

ORC Conditions – Aukaha Comments / HML Responses

Aukaha		
RM23.819.01 – Land Use Consent to construct a bore for the purpose of digging a mine pit that intercepts groundwater.		
1. <i>This permit must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM23.819.</i>	This condition is not viable due to changes in the application and hearing process compared to the original submission.	Accepted. The condition has been redrafted to reflect.
3. <i>The mine pit must be set back at least 20 m from the Clutha River/Mata-Au.</i>	Requires further information for clarification of location.	Accepted. The condition has been redrafted to clarify the setback is to surveyed, consistent with CODC conditions.
6. <i>The Consent Holder must submit a Water Management Plan (WMP) to the Consent Authority at least one month prior to the exercise of this consent for certification that documents, as a minimum: ...</i>	The WMP should define water quality limits for landfill contaminants, and specific measures to manage potential risks from these contaminants mobilised by mining must be included in the consent conditions.	Accept in part. This consent does not authorise discharge of landfill contaminants; that is covered by the CODC landfill consent. Parameters are specified in condition 12 of RM23.819.03 and are consistent with those in the landfill consent. Note that mobilisation of contaminants is assessed by hydrological experts as highly unlikely and this monitoring is field verification of predictions.
	Queries meaning of “project water circuit”.	Reference to project water circuit has been removed, as multiple parties found this confusing. It remains in the WMP to provide clarity on how water moves around the site.
	The rate of augmentation shall be determined in accordance with Schedule xx appended to this consent and forming part of these conditions	The rate of augmentation is defined in condition 8 of the water permit (RM23.819.02) and is supported by hydrologist experts.

	Would expect to see all the mitigation measures specified as relevant conditions.	Agree. The condition has been redrafted to reflect.
7. <i>Activities authorised by this consent shall not commence until the Consent Holder has received written certification of the GMP. Notwithstanding this, the works may proceed if the Consent Holder has not received a response from the Consent Authority within 20 working days of the date of the submission of the GMP.</i>	If Nga Runanga are to have input into the WMP, fifteen working days is insufficient.	20 working days has been provided for Kā Rūnaka involvement. This has been verbally accepted by Mr Vial on conversation acknowledging that Aukaha have already consulted on a first draft.
8. <i>Any erosion, scour or instability of the pit that results in exceedances of the extent shown in the consent application must be reinstated or remedied by the Consent Holder. ...</i>	If the mine pit exceeds what is shown in the application it would be unlawful. The condition needs to specify the standard of remediation or reinstatement and the timeframe within which this will occur.	Condition requires reinstatement of the pit if necessary. This may relate to a flood or other natural event. Condition has been amended also accounting for ORC comments.
9. <i>In the event of a discharge of unauthorised contaminant(s) to water or to land in a manner that may enter water, including but not limited to fuel, hydraulic fluid, contaminated soil or leachate, the Consent Holder must: ...</i>	Aukaha on behalf of Nga Runanga should be notified of the spill or contamination and provided with a copy of the risk assessment.	Agree, the condition has been redrafted to reflect (refer to condition 15).
10. <i>The Consent Holder must ensure that: ... f. Mobile refuelling occurs in accordance with best practice, a drip tray is used at all times for such refuelling, and spill kits are available at the mobile refuelling locations.</i>	Minor edits to condition wording. This needs to reference the appropriate industry guidelines or NZ Standard.	Partly accepted. Condition wording edits are mostly incorporated. A reference to an industry standard for refuelling has not been included as key measures ((use of drip tray and spill kit) are referenced in the condition.
13. New condition.	The Consent Holder must: a. Immediately notify the Consent Authority upon becoming aware of any non-compliance with the conditions of this consent; and	Not accepted. This is very onerous considering the degree of risk associated with the activity.

