

BEFORE THE ENVIRONMENT COURT

Decision No. [2011] NZEnvC 152

IN THE MATTER of appeals under Section [120] of the
Resource Management Act 1991 (the
Act)

BETWEEN

NGATI RANGI TRUST
(RMA 874/01)

TAMAHAKI INC SOCIETY
(RMA 875/01)

**WHANGANUI RIVER MAORI
TRUST BOARD,
HINENGAKAU DEVELOPMENT
TRUST,
NGATI HIKAIRO HAPU FORUM,
NGATI TAMA O NGAIT HAUA
TRUST,
PUNGAREHU MARAE
INCORPORATED SOCIETY ON
BEHALF OF NGATI TUERA HAPU
& NGATI RANGI TRUST**

Appellants

AND

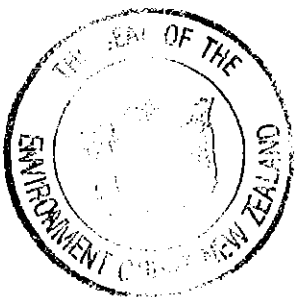
**THE MANAWATU-WANGANUI
REGIONAL COUNCIL**

Respondent

AND

GENESIS POWER LIMITED

Applicant



BEFORE THE ENVIRONMENT COURT

Court: Environment Judge R G Whiting (presiding)
 Environment Commissioner S K Prime
 Environment Commissioner O M Borlase

Hearing at: Wellington

Date of Decision: 3 June 2011

Counsel: Mr J P Ferguson and Ms P Williams for the Appellants
 No appearance for the Respondents other than by memorandum
 Mr P F Majurey and Ms RL Broughton for Genesis Power
 Limited

ORAL DECISION OF THE ENVIRONMENT COURT

1. **Ngati Rangi Trust v Manawatu-Wanganui Regional Council – RMA875/01.**

A In the absence of opposition the consent conditions attached as Appendix 1 be amended with all the tracked changes accepted.¹

B. There are no issues as to costs.

2. **Whanganui River Maori Trust Board & Ors – RMA877/01.**

A In the absence of opposition the consent conditions attached as Appendix 2 be amended with all the tracked changes accepted.²

B. There are no issues as to costs.

¹ That is: (a) bullet point underlined text is added; and (b) bullet point strike out text is deleted.

² That is: (a) bullet point underlined text is added; and (b) bullet point strike out text is deleted.



REASONS FOR DECISION

Introduction

[1] On 30 August 2001, the Manawatu-Wanganui Regional Council issued a decision granting to Genesis a suite of resource consents to re-consent the operation of the Tongariro Power Scheme. The Council decision was appealed by the Ngati Rangi Trust on behalf of Ngati Rangi iwi on 26 September 2001. The Whanganui River Maori Trust Board, together with other named parties, appealed the decision on behalf of the Whanganui iwi on 27 September 2001.

[2] On 18 May 2004 this Court issued a decision on the appeals. The appeals were allowed to the extent that the term of the consent was reduced from 35 to 10 years.³ Genesis successfully appealed the Environment Court's decision to the High Court.⁴ The Maori parties unsuccessfully appealed the decision of the High Court to the Court of Appeal.⁵ They then pursued the matter to the Supreme Court

[3] The proceedings before the Supreme Court have been withdrawn consequent on agreement having been reached between the parties on 16 December 2010. Memoranda by counsel for the parties were lodged with this Court on 5 May 2011 seeking consent orders, the effect of which is to increase the term of the consent to 35 years. The joint memorandum by the parties had this to say:

3. These proceedings have reached the stage of referral back to the Environment Court following appeals to the High Court, and Court of Appeal and application to appeal to the Supreme Court.
4. The Parties are pleased to advise the Court that they have engaged in a lengthy and constructive dialogue with each other over the last 12 months and have reached agreement with each other on a number of issues relating to the ongoing relationship and engagement between the Parties.
5. In particular, the Parties have determined that they wish to progress their relationship with each other and the resolution of any outstanding issues between them in a non-adversarial environment outside the Courts.

