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RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH119772.01.02

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: Ground water take

Activity authorised: Take groundwater from 3 existing bores, for public water supply purposes

Location: SH 25 & Back Miranda Road - Waitakaruru

Map References: NZMS 260 S12:193-355, S12:201-349, S12:199-351

Consent Duration: Granted for a period expiring 1 July 2018

Subject to the conditions overleaf:

CONDITIONS

General

1. The taking of groundwater 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.
- 2A
 - (i) This consent shall not be exercised on any day (24 hour period) that the Tetley Quarry Reservoir is being filled (that is on any day where consent 119764 – surface water take from the Waitakaruru to fill a storage reservoir is being exercised), and
 - (ii) This consent shall be exercised in accordance with condition 2A(i) only in emergency situations where:
 - The Tetley's Quarry reservoir is unable to supply water to the Waitakaruru Water Treatment Plant due to operational failure, or
 - Storage capacity in the Tetley's Quarry Reservoir is less than 20% of operational range, and
 - Raw water requirements cannot be met from the exercise of consent 119762 – surface water take from the Mangatarata Stream at Suicide Bridge.
- 2B The site of the bores shall be rehabilitated to grazing land prior to the expiry of this consent. "Rehabilitation" for the purpose of this condition shall include:
 - Removal of the pumps and ancillary equipment;
 - Filling of the bores; and
 - Levelling and grassing of the site to a good grazing standard.

Operational limits

3. The maximum volume of water taken from each individual bore shall not exceed the following quantities in any 24 hour period:

Robertsons bore	1,300 cubic metres
Duffins bore	430 cubic metres
Local (treatment plant) bore	640 cubic metres
4. The annual volume taken shall not exceed 213,300 cubic metres, where a year is calculated based on the period 1 July to 30 June.

Monitoring and reporting

5. A pulsed water measuring device shall record the total quantity of water taken from the combined production bores on a cumulative basis. The daily flow from each contributing bore shall be calculated from the combined total based on an annual check of the instantaneous volume each bore pump produces. 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 within three months of the commencement 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.
6. The consent holder shall provide to the Waikato Regional Council an 'as-built' plan of the water measuring device within three months of commencement of this consent.
7. The water measuring device referred to in condition 5 shall be linked by telemetry to the Waikato Regional Council within two years of commencement of this consent. As a minimum, daily volume, daily average rate of take and maximum daily rate of take from each bore 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 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.
8. 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 from each bore, maximum daily abstraction rate and average daily abstraction rate (via electronic means).
9. The consent holder shall measure and record groundwater levels at:
 - (i) each of the three bores comprising the borefield;
 - (ii) shallow piezometers P1 and P2, and
 - (iii) the Yeager bore.

These measurements shall be undertaken on a fortnightly basis during the period 1 December to 31 March inclusive and otherwise on a monthly basis. These records shall be made available to the Waikato Regional Council at all reasonable times. These records shall be forwarded to the Waikato Regional Council by 1 September each year.

Note: Measurements of water level should be consistently taken when water level is static preferably before pumping occurs. A good test of this is to take three replicate measurements over ten minutes and if there is no change the level is static.
10. The measurement of groundwater levels for specific bores may cease with the written approval of the Waikato Regional Council.
11. The consent holder shall undertake an annual analysis of water quality at each of the three production bores for major anions, cations and conductivity. These records shall be made available to the Waikato Regional Council at all reasonable times. These records shall be forwarded to the Waikato Regional Council by 1 September each year.

12. The consent holder shall provide a written report to Waikato Regional Council by 1 September each year that details the findings of the monitoring programmes required by condition 7, 8, 9 and 11 of this consent for the year ending 30 June. The report shall include the raw data obtained and 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.

Maintenance and Environmental Monitoring Plan

13. In conjunction with consent 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.
14. The MEMP required by condition 13 shall be prepared by a suitably qualified and experienced person who shall be approved in writing by the Waikato Regional Council.
15. 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.
16. The MEMP required by condition 13 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.
17. All maintenance and monitoring activities shall be undertaken in accordance with the approved MEMP for the duration of the consent.
18. Any changes proposed to the MEMP required by condition 13 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

19. 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.
20. 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.

Advice 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.

