

# Resource Consent



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File Number: 60 26 07A  
Resource Consent Number: 101995

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

Hauraki District Council  
P O Box 17  
PAEROA 2951

(hereinafter referred to as the Consent Holder)

**Consent type:** Water permit  
**Consent subtype:** Surface water take

**Activity authorised:** Take up to 6867 c/m per day of water from Waitawheta River for Paeroa Public water supply

**Location:** (Paeroa Water Supply) SH 2 - Paeroa  
**Map Reference:** NZMS 260 T13:512-162

**Consent duration:** Granted for a period expiring on 31 March 2019

**Subject to the following conditions:**

## CONDITIONS

- 1 This resource consent shall commence on the date of surrender of consent number 590021 (consent to take up to 6750 cubic metres of water per day from the Waitawheta River at Dickeys Flat) or the date of expiry of consent number 590021, whichever is sooner.
- 2 Subject to the conditions of this consent, the consent holder shall undertake the activity in general accordance with the information contained in the document "Paeroa Water Supply Lower Waitawheta Intake – Assessment of Environmental Effects – Hauraki District Council" (Opus International Consultants Limited, 16 November, 1998) and the letter from Opus International Consultants Limited to Environment Waikato, dated 28 January 1999 and titled "Paeroa Water Supply Take: Application for Resource Consent to Take".
- 3 The rate at which water is abstracted shall not exceed 79 litres per second and the volume abstracted shall not exceed 6867 cubic metres in any consecutive 24 hour period.
- 4 The consent holder shall maintain a daily record of pumping hours and daily water usage (in cubic metres per day) which shall be made available as requested by the Waikato Regional Council. Each year these records shall be forwarded to the Waikato Regional Council by ~~31 March~~ 30<sup>th</sup> September. <sup>11/01/2010</sup> *MB*
- 5 The consent holder shall take all reasonable steps to ensure that the water abstracted under this consent is used efficiently.
- 6 The consent holder shall ensure that the intake velocity does not exceed 0.3 metres per second at all times. The intake shall be cleaned and maintained to ensure that the intake velocity is maintained at 0.3 metres per second or less.
- 7 The intake shall be screened with a mesh size not exceeding 1.5 millimetres in aperture.
- 8 The consent holder shall be responsible for the structural integrity of the intake structure, and for the provision and maintenance of any erosion control works that may become necessary as a result of the exercise of this resource consent.
- 9 The consent holder shall be responsible for maintaining the intake structure free of flood debris (including silt, rocks, vegetative matter) and other obstructions at all times. Any such maintenance shall ensure that:
  - a) Works are undertaken in a manner so as to minimise disturbance to the rivers;
  - b) As far as practicable, machinery operates from the river banks, and not from within the waterway of the river;
  - c) All practicable precautions are taken to avoid spillage of oil, diesel or similar contaminants into the rivers;
  - d) All practicable attempts are made to avoid damage to riparian vegetation and river banks.The Waikato Regional Council shall be notified in writing of any such maintenance that is to be carried out, at least one week prior to the works commencing.
- 10 Intake design and operation (including compressed air backwashing of screens) shall ensure that the operation:
  - a) does not have a significant effect on fish migration;
  - b) does not result in a visually conspicuous plume of backwash material or sediment in the river;
- 11 The Waikato Regional Council may in the period of six months ending 31 March, 2004 and 31 March every five years thereafter, while this consent is current, serve notice on the consent holder under section 128 (i) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:

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- a) to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment 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
  - b) to review the adequacy of, and the necessity for, monitoring undertaken by the consent holder.
- 12 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.

Dated at Hamilton this 28 day of April 1999

For and on behalf of the  
Waikato Regional Council



.....  
for Secretary

## Appendix A

### SECTIONS OF THE RESOURCE MANAGEMENT ACT REFERRED TO IN THE REPORT

#### Section 2. Interpretation

"Environment" includes—

- (a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters:

#### Section 3. Meaning of "effect"—

In this Act, unless the context otherwise requires, the term "effect" ... includes—

- (a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present, or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects—  
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) Any potential effect of high probability; and
- (f) Any potential effect of low probability which has a high potential impact.

#### Section 5. Purpose—

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—
  - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

#### Section 6. Matters of national importance—

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

#### Section 7. Other matters—

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) Kaitiakitanga:
  - [(aa) The ethic of stewardship:]
- (b) The efficient use and development of natural and physical resources:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:

- (e) Recognition and protection of the heritage values of sites, buildings, places, or areas:
- (f) Maintenance and enhancement of the quality of the environment:
- (g) Any finite characteristics of natural and physical resources:
- (h) The protection of the habitat of trout and salmon.