³ Ngati Rangi Trust & Ors v the Manawatu-Wanganui Regional Council, Environment Court decision No. A067/2004

⁴ Genesis Power Limited v Manawatu-Wanganui Regional Council (High Court), CRV-2004-487-1139, 14 May 2007, WildJ

⁵ Ngati Rangi Trust v Genesis Power Limited [2009] NZCA222 [substantive appeal decision]



6. To that end, with the involvement and agreement of the Ngati Rangi Trust, Genesis Energy has prepared the attached consent order (with conditions in track change format).
7. The Parties seek orders from the Court in terms of these conditions.
8. There are no issues as to costs and the orders sought will resolve the proceedings.
9. the Parties respectfully seek a hearing before the Court in order to be heard in relation to the orders sought. The Parties would value that opportunity in order to confirm formally their position to the Court. It is anticipated that one hour will be sufficient to address these matters and conclude formally these proceedings.

[4] This hearing has been convened in response to a request by the parties to be heard in relation to the Orders sought. We have today witnessed a celebration of an accord as between the Maori appellants and Genesis.

[5] We are pleased that such an accord has been reached. We congratulate the parties for engaging in constructive dialogue and reaching agreement. We commend their wish to progress their relationship in a non-adversarial environment. In our decision we had this to say:

[325] There appeared at times to be a conflict between the customary evidence and the scientific evidence. This apparent conflict intensified as the hearing progressed. The Maori witnesses who appeared before us, all impressed us with their close association and empathy for their rivers – an association and empathy which stems from many generations of living close to and with the rivers, and augmented by their ancestral interconnectedness with the rivers. The scientific witnesses had considerable knowledge about the rivers that came from empirical studies and data augmented by the application of recognised and tried methodologies and computerised modelling.

[326] Unfortunately, the two worlds did not link together – they did not intersect. While the scientific evidence addressed Maori concerns, it did so from a distance. For example, the evidence of Mr Potaka relating to the effect of reduced water levels on native fish and fishing was responded to: first, by Mr Bowler with his modelled figures JB1, JB2 and JD3; and secondly, by Mr Kennedy discussing the multi-factored national decline of fish species. There has not been a direct meeting of the minds between the expert witnesses and the Maori witnesses, to establish with particularity, the locations and concerns that are of particular significance to iwi. It is only when that is done that both parties can explore the variety of options, that will assist in addressing values that require protection under Tikanga Maori.⁶

⁶ Ngati Rangi Trust & Ors v the Manawatu-Wanganui Regional Council, Environment Court decision No. A067/2004, paras [325], [326], [329], [330]



...

[329] In our view, if the scientific witnesses had met and discussed with the tangata whenua witnesses the Maori concerns, they would have had a better appreciation of the particulars as to time, place, species of fish and spiritual practices that they say have been affected. They could have then addressed those issues with that understanding and then apply their expert scientific knowledge. It is only by a meeting of the minds between iwi and those legally responsible for the river's management, that decision-makers can identify adverse effects on such cultural issues as mahinga kai and mauri, and then put into effect appropriate strategies to remedy any adverse effects so identified. Unfortunately, notwithstanding who was to blame, this was not done.

[330] It is this very practice that is recommended in "Flow Guidelines for Instream Values" Volume A, published by the Ministry for the Environment, a recommendation that we endorse.

[6] Unfortunately, the phrase "meeting of the minds" has been elevated to a legal construct. That was not our intention. This phrase reflects other passages in the Judgment, which averred to the failure of the parties to properly engage. For example:

[463] This exchange [between the Court and Ms Hickman] highlights the evidence of both Ms Hickman and Ms Rawiri that the consultation process never really got "off the ground" as the parties could not agree on a formal protocol. As we have said, this was due, in part at least, to the perceptions of both parties about the entrenched position of each other.

[7] It will be clear from the last passage just cited that our concern was that the parties did not engage in frank and constructive dialogue. That concern has now been dispelled. It will be equally clear that we did not apportion blame to any particular party. We therefore have no hesitation in making the Orders sought.

[8] We have read and considered the Appeals, the Respondents' Replies, and the Memoranda of the Parties supporting the Orders sought.