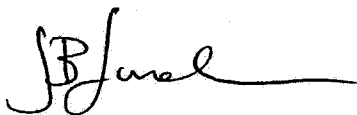
Administrative

21. 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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Section 127 Change to Consent Evaluation Report

Applicant: Hauraki District Council **File No.:** 60 25 28A
Address of Site: SH25, Mangatarata **Project Code:** RC20695
Consent Type(s): Water Permit **Application Number:** APP131286

1 Description of application/proposal

Reference Id	Activity Description
AUTH119772.01.02	Take groundwater from 3 existing bores, for public water supply purposes

Hauraki District Council ('the applicant') has applied under s127 to change consent 119772, by adding conditions that further limit when groundwater abstraction may occur, and require decommissioning and rehabilitation of the bore site prior to consent expiry.

The applicant has engaged AECOM New Zealand Ltd. to assist with the preparation of this application. Any reference to the 'applicant' in this report should be understood to signify both the applicant and/or any consultant representing the applicant.

Supporting information was supplied for the application in the following documents:

- Groundwater Take from Waitakaruru Bores; Application for Change of Consent Conditions (Consent 119772) ([doc#2942945](#)).

Consent 119772 was granted in 2011, as part of a suite of consents associated with the re-authorisation of the existing Waitakaruru water supply and the authorisation of the additional water take and infrastructure necessary to fill and maintain the new Waitakaruru reservoir, as part of the applicants municipal water supply rationalisation programme.

This change to consent application is supplementary to the on-going change to consent processes currently occurring for consents 119762 and 117964, and the proposed changes have been developed to address submitter concerns regarding the environmental effects associated with the existing process.

The specific additional consent conditions applied for are:

- 2A(i) *This consent shall not be exercised on any day (24 hour period) that the Tetley Quarry Reservoir is being filled (that is on any day where consent 119764 – surface water take from the Waitakaruru to fill a storage reservoir is being exercised), and*
- 2A(ii) *This consent shall be exercised in accordance with condition 2A(i) only in emergency situations where:*
- *The Tetley's Quarry reservoir is unable to supply water to the Waitakaruru Water Treatment Plant due to operational failure, or*
 - *Storage capacity in the Tetley's Quarry Reservoir is less than 20% of operational range, and*
 - *Raw water requirements cannot be met from the exercise of consent 119762 – surface water take from the Mangatarata Stream at Suicide Bridge.*

2B *The site of the bores shall be rehabilitated to grazing land prior to the expiry of this consent. "Rehabilitation" for the purpose of this condition shall include:*

- *Removal of the pumps and ancillary equipment;*
- *Filling of the bores; and*
- *Levelling and grassing of the site to a good grazing standard.*

Compliance audits of consent 119772 found full compliance was achieved for the periods of 1st July 2011 to the 30th June 2012 and the 1st July 2012 to the 31st June 2013.

2 Statutory provisions and Plan status

Section 127 of the Resource Management Act provides that the holder of a consent may apply to the consent authority for a change or cancellation of a condition (aside from the duration of consent) and that s88 to 121 apply, with all necessary modifications, as if the application were for a discretionary activity. The law also makes it clear that both notification and substantive decisions on an application to change a consent must take account of the effects of the change only. It is not an opportunity to revisit the decision on the existing consent.

The application is considered a discretionary activity under s127 RMA.

3 Consultation/Affected Party Approvals

3.1 Iwi

The applicant has not consulted with Iwi with respect to this application. I consider that the effects of this change to consent will be less than minor, as they seek to reduce the frequency of groundwater take (and therefore the environmental effects). I do not thus consider Iwi to be affected parties to this process.

In assessing the status of Iwi I have taken into account both Waikato Regional Council procedures for consulting with Iwi and the matters discussed in section 3.3.

3.2 Other Parties

The applicant has consulted with the following parties, who have all given their approval to the proposed changes:

- Department of Conservation;
- Max and Margaret Purnell; and
- Vicki and Graham Brocklehurst.

I consider that the effects of this change to consent will be less than minor, as they seek to reduce the frequency of groundwater take (and therefore the environmental effects). I thus do not consider there to be any affected parties to this process. In making this assessment I have taken into account the matters discussed in section 3.3.

