

Resource Consent Certificate

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Resource Consent: AUTH119764.01.02 (119764)

File Number: 60 25 28A

***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 surface water from the Waitakaruru River to fill a storage reservoir for public water supply purposes (Steen Rd Quarry)

Location: Steen Road - Waitakaruru

Map Reference: NZMS 260 S12:154-334

Consent Duration: Granted for a period expiring 1 July 2029

Subject to the conditions overleaf:

CONDITIONS

General

1. The surface water take authorised by this resource consent shall be undertaken 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.

Operational limits

3. The daily take volume shall not exceed 6,480 cubic metres.
4. The instantaneous rate of take shall not exceed 75 litres per second.
5. Between the period 1 April and 30 November inclusive, the consent holder shall ensure that the exercising of this consent does not result in flows past the weir falling below 25 litres per second and shall cease abstraction when the flow immediately above the weir falls below 25 litres per second.
6. During the period 1 April to 30 November inclusive the maximum rate of abstraction of 75 litres per second shall be restricted to times when river flows are more than 125 litres per second as measured at the weir. The maximum rate of abstraction when river flows are between 25 litres per second and 125 litres per second shall not exceed 75% of the river flow above 25 litres per second at the weir.
7. Between the period 1 December and 31 March inclusive, the consent holder shall ensure that the exercising of this consent does not result in flows past the weir falling below 75 litres per second and the abstraction shall cease if the flow immediately above the point of abstraction is less than 75 litres per second.
8. During the period 1 December and 31 March inclusive the maximum rate of abstraction of 75 litres per second shall be restricted to times when river flows are more than 175 litres per second. The maximum rate of abstraction when river flows are between 75 litres per second and 175 litres per second shall not exceed 75% of the river flow above 75 litres per second at the weir.
9. During the period 1 April to 31 May inclusive, if available storage in the reservoir at Steen Road Quarry is greater than 60%, the consent holder shall ensure the minimum residual flow specified in condition 7 and the abstraction restrictions specified in condition 8 are adhered to.
10. Beyond the seventh anniversary of the commencement of this consent, the consent holder shall ensure that the exercising of this consent does not result in the flow immediately below the point of abstraction falling below 200 litres per second, except that the abstraction shall

cease when the flow immediately above the point of abstraction is less than 200 litres per second. The maximum rate of abstraction shall be restricted to times when river flows are more than 275 litres per second.

11. The combined annual volume taken from the Waitakaruru River, Mangatarata Stream and Waitakaruru Borefield, in conjunction with consents 119762 and 119772, shall not exceed 1,934,645 cubic metres, where a year is calculated based on the period 1 July to 30 June inclusive.

Intake structure

12. The intake shall be screened with a mesh aperture size not exceeding 1.5 millimetres by 1.5 millimetres (or 1.5 millimetre diameter holes).
13. The consent holder shall ensure that the velocity of water through the intake screen does not exceed 0.3 metres per second at all times. If requested by the Waikato Regional Council in writing, the consent holder shall provide information on how this velocity requirement is achieved.
14. The consent holder shall be responsible for the structural integrity and maintenance 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 consent. These matters will be addressed in the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 25 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.

15. The consent holder shall be responsible for maintaining the intake structure 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 25 of this consent.

Monitoring and Reporting

16. An electronic flow measuring device shall record the quantity of water taken from the Waitakaruru River at the take location on a cumulative basis. The device shall have a reliable calibration to water flow and shall be maintained to an accuracy of +/- 5%. Evidence of the device's calibration to an accuracy of +/- 5% shall be provided to the Waikato Regional Council prior to the exercise of this consent, and at any other time as requested in writing by the Waikato Regional Council. The calibration shall be undertaken by an independent qualified person and evidence documenting the calibration shall be forwarded to the Waikato Regional Council within one month of calibration being completed.
17. The consent holder shall provide to the Waikato Regional Council an 'as-built' plan of the water measuring device prior to the exercise of this consent.
18. The consent holder shall establish a flow recorder at the weir for the purpose of determining compliance with the operational limits of this consent and shall ensure the flow recorder is calibrated and maintained for the duration of this consent in accordance with the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 25 of this consent.
19. The water measuring device and flow recorder device referred to in condition 16 and 18 shall be linked by telemetry to the Waikato Regional Council prior to the exercise of this consent. As a minimum, daily volume, daily average rate of take, maximum daily rate of take, daily average and daily minimum water level and flow shall be telemetered to the Waikato Regional