[9] The Court is making this order under section 279(1)(b) of the Resource Management Act 1991, such Order not being opposed, rather than representing a decision or determination on the merits pursuant to section 297 of the Resource Management Act 1991. The Court understands for present purposes that:

- (a) All parties to the order have executed Memoranda either in support of or not opposing this Order;



- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction and confirm to relevant requirements and objectives of the Resource Management Act 1991, including in particular Part 2 of the Resource Management Act 1991.

[10] We therefore make the following orders:

1. **Ngati Raugi Trust v Manawatu-Wanganui Regional Council – RMA875/01.**

A In the absence of opposition the consent conditions attached as Appendix 1 be amended with all the tracked changes accepted.⁷

B. There are no issues as to costs.

2. **Whanganui River Maori Trust Board & Ors – RMA877/01.**

A In the absence of opposition the consent conditions attached as Appendix 2 be amended with all the tracked changes accepted.⁸

B. There are no issues as to costs.

SIGNED at AUCKLAND this

8th

day of

June

2011



Judge R G Whiting
Environment Court Judge

⁷ That is: (a) bullet point underlined text is added; and (b) bullet point strike out text is deleted.

⁸ That is: (a) bullet point underlined text is added; and (b) bullet point strike out text is deleted.



EASTERN DIVERSION

Wahianoa Aqueduct Diversions 101275

Water permit – To divert the full flow of water between tributaries of the Whangaehu River [*diverted catchments above Wahianoa Aqueduct intakes*] within the area defined by map references NZMS 260 T20: 358 000, T20: 428 990, T20: 428 980 AND T20:358 988 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Scope of consent

- 1 This exercise of this resource consent shall only apply to streams being intercepted by the Wahianoa Aqueduct prior to the commencement of this consent. The flow capacity of any of the existing diversion structures and of the Wahianoa Aqueduct shall not be increased under the exercise of this resource consent.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any Wahianoa Aqueduct diversion, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that diversion.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of conditions

- 3 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



EASTERN DIVERSION

Wahianoa Aqueduct Take 101276

Water permit – To dam, divert and take water at a maximum combined quantity of up to 9 cubic metres per second from 22 waterways [*Wahianoa Aqueduct*] within the area defined by map references NZMS 260 T20: 358 000, T20: 428 990, T20: 428 980 AND T20: 358 988 for a duration of 40-35 years from the commencement of this resource consent subject to the following conditions:

Areal Extent of Consent

1 The watercourses that this consent applies to are:

Intake No.	Watercourse	Point of Take
1.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:424985
2.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:419985
3.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:417986
4.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:416986
5.	Tomowai Stream	NZMS 260 T20:414987
6.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:413986
7.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:409985
8.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:407985
9.	Unnamed tributary of the Whangaehu River	NZMS 260 T20:404984
10.	Makahikatoa Stream	NZMS 260 T20:401984
11.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:397986
12.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:394986
13.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:393986
14.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:387987
15.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:383988
16.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:378988
17.	Unnamed tributary of the Wahianoa River	NZMS 260 T20:376990
18.	Wahianoa River	NZMS 260 T20:376990
19.	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:368992
20.	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:368992
21.	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:364993
22.	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:362994

Intake structure design capacity

2 The rate of water diverted and taken pursuant to this resource consent shall be deemed to comply with this consent if the capacity of each intake structure is no greater than it was at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any Wahianoa Aqueduct diversion structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.



Advice 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 its sole expense prior to any works being undertaken.

Consent Review

3A During the calendar year 2018, the consent holder shall (in conjunction with the Ngati Rangī Trust) provide to the Manawatu Wanganui Regional Council a written report on any matters relevant to mitigating the adverse cultural and spiritual effects of the activities on Ngati Rangī authorised by this consent, and consents 101275 and 101278, and shall include the following;

- The status of any issues agreed between the parties;
- The identification of any outstanding issues;
- The nature and scope of any agreed mitigation measures.

For the avoidance of doubt, this condition does not prevent the Ngati Rangī Trust from providing a separate report to the Manawatu Wanganui Regional Council.

