

Resource Consent Certificate

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Hamilton 3216

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Hamilton 3240

Resource Consent: 119763
File Number: 60 25 28A

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***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: Dam
Activity authorised: Replace, use & maintain an existing weir in the bed of the Waitakaruru River to impound water to allow for the abstraction of water for public water supply purposes
Location: Waitakaruru River, Waitakaruru
Map Reference: NZMS 26 S12:191-340
Consent duration: Granted for a period expiring 1 July 2029

Subject to the conditions overleaf:

Conditions

General

1. The weir authorised by this resource consent shall be constructed, operated and maintained in general accordance with:
 - (i) The application for this resource consent; and
 - (ii) The document titled "Plains West Water Supply – Statement of Supporting Information and Assessment of Environmental Effects" by Aecom New Zealand Limited, dated 30 April 2009;
 - (iii) The letter "Applications 119762 – 119772: Response to Requests for Further Information", from AECOM New Zealand Limited, dated 26 June 2009;
 - (iv) The letter "Applications 119762 – 119772: Response to Requests for Further Information", from AECOM New Zealand Limited, dated 7 September 2009; and
 - (v) The memorandum "Waitakaruru Water Supply – Water Take Conditions", from Aecom New Zealand Limited, dated 26 May 2010;subject to the conditions of this resource consent.
2. The consent holder shall ensure contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Construction

3. The consent holder shall retain a suitably qualified and experienced engineer to design the weir and associated structures. The consent holder's final design for the weir shall be submitted to the Waikato Regional Council prior to construction.
4. In conjunction with consents 119762 – 119772, 121236 and 121237, the consent holder shall provide the Waikato Regional Council with a Construction Environmental Management Plan ("CEMP"), at least 20 working days prior to the commencement of activities authorised by the Consents.
5. The objectives of the CEMP shall be to:
 - (i) minimise, to the greatest extent practicable, sediment generation and erosion potential;
 - (ii) minimise, to the greatest extent practicable, any potential adverse environmental effects that could arise from sediment discharges;
 - (iii) incorporate the relevant provisions of Waikato Regional Council's Technical Report No.2009/02 "Erosion and Sediment Control: Guidelines for Soil Disturbing Activities", January 2009.
6. The CEMP required by condition 4 shall include at least the following:
 - a) Details of all procedures and practices that will be implemented to satisfy the objectives of the CEMP;
 - b) Timetable and nature of progressive site rehabilitation and re-vegetation proposed;
 - c) Maintenance, monitoring and reporting procedures;
 - d) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;
 - e) Procedures and timing for review and/or amendment to the CEMP; and

- f) Identification and contact details of personnel responsible for the activities addressed in the CEMP.
7. The CEMP required by condition 4 shall be prepared by a suitably qualified and experienced person who shall be approved in writing by the Waikato Regional Council.
 8. The CEMP required by condition 4 shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing. Should the Waikato Regional Council not respond in writing within 20 working days of receipt of the CEMP, either providing certification of the CEMP or clearly outlining areas of the CEMP that are not accepted, then the CEMP shall be considered to be approved and this condition satisfied.
 9. Any changes proposed to the CEMP required by condition 4 shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed. Should the Waikato Regional Council not respond in writing within 20 working days of receipt of the proposed changes to the CEMP, either providing certification of the CEMP or clearly outlining areas of the CEMP that are not accepted, then the CEMP shall be considered to be approved and this condition satisfied.
 10. All activities authorised by this consent shall be undertaken in accordance with the approved CEMP for the duration of this consent.
 11. The consent holder shall inform the Waikato Regional Council in writing, at least 5 working days prior to commencement of any works, of the start date and the expected completion date of the works authorised by this resource consent.
 12. During the construction period, discharges from the work site shall not cause a conspicuous change in water colour or clarity in the Waitakaruru River after reasonable mixing.
 13. All machinery shall be operated in a manner which ensures that spillage of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the river.
 14. As soon as practicable and within a period not exceeding 14 days after the completion of the works authorised by this resource consent, the consent holder shall fully stabilise any disturbed areas to limit/prevent sediment runoff and erosion, to the satisfaction of the Waikato Regional Council acting in a technical certification capacity.
 15. Within 3 months following construction of the weir the consent holder shall supply to the Waikato Regional Council the 'as-built' details and drawings of the structure authorised by this resource consent, and written confirmation from a suitably qualified and experienced engineer that construction has been completed according to the final design.