**Section 8. Treaty of Waitangi—**

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## Appendix B

### RELEVANT SECTIONS FROM PROPOSED REGIONAL POLICY STATEMENT

#### Tangata Whenua Relationships with Natural and Physical Resources (PRPS section 2.1.5)

Objective: *The relationship which tangata whenua have with natural and physical resources recognised.*

Policy One: *Ensure that the relationship tangata whenua have with their ancestral lands, water, sites, waahi tapu and other taonga is recognised and provided for in resource management decision making.*

Policy Two: *Have particular regard to the role tangata whenua have as kaitiaki and provide for the practical expression of kaitiakitanga.*

#### River and Lake Beds Management (PRPS section 3.3.11)

Objective: *A net reduction in the adverse effects of the destabilisation of river and lake beds.*

Policy Two: *Sand, metal and gravel extraction, placement of structures, water level fluctuations and surface water activities managed so as to avoid, remedy, or mitigate the adverse effects of the stabilisation of the beds and banks of lakes and rivers.*

#### Water Quality (PRPS section 3.4.5)

Objective: *Net improvement of water quality across the Region.*

Policy One: *Ensure the protection of significant characteristics of the quality of outstanding water bodies.*

Policy Two: *Determine the characteristics for which other waterbodies are valued and manage those waterbodies to ensure that any adverse effects on those characteristics are avoided, remedied, or mitigated.*

#### Flow Regimes (PRPS section 3.4.6)

Objective: *The range of uses of water reliant on the characteristics of flow regimes maintained or enhanced.*

#### Efficient Use of Water (PRPS section 3.4.7)

Objective: *The efficient use of water that is available to be taken from waterbodies.*

Policy One: *Ensure that the water which is available to be taken from water bodies is used efficiently.*

#### Public Access to Water Bodies (PRPS section 3.4.9)

Policy: *Maintain and where practicable enhance public access to and along lakes and rivers except in circumstances where safety, defence, or security purposes require limits on public access or where sensitive areas require protection.*

#### Mauri (PRPS section 3.4.10)

Objective: *Tangata Whenua concerns relating to the mauri of the water recognised and provided for.*

#### Maintenance of Biodiversity (PRPS section 3.11.4)

Objective: *Biodiversity within the Region maintained or enhanced.*

Policy One: *Allow the use and development of natural and physical resources while avoiding, remedying or mitigating adverse effects on biodiversity in the Region.*

Policy Two: *Ensure that areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected or enhanced when using or developing natural and physical resources.*

#### Infrastructure (PRPS section 3.13.2)

Objective: *The continued operation of regionally significant infrastructure (including network utilities) maintained or enhanced.*

#### Heritage (PRPS section 3.15.2)

Objective: *The protection of regionally significant heritage resources, and allowing subdivision, use, and development of other heritage resources, while ensuring that there is no nett loss in the Region.*

Policy One: *Ensure the protection of significant natural and cultural heritage resources.*

## APPENDIX C

### RELEVANT SECTIONS FROM PROPOSED WAIKATO REGIONAL PLAN

#### 2.4.4.1 Consultation on Consent Applications

*For consent applications which may affect the interests of tangata whenua, Environment Waikato will require resource consent applicants to consult with tangata whenua prior to submitting resource consent applications and, as part of the consent application, to report on the views of tangata whenua to Environment Waikato.*

### 3.1 WATER RESOURCES

#### 3.1.2 Objective

*The management of water bodies in a way which ensures:*

- a) net improvement of water quality across the Region*
- b) the avoidance of significant adverse effects on aquatic ecosystems*
- c) the range of uses of water reliant on the characteristics of flow regimes maintained or enhanced*
- d) the opportunities for efficient utilisation of the available water resources are maximised*
- e) an increase in the quantity and quality of the Region's wetlands*
- f) that significant effects on the relationship tangata whenua have with the water are avoided.*

#### Policy 1: Decision-making Guidance through Water Management Classes

*When considering the effects of resource use or any discharge to water or land that could affect water quality, or making a decision on a resource consent application, particular regard will be had to:*

- a) The Water Management Classes and associated standards that may apply to the affected waters*
- b) The degree to which the waters meet the required standards.*

#### 3.2.4.1 Waikato Surface Water Class

*The purpose of this class is to provide direction for the management of all water bodies in the Region, to maintain existing aquatic life, ecosystems, aesthetic values and suitability of water for human consumption (after treatment).*

*The standards listed apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water:*