3B The Manawatu Wanganui Regional Council may, within three months of receiving the report required by condition 3A, serve notice on the consent holder under section 128(1) of the Resource Management Act 1991 of its intention to review the conditions of this consent for the purpose of mitigating the adverse spiritual and cultural effects on Ngati Rangī of the activities authorised by the consent.

3C Every five years from 2018, the consent holder shall (in conjunction with the Ngati Rangī Trust) provide to the Manawatu Wanganui Regional Council a written report on any matters relevant to mitigating the cultural and spiritual effects of the activities on Ngati Rangī authorised by this consent to the extent not addressed by any previous reports and/or reviews under conditions 3A – 3C. For the avoidance of doubt, this condition does not prevent the Ngati Rangī Trust from providing a separate report to the Manawatu Wanganui Regional Council.

3D The Manawatu Wanganui Regional Council may, within three months of receiving the report required by condition 3C, serve notice on the consent holder under section 128(1) of the Resource Management Act 1991 of its intention to review the conditions of this consent for the purpose of mitigating the adverse spiritual and cultural effects on Ngati Rangī of the activities authorised by the consent.

Change or cancellation of conditions

4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

5 Within 6 months of the commencement of this consent the Consent Holder shall construct a recreational bathing hole in the bed of the Whangaehu River. The location of that bathing hole shall be determined in consultation with the Ngati Rangī Trust and the Manawatu Wanganui Regional Council. The Consent Holder shall maintain the bathing hole for the duration of this consent.



GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



EASTERN DIVERSION

Discharge to Mangaio Stream 101277

Discharge permit – To discharge water taken pursuant to Resource Consent 101276 and any material contained therein at a maximum rate of up to 9 cubic metres per second into the Mangaio Stream [*Mangaio Tunnel discharge*] at or about map reference NZMS 260 T20: 446 989 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Rate of discharge

1. The maximum rate of discharge of water to the Mangaio Stream shall not exceed 9 cubic metres per second as measured at the outlet of the Mangaio Tunnel.

Discharge restrictions

2. Discharge to the Mangaio Stream shall cease when:
 - i The water level in Lake Moawhango is at or above 851.6 metres above Moturiki Datum, is rising and spill is likely to occur from the lake;
 - ii The pH of water in the Wahianoa Aqueduct at Gate 51 is less than 5.
3. The Consent Holder shall operate and maintain two lahar detection devices at the following locations:
 - i At or upstream of NZMS 260 T20: 376-989 (upstream of the Wahianoa Intake).
 - ii At or upstream of NZMS 260 T20: 393-093 (on the Whangaehu River).
4. In the event that the lahar monitoring devices identified in condition 3 indicate that a lahar is likely to pass down the Wahianoa Aqueduct, the Mangaio Gate [Gate 51] shall be shut to prevent contaminated water entering the Mangaio Stream. The Mangaio Gate [Gate 51] shall remain closed until such time as the pH of water in Wahianoa Aqueduct exceeds 5.
5. The lahar detection devices located in accordance with condition 3 and the system triggering the closure of the gate shall be automated and shall be maintained in a sound working condition and tested every 6 months. The results of the tests shall be documented and provided to the Manawatu Wanganui Regional Council within 10 working days of their completion.

Flow and pH monitoring

6. The Consent Holder shall monitor the flow into the Mangaio Stream and the pH of water in the Wahianoa Aqueduct on a continuous basis and shall provide copies of that information to the Manawatu Wanganui Regional Council within 5 working days upon request.

Responsibility for erosion control

The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of



the Mangaio Tunnel discharge point into the Mangaio Stream, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from that discharge.

Advice 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 its sole expense prior to any works being undertaken.

Volcanic activity management plan

8. Within twelve months of the commencement of this consent, the Consent Holder shall prepare a Volcanic Activity Management Plan to the satisfaction of the Manawatu Wanganui Regional Council. The Management Plan shall be prepared following consultation with the Department of Conservation, the Ruapehu District Council, Taupo District Council, the New Zealand Defence Force and the Manawatu Wanganui Regional Council. The purpose of the Plan shall be to detail procedures for the management of TPD structures in order to minimise, to the greatest extent practicable, risks to property, life and the natural environment arising from the operation of TPD structures during or following lahar flows and other volcanic events.