Council on a daily basis. Alternatively, if the Waikato Regional Council determines that telemetry is not practicable, the consent holder shall, prior to the exercise of this consent, submit a methodology and include a time frame in which this will be implemented, for the approval Waikato Regional Council (in a certifying capacity) that details:

- (i) how the information will be transmitted automatically to the Waikato Regional Council and the procedures to be implemented;
 - (ii) the measures to ensure the accuracy and reliability of the data provided. The consent holder shall ensure that no more than 2% of any of the data required in accordance with this condition are missing on an annual basis. During any times when data cannot be provided automatically a minimum of the daily volume must be recorded.
20. Following the installation of the flow recorder, and until automatic recording is installed and operative the consent holder shall provide to the Waikato Regional Council, on a monthly basis, the daily volume taken, maximum daily abstraction rate, average daily abstraction rate, and minimum daily flow at the weir (via electronic means).
21. The consent holder shall undertake an annual biological sampling programme of the Waitakaruru River and a comparable control river nearby (e.g. Mangatarata Stream). Sampling locations in the Waitakaruru River shall be as detailed in the report "Ecological Assessment of Proposed Abstractions of the Waitakaruru River" (Kessels & Associates Ltd, April 2009) at locations that are wadeable. Sampling shall be undertaken during the low flow period between January and March annually preceded by a minimum period of two weeks stable flow and in accordance with the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 25 of this consent.

Stream biological sampling shall include as a minimum algal (periphyton) and macrophyte growth, and macroinvertebrate assessment using appropriate metrics (EPT metrics to exclude Hydroptilidae). Diurnal water temperature and dissolved oxygen should be measured continuously above and below the weir over a representative period in summer preceded by a minimum of two weeks stable flow.

The design of the sampling programme shall be included in the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 25 of this consent.

22. The consent holder shall undertake a quantitative fish sampling programme of the Waitakaruru River and a suitable control site once every four years at a time that coincides with the ecological monitoring required by condition 21 of this consent. The first year in which monitoring will be required shall coincide with the fish sampling programme undertaken in accordance with consent 119762. Sampling locations shall be as detailed in the report "Ecological Assessment of Proposed Abstractions of the Waitakaruru River" (Kessels & Associates Ltd, April 2009) and should include either standardised spotlighting or electric fishing methods to obtain relative abundance estimates of fish.

The design of the sampling programme shall be included in the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 25 of this consent.

23. The consent holder shall provide a written report and Excel spreadsheets of macroinvertebrate and temperature/dissolved oxygen data to Waikato Regional Council by 1 September each year that details the findings of the monitoring programmes required by condition 19, 20, 21 and 22 of this consent for the year ending 30 June. The report shall analyse the information collected in terms of compliance with the conditions of this consent and actual or potential adverse environmental effects, noting any trends in parameters monitored and an explanation for those trends. With regards to conditions 21 and 22, the report shall include the raw data obtained, sampling methods and locations, and an analysis of the results for sampling undertaken between January and March of that year.
24. In conjunction with consent 119762, 119766 and 119772, the consent holder shall provide a written report to Waikato Regional Council every five years to explain whether an increase in

residual flow and/or variation in the timing or rate of abstraction can be achieved to avoid adverse environmental effects as a result of the surface water take. The minimum information the report should provide is:

- (i) Whether adverse environmental effects are occurring, or are imminent, in terms of the impacts of the abstraction on aquatic habitat and water quality;
- (ii) If operational improvements are determined, then the type of improvements considered, the reasons for and against adopting the method(s) considered, any future issues likely to have significance on the method(s) considered, and the likely time frames for implementing the preferred improvements.