Operation and Maintenance

16. The removal of sediment from behind the weir via the weir flushing pipe shall not be undertaken when flows in the Waitakaruru River are below 100 litres per second as measured at the weir.
17. The consent holder shall be responsible for the structural integrity and maintenance of the weir, and for the provision and maintenance of any erosion control works that may become necessary as a result of the exercise of this consent. Such matters shall be addressed in the

Maintenance and Environmental Monitoring Plan prepared in accordance with condition 20 of this consent.

Note: A separate resource consent may be required as a result of the need to undertake erosion control works. Any such consent shall be obtained by the consent holder at their expense prior to any works being undertaken.

18. The consent holder shall be responsible for maintaining the weir and the river in the immediate vicinity of the weir free of flood debris and other obstructions and for undertaking all such works in accordance with the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 20 of this consent.
19. During maintenance activities the consent holder shall ensure that the release of cement/grout, sediment and other contaminants to the Waitakaruru River are minimised as far as practicable.

Maintenance and Environmental Monitoring Plan

20. In conjunction with consents 119762 – 119772, 121236 and 121237, the consent holder shall provide a Maintenance and Environmental Monitoring Plan (“**MEMP**”) to the Waikato Regional Council within three months of the commencement of this consent.
21. The MEMP required by condition 20 shall be prepared by a suitably qualified and experienced person who shall be approved in writing by the Waikato Regional Council.
22. The purpose of the MEMP is to set out the specific details of:
 - (a) The maintenance regime (planned and in response to one-off events) proposed for all infrastructure associated with the activities authorised by consents 119762 – 119772, 121236 and 121237, such that the reliability of said infrastructure, accords with “best industry practice”. For the purpose of this condition, “best industry practice” is defined to mean that operational reliability is of a standard that a prudent operator, acting responsibly, would be expected to achieve. The maintenance regime prepared in accordance with this condition shall be accompanied by written confirmation from an appropriately qualified and experienced person that it represents “best industry practice”.
 - (b) All monitoring required by consents 119762 – 119772, 121236 and 121237, including, but not limited to:
 - (i) All sampling/monitoring locations, including the rationale for their selection;
 - (ii) The methods of sampling and/or measurement that are to be used, including the rationale for their selection;
 - (iii) The analyses, including statistical analyses, that the data collected will be subject to, together with an explanation of how those analyses will enable the effects of the activities authorised by consents 119762 – 119772, 121236 and 121237 to be determined and discriminated from natural variability; and
 - (iv) How the monitoring regime will enable the provisions of this consent to be assessed.
23. The MEMP required by condition 20 shall be approved in writing by the Waikato Regional Council acting in a technical certification capacity prior to any works authorised by this consent commencing. Should the Waikato Regional Council not respond in writing within 20 working days of receipt of the MEMP, either providing certification of the MEMP or clearly outlining areas of the MEMP that are not accepted, then the MEMP shall be considered to be approved and this condition satisfied.
24. All maintenance and monitoring activities shall be undertaken in accordance with the approved MEMP for the duration of this consent.

25. Any changes proposed to the MEMP required by condition 20 shall be confirmed in writing by the consent holder and approved in writing by the Waikato Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed. Should the Waikato Regional Council not respond in writing within 20 working days of receipt of the proposed changes to the MEMP, either providing certification of the MEMP or clearly outlining areas of the MEMP that are not accepted, then the MEMP shall be considered to be approved and this condition satisfied.

Review

26. Within 12 months of the Crown settling any claim made under the provisions of the Treaty of Waitangi Act 1975 the Waikato Regional Council may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991, for the purpose of ensuring that this consent is in alignment with the provisions of any such settled claim, subject to the proviso that any review shall be for a resource management purpose.

27. At any time during the years 2014, 2019, and 2024 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:

- (i) 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 resource consent conditions; or
- (ii) to review the adequacy of and the necessity for monitoring undertaken by the consent holder.

Note: Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

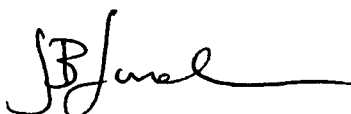
Administrative

28. 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.

In terms of s116 of the Resource Management Act 1991, this consent commences on 18th July 2011

Dated at Hamilton this 5th day of August 2011

*For and on behalf of the
Waikato Regional Council*



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