3.3 Other Parties

The original application was fully notified as part of the application 'bundle'. 14 submissions were received; 13 in opposition (10 wishing to be heard) and one neutral (not wishing to be heard). I have reviewed these submissions and do not consider that granting this change to consent would be contrary to any of the matters raised.

4 Process Matters

The application was received by Waikato Regional Council on 13 January 2014 and relevant process matters are as follows:

Date	Process Detail
13/01/2014	Lodged
14/01/2014	Active
14/01/2014	Non-Notification decision

5 Evaluation

5.1 Statutory/Policy Framework

This application was lodged on the 13th January 2014, therefore all RMA amendments apply.

5.2 Assessment of Environmental Effect

Section 104(1)(a) of the RMA states that when determining a resource consent application, regard shall be had to the actual and potential effects on the environment of allowing the activity. Section 127 of the RMA specifies that an application to change a consent must take account of the effects of the change only.

The original consent evaluation ([doc#1596391](#)) makes an evaluation of the effects associated with the groundwater take, which I do not intend to repeat here. This change to consent application seeks to restrict the ability of the applicant to abstract groundwater from these bores over the next six years and ultimately will require that the bores are decommissioned. I am satisfied that granting this consent will see a reduction in the environmental effects associated with groundwater abstraction at this site.

5.3 Policy Statements and Plans

Outlined below is a discussion of the policy matters within Section 104 that are relevant to the consideration of the application.

104(1)(b)(iii) Any relevant provisions of a regional policy statement or proposed regional policy statement;

The Waikato Regional Council has two Regional Policy statements that this consent change application must be assessed against; the operative Regional Policy Statement (RPS) and the Proposed Regional Policy Statement (PRPS).

Council's RPS was made operative in late 2002 (except for the geothermal module – 2006) however Waikato RC notified a proposed Regional Policy Statement on 3/11/2010 with submissions closing on 28/2/2011. The assessment of this application must have regard to both versions of the RPS; where there is any conflict between them, priority may be given to the operative version, given that the proposed RPS is in the relatively early stages of the Schedule 1 process.

Proposed Waikato Regional Policy Statement (November 2010)

The PRPS reflects amendments to the RMA and changes in policy, economic and environmental direction over the past ten years since the first Waikato Regional Policy Statement became operative in 2000.

Key issues in the PRPS relating to this proposal are the state of resources (Issue 1.1), managing the built environment (Issue 1.4), and the relationship of tangata whenua with the environment (Issue 1.5). There are a number of overlapping objectives under each of these relevant to this proposal. These are listed as follows:

- Integrated management of natural and physical resources (Objective 3.1);

- Decision making (Objective 3.2);
- Ecosystem services (Objective 3.7);
- Relationship of tangata whenua with the environment (Objective 3.8);
- Efficient use of resources (Objective 3.9);
- Mauri and health of fresh water bodies (Objective 3.13);
- Allocation and use of fresh water (Objective 3.14);
- Amenity (Objective 3.20);
- Values of soil (Objective 3.24).

Relevant policies include integrated management (Policy 4), built environment (Policy 6) and fresh water bodies (Policy 8).

I consider that the proposed change to consent is consistent with the objectives and policies of the PRPS.

Operative Waikato Regional Policy Statement

The RPS promotes the maintenance of groundwater levels recognising that groundwater resources are an integral part of the hydrological cycle and that effects on this resource may potentially have an effect on other parts of the cycle such as surface water resources. I do not consider that this change to consent application is inconsistent with the RPS.

104(1)(b)(iv) A plan or proposed plan;

I have reviewed this application against the policies and objectives of the Water Module of the Waikato Regional Plan, specifically those detailed in section 3.1.2; I consider that the proposed change to consent is consistent with the policies of the WRP.

5.4 Other Matters

5.4.1 National environmental standards

There are five NESs that have come into effect - the National Environmental Standards for Air Quality (where various standards have been in effect since October 2004); Sources of Human Drinking Water; Electricity Transmission Activities; Contaminants in Soil; and Telecommunication Facilities.

I do not consider that any of these NESs are relevant to this application.

5.4.2 Hauraki Gulf Marine Park Act

The Hauraki Gulf Marine Park Act 2000 (HGMPA) seeks to integrate the management of natural, physical and historic resources of the Gulf, its islands and catchments and deems the Hauraki Gulf to be a matter of national importance. The HGMPA (section 9) requires that a consent authority must, when considering an application for a resource consent for the Hauraki Gulf, its islands, and catchments, have regard to sections 7 and 8 of the Act. This proposal falls within the catchment of the Hauraki Gulf as defined by the HGMPA.