Maintenance and Environmental Monitoring Plan

25. 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.
26. The MEMP required by condition 25 shall be prepared by a suitably qualified and experienced person who shall be approved in writing by the Waikato Regional Council.
27. 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.
28. The MEMP required by condition 25 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.
29. All maintenance and monitoring activities shall be undertaken in accordance with the approved MEMP for the duration of this consent.
30. Any changes proposed to the MEMP required by condition 25 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

31. 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 123(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.
32. Within six months of receipt of the five yearly report required by condition 24, the Waikato Regional Council may, following service of notice on the consent holder, commence a review of this resource consent under section 128(1) of the Resource Management Act 1991 for the following purposes:
 - (i) to review the residual flow requirements of this consent;
 - (ii) to review the rate and timing of abstraction;
 - (iii) to review whether a flushing flow regime is necessary, and if so, the timing, frequency, and magnitude of any flushing flows;
 - (iv) to require the consent holder to adopt the best practical option to remove or reduce any adverse effect on the environment.
33. 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

34. 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*

A handwritten signature in black ink, appearing to read 'J. B. Jones', written in a cursive style. Below the signature is a horizontal dotted line.

Consent Evaluation Report

Applicant: Hauraki District Council **File No.:** 60 25 28A
(Paeroa Office)

Address of Site: Mangatarata Stream SH 25 **Project Code:** RC11800
(Suicide Bridge), Waitakaruru

Consent Type(s): Water Permit **Application Number:** APP119762_02
Water Permit APP119764_02

1 Introduction and Description of Proposal

Aecorn Ltd has, on behalf of the Hauraki District Council, applied to change conditions of consent associated with the West Plains Water Supply.

The applicant has applied to change the following resource consents:

Resource consent 119762 which authorises the taking of surface water from the Mangatarata Stream immediately above its confluence with the Waitakaruru River, for public water supply purposes.

Resource consent 119764 authorises the taking of surface water from the Waitakaruru River to fill a storage reservoir for public water supply purposes (Steen Rd Quarry).

These consents were part of a suite of consents granted by the Environment Court following a publicly notified hearing process in 2010. The suite of consents are associated with the Plains West Water Supply Scheme which comprises the Waitakaruru Water Treatment Plant ("WTP"), three raw water takes being two surface water takes and a borefield, and the associated bulk pipework and distribution network. The purpose of the suite of applications was to provide for authorisations that enabled the Hauraki District Council to upgrade the Waitakaruru WTP to meet the 2005 Drinking Water Standards and to develop a more robust and environmentally sustainable regime of raw water takes to supply the scheme.

Proposed changes to conditions 5 and 6 of resource consent 119762 by providing for additional flow in the Mangatarata Stream downstream of the intake within three years instead of the two granted. The changes proposed are as follows (deletions in strikethrough and additions in bold)

'Until the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall ensure that the exercising of this consent does not result in the flow immediately below the point of abstraction falling below 54 litres per second, and that the abstraction shall cease when the flow immediately above the point of abstraction is less than 54 litres per second.'

'Until the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall ensure that the exercising of this consent does not result in the flow immediately below the point of abstraction falling below 103 litres per second, except that the abstraction shall cease when the flow immediately above the point of abstraction is less than 103 litres per second.'

Proposed changes to conditions 10 and 11 of resource consents 119762 and 11764 respectively, by providing for an increase to the annual volume limit whilst retaining the capacity

limit at the Water Treatment Plant. The changes proposed are as follows (deletions in strikethrough and additions in bold):

“The combined annual volume taken from the Waitakaruru River, Mangatarata Stream and Waitakaruru Borefield, in conjunction with consents 119764 and 119772, shall not exceed ~~1,934,645~~ **2,764,645** cubic metres, where a year is calculated based on the period 1 July to 30 June inclusive. **Of this the maximum combined annual volume of water provided to the Waitakaruru Treatment Plant shall not exceed 1,934, 645 cubic metres.**”

Proposed changes to conditions 16 and 18 of resource consent 119762 by providing for the installation of flow monitoring and telemetry at the weir within three years instead of two. The changes proposed are as follows (deletions in strikethrough and additions in bold):

“As soon as practicable and no later than the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall undertake flow monitoring at the weir for the purpose of determining compliance with the operational limits of this consent, in accordance with the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 26 of this consent.”

