway [For CODC ONLY]

27. The slipway must be located at NZTM 2000: 1,310,061-5,035,771
28. The consent holder must not excavate or disturb any riverbanks or disturbance of vegetated areas adjoining the Clutha River/ Mata-Au, except as required to establish the access at the slipway.
29. Erosion and sedimentation must be managed on the site during the installation of the slipway. Measures must be taken and devices installed, where necessary, to divert clean runoff away from disturbed ground.
30. The slipway must be maintained in an erosion proof state.
31. At the expiry of this consent, the consent holder the slipway must be reinstated to match the adjacent ground conditions and contours.
32. The shipping containers located at the slipway must be positioned and coloured to comply with Rule 4.7.6A and 4.7.6D of the Central Otago District Plan.
33. All materials associated with the operation of the dredging operation must be stored within the shipping containers and must be not kept loose on the site.
34. If the consent holder:

- a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder must without delay:
 - i) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
 - ii) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.



Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - i) stop work within the immediate vicinity of the discovery or disturbance; and
 - ii) advise the Consent Authority, Heritage New Zealand, and in the case of Maori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
 - iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.



Site work may recommence following consultation with the Consent Authority.

Review of consents

35. 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 this consent during the period of three months either side of the date of commencement of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:

- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
- b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
- c) Reviewing the frequency of monitoring or reporting required under this consent.

Advice notes

1. Vessels performing work under other electricity lines must maintain a 4 metres minimum approach distance from the conductors as per New Zealand Electrical Code of Practice for Electrical Safe Distances
2. This consent does not confer any right of access over any land. Any arrangements necessary for access are the responsibility of the consent holder.

Note:

The Chair also asked whether the recessive colour of the barge should be made a condition of consent. While the colour of the barge is considered to be covered by Condition 1 which requires the applicant to undertake the activity as they said they would and this includes the recessive colour of the barge, I consider that a condition of consent would provide additional certainty.

However, at the time of writing this response to Minute 3, a an expert Landscape Impact Assessment has been provided by the applicant and this is currently being peer reviewed. Before including a condition of consent relating to the colour of the barge, it may be helpful to confirm whether any other conditions are recommended by the Landscape Architect to mitigate visual effects and if these conditions can be bundled together as a suite of visual mitigation conditions.