I have considered the proposed change to consent against the requirements of the HGMPA and do not consider it to be inconsistent.

5.4.3 Hauraki Iwi Environmental Plan

The Hauraki Iwi Environmental Plan provides a background to, and identifies, key resource based issues for Hauraki Whanui. The Plan identifies a number of objectives and outcomes that seek to protect natural resources and taonga within the Hauraki area.

I do not consider to the proposed change to consent to be insistent with the objectives and outcomes of the Hauraki Iwi Environmental Plan.

5.4.4 National policy statements (including NZ Coastal Policy Statement)

The Freshwater Management NPS has policies and objectives that direct local government to manage water in an integrated and sustainable way while providing for economic growth within specified water quality and quantity limits. The NPS requires regional councils to develop standards to safeguard the life supporting capacity of water bodies, with the objective that water quality will be maintained or improved. This will involve protection of high quality water bodies and implementation of methods to improve degraded water bodies. In the interim, when considering consent applications regional councils must have regard for any effects (actual or cumulative) that contaminants contained in the discharge may have on freshwater and fresh water ecology. The principle of adopting best practicable options in order to minimise effects is included in the decision making process under this policy.

I have considered this application against the requirements of the Freshwater NPS, and it is my opinion that granting this change to consent is not contrary to the stated policies and objectives.

5.5 Relevant Part 2 Considerations

Part 2 of the Resource Management Act 1991 outlines the matters that must be considered for the sustainable management of natural and physical resources including matters of national importance, other matters, and the Treaty of Waitangi.

The proposal has been considered in the context of the matters outlined in Part 2 of the Resource Management Act 1991 and in my opinion it does not compromise any of these matters and is therefore consistent with the overall purpose of the Act.

5.6 Conclusions

The proposed change to consent has been determined to be a discretionary activity and has been assessed under s104 of the RMA. This proposal will restrict the ability of the applicant to abstract groundwater from the Waitakaruru borefield, and ultimately requires that abstraction ceases and the bores are decommissioned.

I consider that this change to consent will result in a reduction in environmental effects associated with groundwater abstraction.

Overall, this proposal has been assessed against relevant planning documents and it is concluded that the proposed change to consent is not inconsistent with any of these documents. The proposal has also been considered with respect to Part 2 of the RMA and again it is concluded that the proposal is not inconsistent with any aspect of Part 2.

6 Recommended Decision

I recommend that the change to resource consent 119772 be granted in accordance with the attached Schedule for the following reasons:

- The change to consent will not have have acceptable actual or potential adverse effects on the environment;
- The change to consent is not unacceptably inconsistent with relevant policies, plans, national standards or regulations;
- The change to consent is consistent with the purpose of the Resource Management Act 1991.



Stuart Beard
Resource Officer
Resource Use Group

Date: 16/01/2014

7 Decision

Date	Process Detail
13/01/2014	Lodged
14/01/2014	Active

I hereby grant/decline the resource consent application in accordance with above recommendations.



Hugh Keane
Programme Manager
Resource Use Group

Date: 16/01/2014.

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

That resource consent 119772 be amended to incorporate these additional conditions:

- 2A (i) This consent shall not be exercised on any day (24 hour period) that the Tetley Quarry Reservoir is being filled (that is on any day where consent 119764 – surface water take from the Waitakaruru to fill a storage reservoir is being exercised), and
- (ii) This consent shall be exercised in accordance with condition 2A(i) only in emergency situations where:
- The Tetley's Quarry reservoir is unable to supply water to the Waitakaruru Water Treatment Plant due to operational failure, or
 - Storage capacity in the Tetley's Quarry Reservoir is less than 20% of operational range, and
 - Raw water requirements cannot be met from the exercise of consent 119762 – surface water take from the Mangatarata Stream at Suicide Bridge.
- 2B The site of the bores shall be rehabilitated to grazing land prior to the expiry of this consent. "Rehabilitation" for the purpose of this condition shall include:
- Removal of the pumps and ancillary equipment;
 - Filling of the bores; and
 - Levelling and grassing of the site to a good grazing standard.