- a) The following shall not be allowed if they have any adverse effects on existing aquatic ecosystems:
  - i) changes in dissolved oxygen*
  - ii) changes in flow regimes due to instream structures*
  - iii) changes in pH*
  - iv) increase in deposition of bed sediments*
  - v) increase in undesirable biological growths*
  - vi) discharge of a contaminant.**
- b) The water temperature shall not be changed by more than three degrees Celsius above normal daily temperature fluctuations, as a result of any point source discharge to water.*
- c) Except in geothermal waters, all water intake structures shall be screened with a mesh aperture size not exceeding three millimetres in diameter at locations less than 100 metres above mean sea level, or five millimetres in diameter at locations greater than 100 metres above mean sea level.*
- d) Except in geothermal waters, the maximum intake velocity for any water intake structures shall not exceed 0.3 metres per second.*
- e) Any discharge into, or utilisation of the water resource shall not cause a conspicuous change in visual colour or clarity.*
- f) The discharge of suspended solids shall comply with the standards in Section 3.5.12.*

- g) *The water shall not be tainted or contaminated so as to make it unpalatable or unsuitable for consumption by humans after treatment (equivalent to coagulation, filtration and disinfection) or unsuitable for irrigation.*

**Advisory Note:**

- *This Class also includes any geothermal water, that is, water heated to above 30 degrees Celsius. However, the extent to which the standards in part a) are relevant will depend on the presence or otherwise of any existing aquatic ecosystems.*

### **3.2.4.4 Fishery Class**

*The purpose of this class is to maintain or enhance waters that have identified fisheries values, and to ensure that these values are protected.*

*The standards listed apply after reasonable mixing of any contaminant or water with the receiving water and disregard the effect of any natural perturbations that may affect the water:*

a) *Significant Indigenous Fisheries and Fish Habitat:*

- All water intake structures shall be screened with a mesh aperture size not exceeding 1.5 millimetres in diameter at locations less than 100 metres above mean sea level, or three millimetres in diameter at locations greater than 100 metres above mean sea level,*
- The maximum intake velocity for any water intake structures shall not exceed 0.3 metres per second.*
- The discharge of suspended solids shall comply with the standards in Section 3.5.12.*
- No structure or activity that will prevent the natural passage of fish or has the potential to do so, shall be constructed or undertaken unless provision is made for the maintenance of fish passage both upstream and downstream.*
- Where water is to be taken or diverted from or into any water, sufficient flow and/or water depth shall be maintained to allow for the unimpeded passage of fish at all times and for the maintenance of fish habitat and spawning.*
- The natural temperature of the water shall not be changed by more than 3 degrees Celsius. The temperature of the water shall not exceed 25 degrees Celsius as a result of added heat and shall not adversely affect the passage or spawning of fish.*

b) *Trout Fisheries and Trout Spawning Habitat:*

- All water intake structures shall be screened with a mesh aperture size not exceeding three millimetres in diameter.*
- The maximum intake velocity for any water intake structures shall not exceed 0.3 metres per second.*
- The discharge of suspended solids shall comply with the standards in Section 3.5.12.*
- The natural temperature of the water shall not be changed by more than 3 degrees Celsius, and shall not exceed 12 degrees Celsius between May and September, or 20 degrees Celsius at any other time. No change in water temperature shall adversely affect the spawning of trout within the spawning season.*
- Where water is to be taken or diverted from or into any water body, sufficient flow and/or water depth shall be maintained to allow for the unimpeded passage of fish at all times and for the maintenance of fish habitat and spawning.*
- The concentration of dissolved oxygen shall exceed 80 percent of saturation concentration at all times.*
- Fish shall not be rendered unsuitable for human consumption by the presence of contaminants.*

## **3.3 WATER TAKES**

### **3.3.3 Policy 1: Surface Water Flows**

Ensure that the taking of water from any surface water body is consistent with the relevant Water Management Class standards identified in Section 3.2.4, and will not have significant adverse effects on:



- a) water quality
- b) aquatic ecosystems
- c) the significant characteristics of flow regimes
- d) tangata whenua\* uses and values
- e) the natural character of wetlands and peatlands
- f) other lawful consumptive users of water
- g) streamside management zones\*.

### 3.4 EFFICIENT USE OF WATER

#### 3.4.2 Objective

The management of water bodies in a way which ensures:

- d) the opportunities for efficient utilisation of the available water resources are maximised.

#### 3.4.3 Policy 1: Efficient Use of Water

Promote the efficient use of water by:

- a) requiring the amount of water taken to be reasonable and justifiable with regard to the intended use and, in the case of irrigation uses, to have particular regard to the Crop Irrigation Guidelines (Section 3.4.4.3)
- b) requiring consideration of water conservation and minimisation methods as an integral part of water take consent applications, to ensure no significant wastage of water resources
- c) raising awareness amongst the regional community about water efficiency issues and techniques
- d) facilitating the transfer of water permits, provided the transfer does not result in significant adverse effects on the uses and values identified in the Water Management Class Maps.