The plan shall include:

- an assessment of key environmental risks arising from the operation of TPD structures during or following a volcanic event.
- a description of the procedures to be followed to minimise these risks.
- the communications to be undertaken by the Consent Holder in order to give effect to the plan.
- a process for reviewing the plan, for example after a volcanic event has occurred or on a five yearly basis.

9. This consent shall be exercised in accordance with the Volcanic Activity Management Plan prepared in accordance with condition 8. Where there is any inconsistency between the provisions of the Volcanic Activity Management Plan and the conditions of this consent, then the conditions of this consent shall prevail.

Change or cancellation of consent conditions

10 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



EASTERN DIVERSION

Wahianoa Aqueduct Discharges to Whangaehu 101278

Discharge permit – To discharge water taken pursuant to Resource Consent 101276 and any material contained therein into the waterways below intakes 2 to 22 [*Wahianoa Aqueduct discharge*] within the area defined by map references NZMS 260 T20: 358 000, T20: 428 990, T20: 428 980 AND T20: 358 988 for the purpose of draining waters from the Wahianoa Aqueduct for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Areal Extent of Consent

1 The watercourses that this consent applies to are:

Intake No.	Watercourse	Point of Take
2	Unnamed tributary of the Whangaehu River	NZMS 260 T20:419985
3	Unnamed tributary of the Whangaehu River	NZMS 260 T20:417986
4	Unnamed tributary of the Whangaehu River	NZMS 260 T20:416986
5	Tomowai Stream	NZMS 260 T20:414987
6	Unnamed tributary of the Whangaehu River	NZMS 260 T20:413986
7	Unnamed tributary of the Whangaehu River	NZMS 260 T20:409985
8	Unnamed tributary of the Whangaehu River	NZMS 260 T20:407985
9	Unnamed tributary of the Whangaehu River	NZMS 260 T20:404984
10	Makahikatoa Stream	NZMS 260 T20:401984
11	Unnamed tributary of the Wahianoa River	NZMS 260 T20:397986
12	Unnamed tributary of the Wahianoa River	NZMS 260 T20:394986
13	Unnamed tributary of the Wahianoa River	NZMS 260 T20:393986
14	Unnamed tributary of the Wahianoa River	NZMS 260 T20:387987
15	Unnamed tributary of the Wahianoa River	NZMS 260 T20:383988
16	Unnamed tributary of the Wahianoa River	NZMS 260 T20:378988
17	Unnamed tributary of the Wahianoa River	NZMS 260 T20:376990
18	Wahianoa River	NZMS 260 T20:376990
19	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:368992
20	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:368992
21	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:364993
22	Unnamed tributary of the Tokiahuru Stream	NZMS 260 T20:362994

Responsibility for erosion control

2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any Wahianoa Aqueduct discharge listed in condition 1, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from that discharge.

Advice 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 its sole expense prior to any works being undertaken.

Public warning

Within 6 months of the commencement of this resource consent, the Consent Holder shall develop a system, to the satisfaction of the Manawatu Wanganui Regional Council, for warning potentially affected members of the public and



potentially affected downstream property owners or occupiers of the likely increase in flows downstream of intakes 2 to 5 inclusive when this consent is exercised.

Change or cancellation of consent conditions

- 4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



EASTERN DIVERSION

Moawhango Dam 101279

Water permit – To dam the Moawhango River [*Moawhango Dam*] at or about map reference NZMS 260 T20: 472 962 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Dam specifications

- 1 The dam spillway crest shall be maintained at 852.1 metres above Moturiki Datum and the width of the spillway shall be maintained at 128.1 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of consent.

Minimum lake level

- 2 The normal minimum lake operating level shall be 835.75 metres above Moturiki datum. The Lake may be drawn down below this level for maintenance or dam safety purposes. In the event of this occurring, notification shall be provided to the Manawatu Wanganui Regional Council within 48 hours of the event.