“The water measuring device and flow recorder device referred to in condition 15 and 17 shall be linked by telemetry to the Waikato Regional Council within ~~two~~ **three** years of the commencement of this consent. As a minimum, daily volume, daily average rate of take and maximum daily rate of take, daily average and daily minimum water level and flow, shall be telemetered to the Waikato Regional Council on a daily basis. Alternatively, if the Waikato Regional Council determines that telemetry is not practicable, the consent holder shall, within two years of the commencement of this consent, submit a methodology and include a time frame in which this will be implemented, for the approval Waikato Regional Council (in a certifying capacity) that details:

- (i) how the information will be transmitted automatically to the Waikato Regional Council and the procedures to be implemented;
- (ii) the measures to ensure the accuracy and reliability of the data provided. The consent holder shall ensure that no more than 2% of any of the data required in accordance with this condition are missing on an annual basis. During any times when data cannot be provided automatically a minimum of the daily volume must be recorded.”

2 Statutory Context

Section 127 of the RMA provides for applications to change or cancel a condition of consent to be assessed as discretionary activities. All applications for changes to consents are deemed to have discretionary activity status under this section.

2.1 Policy statements and plans

2.1.1 Operative and Proposed Regional Policy Statements

Waikato Regional Policy Statement

The Waikato Regional Policy Statement (RPS) became operative in October 2000.

Proposed Waikato Regional Policy Statement

The Proposed Waikato Regional Policy Statement (PRPS) was publicly notified on 2 November 2010. This plan provides some further policy guidance on environmental matters. The

timeframe in which submissions can be received has now closed for this plan as has the timeframe for further submissions. The submissions and further submissions have been heard in 2012 and the decision version has recently been adopted by WRC as of 2 November 2012.

Assessment

I have reviewed the relevant matters with respect to the proposed changes and overall, I note that the minor changes proposed are generally consistent with the objectives and policies with the above documents.

2.1.2 Regional Plan

The Waikato Regional Plan is operative. I have reviewed the relevant issues, objectives and policies that apply to the proposed changes and am of the opinion that the proposed changes are generally consistent with these.

2.1.3 National environmental standards, other regulations, National policy statements (including NZ Coastal Policy Statement)

Not applicable.

2.2 Other Matters

I have assessed the proposed changes against the Hauraki Iwi Environmental Management Plan and Hauraki Gulf Marine Park Act and consider that the changes are consistent with the Vision and Central Goals of the Hauraki Iwi Environmental Management and overall purpose of the Hauraki Gulf Marine Park Act.

3 Consultation/Affected Party Approvals

3.1 Submitters, Iwi and Other Parties

As this is a change to existing consents I have excluded any effect not associated with the changes proposed to the surface water takes. For example I have specifically excluded any effects associated with the existing current groundwater take that forms part of the suite of resource consents originally granted in 2011.

I have considered the environmental effects in section 3.2 below. Environmental effects from the proposed changes are limited to effects on water allocation and effects on the waterway from the increase to the annual limit.

There were 13 submitters to this suite of consents that remained at the conclusion of the original hearing process. I note that the applicant has obtained written approval for the proposed changes from a number of parties who were originally submitters to the original notified process. These are as follows:

PA & K Barribal
V & G Brocklehurst (conditional approval)
Department of Conservation
G Donaldson (conditional approval)
NK Dreardon (conditional approval)
Te Ruunanga O Ngati Maru

I note that a number of matters raised in these approvals are unable to be addressed by this consent change process as in my opinion they are not relevant to the proposed changes.

However, I have reviewed the original submissions provided and subsequent decision reports and consider that the issues raised in each are not relevant to the proposed changes. Therefore, I am of the opinion that none of these submitters are affected by the proposed changes. I have also considered whether there are additional parties potentially affected by the changes and not part of the original process and am of the opinion that there are no other parties.

3.2 Assessment of Environmental Effects

The applicant proposes to change a number of conditions within these authorisations to accurately reflect the construction programme of the necessary works and to ensure the reservoir is filled initially and further remains at a level that enables security to the level of service currently provided.

