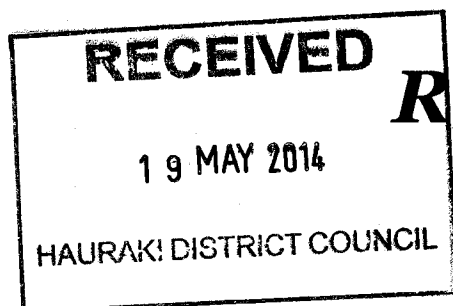


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# Resource Consent Certificate

**Resource Consent:** AUTH130392.03.01

**File Number:** 60 00 36A

*Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:*

Hauraki District Council  
PO Box 17  
Paeroa 3640

*(hereinafter referred to as the Consent Holder)*

**Consent Type:** Water permit

**Consent Subtype:** Surface water take

**Activity authorised:** Take water from the Ohinemuri River

**Location:** Ohinemuri River

**Spatial Reference:** NZTM 1853973 E 5858554 N

**Consent Duration:** Granted for a period expiring on the twentieth anniversary of the date of commencement

**Subject to the conditions overleaf:**

### **General Conditions**

1. The consent holder shall undertake the activities authorised by this consent:
  - (a) In general accordance with the document titled **“Waihi & Waikino Water Supply Scheme” dated September 2013** (recorded as document number 2831410 on the Waikato Regional Council’s document recording system);
  - (b) Unless superseded by the documents relating to the Ohinemuri Intake access roadway recorded as document numbers 2874496, 2874493 and 2844490 on the Waikato Regional Council’s document recording system and
  - (c) In accordance with the conditions of this consent.

In the event of any conflict between the application documentation and the conditions of this consent, then the conditions shall prevail.

2. The consent holder shall be responsible for all sub-contracted operations related to the exercise of this consent, and must ensure sub-contractors are made aware of the conditions of this consent.
3. The consent holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

### **Water Take Rates**

4. The maximum net volume of water authorised to be taken under this consent shall not exceed:
  - i) 4,050 cubic metres in any 24 hour period from the commencement of this consent until 10<sup>th</sup> September 2018; or
  - ii) 4,300 cubic metres in any 24 hour period

Unless consent number 121827 is surrendered in which case 4ii) shall apply from the date of surrender.

5. The maximum volume of water authorised to be taken under this consent, when assessed in combination with the volume authorised under consent number AUTH130392.01.01, shall not exceed 4,300 cubic metres in any 24 hour period.
6. The maximum instantaneous net rate shall not exceed 60 litres per second.

### **Annual Volume**

7. In conjunction with consent number AUTH130392.01.01 the combined maximum annual volume authorised to be taken under the two consents shall not exceed 1,056,000 cubic metres.

Advice Note: For the purposes of this consent, annual refers to the 12 month period 1 July to 30 June of the following year.

### **Intake Conditions**

8. The consent holder shall ensure that the velocity of water through the intake screen does not exceed 0.3 metres per second under normal operating conditions. If requested by the Waikato Regional Council in writing, the consent holder shall provide data and/or information on how this velocity requirement is achieved.

9. The intake shall be screened with a mesh aperture size not exceeding 3 millimetres by 3 millimetres.

#### **Water Measuring System**

10. From the first exercise of this consent the consent holder shall record the quantity of water taken from the Ohinemuri River at the point of take on a cumulative basis which shall be telemetered back to the Waikato Regional Council. If telemetry is not available at this location the consent holder shall submit an alternative methodology to the Waikato Regional Council for approval in a technical certification capacity. The methodology may change with the written approval of the Waikato Regional Council.
11. Within six months of the first exercise of this consent the consent holder shall undertake an assessment of the accuracy of the water measuring system. The assessment shall be undertaken by an independent, qualified person and evidence documenting the assessment shall be forwarded to the Waikato Regional within one month of the assessment occurring.
12. Assessments of the water measuring system for water flow shall be undertaken by the consent holder at the written request of the Waikato Regional Council and at five yearly intervals following the assessment undertaken in condition 11 above.

The assessments shall be undertaken by an independent, qualified person and evidence documenting the assessment shall be forwarded to the Waikato Regional within one month of the assessment occurring.