#### 3.5.12 Suspended Solids Standards

*The discharge of suspended solids can occur from a range of activities. The suspended solids standards for discharges and activities that generate suspended solids, are defined in this section and are applied to rules throughout the Plan by cross-referencing. These standards are applied only to Permitted or Controlled Activity Rules. The environmental implications of suspended solids discharges for discretionary activities will be assessed with on a case-by-case basis and appropriate standards set.*

*The following suspended solids standards can be applied to discharges, or activities that may result in a discharge, to surface water bodies:*

- a) *In all waters, the activity or discharge shall not increase the concentration of suspended solids in the receiving water by more than 10 percent; and either*
- b) *The activity or discharge shall not result in any of the following receiving water standards being breached:*
  - i) *in Indigenous Fisheries and Fish Habitat class waters - 80 grams per cubic metre suspended solids concentration*
  - ii) *in Trout Fisheries and Trout Spawning Habitat class waters - 25 grams per cubic metre suspended solids concentration*
  - iii) *in Contact Recreation class waters - black disc horizontal visibility greater than 1.6 metres; or*
- c) *In the Waikato Surface Water class waters the suspended solids concentration of the discharge shall not exceed 100 grams per cubic metre.*

*Standards a), b), and c) apply, except where the suspended solids concentration in the receiving water is greater than the standards specified, at the time and location of discharge or of undertaking the activity. Then there shall not be any increase (i.e. further deterioration) in the receiving water suspended solids concentration as a result of the activity or discharge.*

*The point at which compliance with this standard shall be measured is:*

*For rivers and streams (including the Waikato hydro lakes): at a distance downstream of the discharge point (or site of the activity) which is no more than three times the width of the river or stream and which in any instance does not exceed 200 metres from the point of discharge.*

## **4.2 RIVER AND LAKE BED STRUCTURES**

### **4.2.2 Objective**

*The use, erection, reconstruction, placement, alteration, extension, removal or demolition of structures in, on, under or over the beds of rivers and lakes in a manner that:*

- a) *produces a net reduction in the adverse effects of the destabilisation of river and lake beds*
- b) *is consistent with the Water Management Objective 3.1.2 parts a), b), c), and f) of this Plan*
- c) *results in no increase in the adverse effects of flooding*
- d) *avoids obstruction to navigation*
- e) *protects natural features of river and lake beds which are outstanding and regionally significant*
- f) *avoids significant adverse effects on the relationship tangata whenua have with river and lake beds.*

### **4.2.3 Policy 1: Enable Low Impact Structures**

*Enable the use, erection, reconstruction, placement, alteration, extension, removal or demolition of structures in, on, under or over the beds of rivers or lakes which:*

- a) *do not obstruct navigation*
- b) *do not adversely affect bed stability*
- c) *do not increase the adverse effects of flooding, on neighbouring properties*
- d) *do not obstruct fish passage*
- e) *do not degrade water quality*
- f) *do not adversely affect natural features of river and lake beds (including caves) which are outstanding and regionally significant*
- g) *avoid significant adverse effects on tangata whenua's relationships with river and lake beds*
- h) *do not significantly adversely affect flow regimes where they are significant to aquatic ecosystems.*

## **5.1 ACCELERATED EROSION**

### **5.1.2 Objective**

*Net reduction in accelerated erosion and its effects managed in a manner that:*

- a) *maintains soil productivity, versatility and capability*
- b) *is consistent with the Water Management Objective 3.1.2 parts a), b), e) and f) of this Plan*
- c) *results in no increase in the adverse effects of flooding or land instability hazards*
- d) *minimises the rate of infilling of lakes, estuaries, artificial watercourses, rivers, wetlands and cave systems*
- e) *avoids significant adverse effects on the relationship tangata whenua have with land*
- f) *avoids significant adverse effects on ecological values associated with land.*

### **5.1.3 Policy 1: Managing Soil Disturbance and Vegetation Destruction**

*When managing soil disturbance and vegetation destruction activities, particular regard will be had to the following:*

- a) *The erosion potential of soil when it is disturbed or vegetation is destroyed.*
- b) *The potential for the activity to compromise the uses and values of water bodies as identified in Chapter 3.2 of this Plan, and the coastal marine area.*
- c) *The risk of downstream sedimentation of lakes, estuaries, artificial watercourses, rivers, wetlands and caves.*