Therefore it is proposed to delay the existing requirements to reduce taking water and subsequently cease taking water when the flow in the Mangatarata Stream is 54 litres per second flow below the point of abstraction, by one year, as is the requirement to undertake flow monitoring and the linking of telemetry to determine compliance with these conditions. Further changes relate to the provision for an increase in the annual volume of water taken to initially fill the reservoir to ensure any additional filling is able to be accommodated in the future.

The requested changes consist of the following:

- (i) A delay of up to one year to the existing requirements that the flow below the point of abstraction in the Mangatarata Stream does not fall below 54 litres per second and that the take ceases when the flow above the point of abstraction is less than 54 litres per second (conditions 5 and 6 of consent number 119762).
- (ii) An increase to the annual volume taken (in combination with the Mangatarata Stream and Waitakaruru Borefiled water takes) to allow for further filling of the reservoir whilst the existing daily rates of take remaining the same (condition 10 of consent number 119762 and 11 of consent number 119764).
- (iii) A delay of up to one year to the existing requirements relating to the installation of flow monitoring and a water measuring device and flow recorder being linked by telemetry to the Waikato Regional Council (conditions 16 and 18 of consent number 119762).

The environmental benefits originally provided as part of the hearing decision was that after two years an additional flow of 50 litres per second or more is within the stream downstream of the abstraction point. The impact of the delay described in (i) above is that the environmental benefits from the additional flow of water within the waterway are delayed by one year. No other timeframes are proposed to be changed and the additional environmental benefits envisaged on and after the seventh anniversary of commencement remain on target.

It must be noted that there exist additional consent constraints associated with this water take that means the environmental impact of this delay is reduced specifically the existing restriction of a maximum instantaneous rate of take of 73 litres per second.

As the water is already allocated to the District Council there is no impact on the level of allocation available within the waterway from this proposed change.

The increase to the annual volume taken is required to provide for the infilling of the reservoir. Whilst there is an increase of 830,193 cubic metres over 365 days it is noted that the existing instantaneous rate of take is not proposed to be changed therefore there is no increase on the allocation level during low flow conditions on the waterway however, there is potentially an impact on the waterway outside of low flow conditions. In assessing this potential impact I note that existing consent constraints restricting when water can be taken outside of low flows provides for additional protection of the waterway during these times (specifically conditions 7- 9 of consent number 119762 and 5 - 10 of consent number 119764). Collectively these

conditions provide a level of confidence that the potential impact on the waterway from "flat lining" is minimal.

I consider that these restrictions limit the potential environmental impacts from the proposed increase in annual volume such that the effects are likely to be less than minor.

The annual volume limit was a staff recommendation with the applicant detailing the volume specified in the consent condition at the hearing and is based on the capacity of the water treatment plant. At the time consideration of the need to fill the reservoir was not specifically addressed - this is considered to be an oversight by all the parties. Further as part of the existing filling of the reservoir the applicant has found that the ability to fill the reservoir has not occurred as quickly as originally anticipated.

The proposed delay to the installation of flow monitoring and a water measuring device and flow recorder being linked by telemetry to the Waikato Regional Council is considered to be acceptable given the programme of works that is proposed.

I note that the impact from the proposed delay on the water allocation is temporary and restricted to one year and is in fact what is currently occurring. A delay of up to one year from this proposal is considered to be acceptable and the effects of the proposed changes are likely to be no more than minor with the expected environmental benefits from the completion of the reservoir and overall changed operation of the water supply likely to be considerable. Once the reservoir is operational the District Council will be in a position to reduce and potentially at critical low flow times, cease taking water from the waterways to reduce environmental impacts.

4 Process Matters

The application was received on 16 July 2013. A timeframe extension to enable the applicant to undertake consultation with the original submitters to the process was applied.

A further timeframe extension was applied with the applicant's approval.

4.1.1 Relevant Part 2 Considerations

I have considered the relevant Part 2 matters and am of the opinion that the proposed changes are not inconsistent with any of these matters and overall the proposed changes are consistent with the overall purpose of the RMA.