	<p>b. Within 10 working days thereafter must provide written notification to the Consent Authority which explains the cause of the non-compliance; and</p> <p>c. Outline the actions taken to remedy the non-compliance and prevent any further occurrence of non-compliance with the conditions of this consent.</p>	
<p>16. <i>Complaints which infer non-compliance with the conditions of these consent must be referred to the Consent Authority within 24 hours of their receipt.</i></p>	<p>Duplication of the condition 15.</p>	<p>Accepted. The duplicated condition has been deleted.</p>
<p>17. <i>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 within 3 months of each anniversary of the commencement of this consent for the purpose of:</i></p>	<p>Wording amendments for consistency with other consents.</p>	<p>Accepted. The condition has been amended to reflect.</p>
<p>RM23.819.02 – Water Permit to take and use groundwater for the purpose of transient mine pit dewatering and/or augmentation purposes, plant processing, dust suppression and rehabilitation</p>		
<p>1. <i>The take and use of groundwater for the purpose of transient mine pit dewatering and augmentation purposes, plant processing, dust suppression and rehabilitation must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM23.819. ...</i></p>	<p>This condition is not viable due to changes in the application and hearing process compared to the original submission.</p>	<p>The condition has been redrafted to reflect changes in application.</p>
<p>4. <i>If, as a result of the mine pit pond dewatering authorised by this resource consent, the direct drawdown effect upon any adjacent well to the extent that the water supply is no longer viable, then the Consent Holder must, within 48 hours of</i></p>	<p>Preferable to have a maximum drawdown effect that is permissible and described as a quantum in the condition.</p>	<p>This condition has been redrafted. Only household use is potentially affected, no irrigation bores will be affected. Refer to condition 7 for revised wording.</p>

<p><i>receipt of a request from any affected well owner, provide the affected well owner with an alternative water supply of at least 2,000 litres per day for each household provided by the supply, until such time as the affected well becomes viable again. All costs shall be borne by the Consent Holder.</i></p>	<p>There should be no drawdown effect to the extent that it disrupts other well users water supplies- this is a significant effect.</p> <p>Condition needs to state when the alternative water supply must be made available.</p>	
<p><i>5. During any period of groundwater abstraction for mine dewatering purposes and where any water table level decline as a result of mine dewatering exceeds 0.2 m adjacent to the reach of the Tima Burn from Teviot Road Bridge to the confluence with the Clutha River: ...</i></p>	<p>If dewatering will occur for an extended period, flow variability will need to be built into the augmentation.</p> <p>Regarding dissolved oxygen, preference to include a minimum dissolved oxygen concentration in the condition. Refer to RM23.819.02 Condition 13.</p>	<p>This condition has been redrafted to improve, refer to condition 8 for the revised wording. A dissolved oxygen standard and monitoring point is included.</p>
<p><i>7. Prior to the exercise of this Consent, the Consent Holder must provide to the satisfaction of the Consent Authority an assessment of natural flow within the Tima Burn to confirm the assessed natural flow in Condition 5a) ii.</i></p>	<p>Suggested wording amendment for clarification.</p> <p>The natural flow pattern will vary and an assessment over three months will not capture this variability.</p>	<p>This condition has been redrafted to improve, refer to conditions 8-10.</p>
<p><i>8.a. The Consent Holder shall monitor groundwater levels within the lateral boundaries of the advancing mine pit pond. The Consent Holder must monitor groundwater levels (at least) on a weekly basis, commencing one month prior to the commencement of any site dewatering....</i></p>	<p>Queries timeframes for monitoring.</p>	<p>This condition requires weekly groundwater level monitoring.</p>

<p>9.a <i>Prior to the first exercise of this consent, the Consent Holder must install a: water meter ...</i></p>	<p>Either request photos or accept certification by a qualified person. A diagram is not sufficient to confirm water meter and datalogger position.</p>	<p>Condition is unaltered as it is an ORC standard water metering condition and the condition is considered to appropriately provide for infrastructure location.</p>
<p>11. <i>During the exercise of this consent, the Consent Holder shall (as practicable): ...</i></p>	<p>Wording amendment sought – remove “as practicable”.</p> <p>Request Tima Burn flow monitoring is recorded using a flow meter, datalogger and telemetry.</p>	<p>Accepted. “As practicable” deleted from the condition.</p> <p>Not accepted. This is onerous for the frequency of monitoring. HML considers that manual monitoring is a practical solution.</p>
<p>RM23.819.03 – Discharge Permit to discharge sediment-laden water to water in a bore, and to land in a manner that may enter water.</p>		
<p>3. <i>This consent authorises the discharge of groundwater containing sediment to land, whereby it may enter water at locations adjacent to the transient mine pit pond between NZTM 2000 grid coordinates E 1318240 N 4939570 and NZTM E 1319440 N 4938130. Sediment retention ponds are to be sized appropriately to allow adequate freeboard, and to ensure they do not overflow.</i></p>	<p>“adequate freeboard” is too vague.</p>	<p>Accepted. Amended condition to require a minimum of 300mm freeboard.</p>
<p>8. Within three months of this consent being exercised, a water quality monitoring network must be established for the mine which must include:...</p> <p>If the above monitoring bores are relocated due to access, the updated co-ordinates shall be submitted to the Consent Authority before drilling commences.</p>	<p>A situation where the monitoring bore would be relocated requires clarification.</p>	<p>Accepted. Edited condition: “If the above monitoring bores are relocated due to access being unavailable...”</p>
<p>9. <i>The bore drilling and installation of the piezometers required by Condition 8 shall be overseen by a suitably qualified person. A report that demonstrates compliance with the requirements of Condition 8 shall be submitted to the Consent Authority within one month of the installation of the bore(s).</i></p> <p>10. <i>The Consent Holder must take representative water samples</i></p>	<p>Timing inconsistency through draft conditions.</p>	<p>Accepted. Revision condition set to ensure consistency of timing.</p>