#### **Records**

13. From the first exercise of this consent and until daily data is electronically provided as per condition 10, the consent holder shall provide to the Waikato Regional Council, via electronic means, the daily volume taken; the maximum daily abstraction rate; and the average daily abstraction rate at the following frequency;
  - (a) Except as provided for by 13 b) below, monthly (monthly data to be submitted on or before the final day of the following month);
  - (b) Weekly when 95% of the low flow ( $Q_5$ ) or below, is recorded within the Ohinemuri River at the Frendrup's recorder site (weekly data to be submitted on or before the final day of the following week);

The consent holder shall ensure that no more than 2 percent of any of the records required in accordance with this condition are missing on an annual basis.

#### **Water Shortage Condition**

14. When the flow in the Ohinemuri River is 95% of the low flow ( $Q_5$ ) or less, as recorded at the Frendrups recorder site, the consent holder shall initiate measures seeking to reduce the daily take rate by 15% of the authorised amount. Prior to the first exercise of this consent the consent holder shall provide to the Waikato Regional Council a methodology for how the 95% of low flow is to be established.

The agreed methodology shall be subject to the approval of the Waikato Regional Council acting in a technical capacity.

#### **Use**

15. This consent shall be used for domestic and municipal water supply.

#### **Water Management Plan**

16. The consent holder shall carry out its water supply operations in general accordance with the Water Management Plan entitled "Water Management Plan, Waihi Water Supply" dated 25 July 2013 or any subsequent updated version of this document as provided for by condition 19 of this consent.

In the event of any conflict between the Water Management Plan (and any subsequent updated plan) and the conditions of this consent, then the conditions shall prevail.

17. The consent holder may update the Water Management Plan at any time and submit it to the Waikato Regional Council for approval (in a certifying capacity).
18. Approval by the Waikato Regional Council of any updated Water Management Plan shall be limited to an assessment of whether:
  - (c) The plan complies with the information requirements of Part 8.1.2.2 (Water Management Plans) of the Waikato Regional Plan; and
  - (d) The plan is consistent with the conditions of this consent.
19. The Water Management Plan shall be reviewed and updated every 5 years and submitted to the Waikato Regional Council for approval (in a certifying capacity) by no later than the 5<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup> anniversaries of commencement of this consent. The consent holder may update the Water Management Plan at any time and submit it to the Waikato Regional Council for approval (in a certifying capacity).

Approval by the Waikato Regional Council of any updated Water Management Plan shall be limited to an assessment of whether:

- c) The plan complies with the information requirements of Part 8.1.2.2 (Water Management Plans) of the Waikato Regional Plan; and
- d) The plan is consistent with the conditions of this consent.

#### **Riparian Restoration Plan**

20. Within twelve months of the commencement of this consent the consent holder shall provide the Waikato Regional Council with a Riparian Planting Plan. This plan shall as a minimum document the objectives of the plan, identify areas along the Ohinemuri River for riparian planting, planting priorities and indicative timing of the riparian planting, and any identified maintenance to ensure the riparian planting is established. The consent holder shall implement the Riparian Planting Plan.

Advice Note: This plan may form part of a larger plan that includes the Riparian Planting required within AUTH130392.01.01.

#### **Monitoring Plan**

21. Within twelve months of the commencement of this consent the consent holder shall provide the Waikato Regional Council with a Monitoring Plan. This plan shall as a minimum document the objectives of the Monitoring Plan and shall consist of physical habitat parameter monitoring and biological surveys, and shall detail the frequency of the monitoring. The consent holder shall implement the Monitoring Plan.

Advice Note: This plan may form part of a larger plan that includes/incorporates the monitoring required within AUTH130392.01.01.

#### **Catchment Review**

22. The Waikato Regional Council may commence a review of the conditions of this consent under section 128(1) of the Resource Management Act 1991 within 12 months of a Catchment Investigation in accordance with Implementation Method 3.3.4.9 of the Waikato Regional Plan has been released to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on water quality, flow regimes and aquatic fauna in the waterway from the exercise of this resource consent.

#### **Review**

23. In the six month period following the 5<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup> anniversary of commencement, the Waikato Regional Council may following service of notice on the consent holder, commence a review of the conditions of this resource consent under section 128(1) of the Resource Management Act 1991 for the following purposes:
- (c) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on water quality, flow regimes and aquatic fauna in the waterway from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
  - (d) To review the adequacy of and the necessity for monitoring undertaken by the consent holder.

**Treaty Review**

24. Within 12 months of any Co-Management Settlement Act commencing for the Waihou River catchment, the Waikato Regional Council may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to s.128 (1)(a) of the RMA, for the purpose of ensuring that this consent is in alignment with the provisions of any such settlement act.

## Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.