4.1.2 Section 105 and 107 Matters

Not applicable

5 Discussion

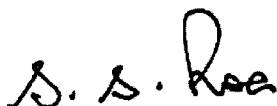
I have assessed the proposed changes as a discretionary activity and consider that the proposed changes are consistent with the relevant objectives and policies within the Waikato Regional Council policy documentation, the Vision and Central Goals of the Hauraki Iwi Environmental Plan, the overall purpose of the HGMPA and the RMA.

I recommend that the proposed changes be granted as requested.

6 Recommended Decision

I recommend that in accordance with s104B the changes to resource consents 119762 and 119762 be granted in accordance with the duration and conditions prescribed in the attached Schedule for the following reasons:

- The changes will have no more than minor actual or potential adverse effects on the environment
- The changes are not contrary to any relevant plans or policies
- The changes are consistent with the purpose and principles of the Resource Management Act 1991



Sheryl Roa
Principal Project Leader
Resource Use Group

Date: 24/02/2014

7 Decision

That the resource consent applications are granted in accordance with the above recommendations.



Hugh Keane
Infrastructure Manager
Resource Use Group

Date: 24/02/2014

Acting under authority delegated subject to the provisions of the Resource Management Act 1991 which at the time of decision had not been revoked.

Schedule

Change conditions 5, 6, 10, 16 and 18 of resource consent 119762 as follows (deletions in strikethrough and additions in bold):

Condition 5

"Until the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall ensure that the exercising of this consent does not result in the flow immediately below the point of abstraction falling below 54 litres per second, and that the abstraction shall cease when the flow immediately above the point of abstraction is less than 54 litres per second."

Condition 6

"Until the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall ensure that the exercising of this consent does not result in the flow immediately below the point of abstraction falling below 103 litres per second, except that the abstraction shall cease when the flow immediately above the point of abstraction is less than 103 litres per second."

Condition 10

"The combined annual volume taken from the Waitakaruru River, Mangatarata Stream and Waitakaruru Borefield, in conjunction with consents 119764 and 119772, shall not exceed ~~1,934,645~~ **2,764,645** cubic metres, where a year is calculated based on the period 1 July to 30 June inclusive. **Of this the maximum combined annual volume of water provided to the Waitakaruru Treatment Plant shall not exceed 1,934, 645 cubic metres.**"

Condition 16

"As soon as practicable and no later than the ~~second~~ **third** anniversary of the commencement of this consent, the consent holder shall undertake flow monitoring at the weir for the purpose of determining compliance with the operational limits of this consent, in accordance with the Maintenance and Environmental Monitoring Plan prepared in accordance with condition 26 of this consent."

Condition 18

"The water measuring device and flow recorder device referred to in condition 15 and 17 shall be linked by telemetry to the Waikato Regional Council within ~~two~~ **three** years of the commencement of this consent. As a minimum, daily volume, daily average rate of take and maximum daily rate of take, daily average and daily minimum water level and flow, shall be telemetered to the Waikato Regional Council on a daily basis. Alternatively, if the Waikato Regional Council determines that telemetry is not practicable, the consent holder shall, within two years of the commencement of this consent, submit a methodology and include a time frame in which this will be implemented, for the approval Waikato Regional Council (in a certifying capacity) that details:

- (iii) how the information will be transmitted automatically to the Waikato Regional Council and the procedures to be implemented;
- (iv) the measures to ensure the accuracy and reliability of the data provided. The consent holder shall ensure that no more than 2% of any of the data required in accordance with this condition are missing on an annual basis. During any times when data cannot be provided automatically a minimum of the daily volume must be recorded."

Change condition 11 of resource consent 119764, as follows (deletions in strikethrough and additions in bold):

Condition 11

“The combined annual volume taken from the Waitakaruru River, Mangatarata Stream and Waitakaruru Borefield, in conjunction with consents 119764 and 119772, shall not exceed ~~1,934,645~~ **2,764,645** cubic metres, where a year is calculated based on the period 1 July to 30 June inclusive. **Of this the maximum combined annual volume of water provided to the Waitakaruru Treatment Plant shall not exceed 1,934, 645 cubic metres.**”