<p><i>from the water quality monitoring network established in Condition 8, commencing within three months of this consent being exercised. ...</i></p>		
<p><i>12. For the term of this consent, quarterly (four times per year) water monitoring must be undertaken for total suspended solids and turbidity at the following sites: ...</i></p>	<p>Monitoring of the discharge from the settling pond should be required under this consent.</p> <p>Consistency required between the consent and the WMP.</p>	<p>Monitoring of discharge from the settling pond is to be visual inspections. This is an operational matter. What is important is that the pond integrity is maintained to ensure performance. This is achieved by maintaining an adequate pond level and freeboard with no obvious external dirty water discharge. A requirement to maintain at least 300mm freeboard and daily visual checks to ensure pond operation and no external dirty water discharge has been added to the WMP and conditions.</p>
<p><i>14. By the 30th of June each year, the Consent Holder must submit an Annual Groundwater Report to the Consent Authority. The report shall: ...</i></p>	<p>Ensure consistent annual groundwater reporting requirements across permits RM23.819.</p>	<p>Accepted. Conditions have been reviewed and amended for consistency across the various permits.</p>
<p><i>15. Should the measured value of any of the determinants in a sample from monitoring bores measured in accordance with Conditions 10 and 11 exceed a NZ Drinking Water Standard Maximum Acceptable Value or Guideline (Aesthetic) Value (as specified in the relevant New Zealand Drinking Water Standards at the time of sampling), ...</i></p>	<p>Consider that the time between identifying a contaminant and providing an alternative water source to a potentially affected bore is too long.</p> <p>Timeframe edits sought. Other wording changes sought.</p>	<p>Accepted. Condition has been redrafted to provide better protection for surrounding well users.</p> <p>Note however that the exceedance is identified firstly in a monitoring bore, and potable supply bores are further from the site.</p>
<p><i>18. The discharge authorised by this consent must not result in:</i></p> <ul style="list-style-type: none"> <i>a. the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials.</i> <i>b. any conspicuous change in the colour or visual clarity after reasonable mixing.</i> <i>c. any emission of objectionable odour.</i> <i>d. the rendering of fresh water unsuitable for consumption by farm animals; or</i> <i>e. any significant adverse effects on aquatic life.</i> 	<p>Since the discharge consists only of sediment, no effects other should occur.</p>	<p>Agree. The consent authority cannot grant consent if any of those effects occur (as they reflect s107 RMA). Deleted condition for this reason.</p>
<p>RM23.819.04 – Discharge Permit to discharge contaminants to air for the purpose of operating an alluvial gold mine.</p>		

<p>1. <i>The discharge to air associated with the operation of the alluvial gold mine must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM23.819.04...</i></p>	<p>This condition is not viable due to changes in the application and hearing process compared to the original submission.</p>	<p>Condition has been redrafted to reflect latest revision of associated documents.</p>
<p>6. The maximum area of unconsolidated land comprising of the excavation area, backfilling areas and rehabilitation area shall not exceed 12 hectares ...</p>	<p>Is the 12ha a limit at any time or over the life of the consent?</p>	<p>At any time. The total site area is 68ha.</p>
<p>8. At least one month prior to exercising this consent, the Consent Holder must submit a DMMP to the Consent Authority for certification. Works must not commence until the Consent Holder has received written certification of the DMMP from the Consent Authority...</p>	<p>Minor wording edits.</p>	<p>Condition has been redrafted to improve, refer to condition 10.</p>