Willow control

3. Commencing in the year following the commencement of this consent and for each subsequent year that this consent is exercised, the Consent Holder shall undertake and maintain willow control measures on the Moawhango River in the vicinity of the Moawhango Village at a rate of not less than 200 metres per annum, as set out in the Willow Control Management Plan prepared pursuant to condition 4.
4. Within six months of the commencement of this consent, the Consent Holder shall prepare a Willow Control Management Plan to the satisfaction of the Manawatu Wanganui Regional Council, that sets out the specific measures to be utilised to satisfy the requirements of condition 3.

The Willow Control Management Plan shall be prepared and updated annually, following consultation with the Moawhango community, the Department of Conservation and the Manawatu Wanganui Regional Council.

Dam safety

5. The Consent Holder shall have in place a Dam Safety Assurance Programme in accordance with the Dam Safety Guidelines issued by the New Zealand Society on Large Dams, dated November 1995 and as updated from time to time. Reports documenting the findings of surveillance, inspections and safety reviews shall be made available to the Manawatu Wanganui Regional Council upon request.

Lakeshore erosion monitoring and responsibility for lakeshore erosion control

The consent holder shall undertake monitoring of lakeshore erosion adjacent to the existing access road from the confluence of the Mangaio Stream with Lake Moawhango to a position 1 kilometre east of the Moawhango Dam. If in the opinion of the Manawatu Wanganui Regional Council any lakeshore



erosion poses a risk to the structural integrity or safe use of the access road then, in consultation with the New Zealand Defence Force and the Ruapehu District Council, the consent holder shall design and implement lakeshore erosion protection works and/or road repairs to the satisfaction of the Manawatu Wanganui Regional Council. The consent holder shall be responsible for the maintenance of any erosion control works established under the requirements of this consent condition.

Advice 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 sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

7 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Community facilities

Subject to being able to obtain landowner access and the necessary resource consents, the Consent Holder has agreed to install the "Community Amenity Facilities", as generally defined in the plan attached to this consent. The Consent Holder has agreed to install these facilities with 12 months of the commencement of this consent. The Consent Holder has also agreed to maintain these facilities for three years following their completion.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tamakopiri, Ngati Whitiokopeka and Ngati Hauti, and with the Wellington and Taranaki Fish and Game Councils.



EASTERN DIVERSION

Moawhango Dam Discharge 101280

Discharge permit – To discharge water and any material contained therein into the Moawhango River downstream of the Moawhango Dam structure [*Moawhango Dam discharge*]:

- i. Via the drawdown valve at a maximum rate of 75 cubic metres per second; and
- ii. Via the special release valve at a maximum rate of 3 cubic metres per second, and
- iii. Via the dam spillway.

at or about map reference NZMS 260 T20: 472 962 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions

Public warning

- 1 As soon as practicable, but no later than 12 months following the commencement of this consent, the Consent Holder shall develop, to the satisfaction of the Manawatu Wanganui Regional Council, a system for warning members of the public and downstream property owners and occupiers when the discharge from the drawdown valve reaches 30 cubic metres per second or when flows occur over the spillway. The Consent Holder shall consult with the NZ Defence Force, property owners and occupiers adjacent to the Moawhango River from the dam to Moawhango Village, the Moawhango community generally, the Ruapehu and Rangitikei District Councils and the Manawatu Wanganui Regional Council regarding the development of the warning system.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any discharge authorised under this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from that discharge.

Advice 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 its sole expense prior to any works being undertaken.

Flushing flows

3. The Consent Holder shall ensure that a minimum of four flushing flows from the Moawhango Dam to the Moawhango River below the dam occur during each summer that this consent is in force and as further defined in Condition 4. The magnitude of each flushing flow shall be not less than 30 cubic metres per second at the point of discharge from the dam. The magnitude of the flushing flow shall be measured at either the "Moawhango River at Waiouru" gauging site at or about map reference NZMS 260 T20: 468 948 or at Moawhango Dam at or about map reference NZMS 260 T20: 472 962 by opening the drawdown valve in accordance with the established rating curve for the valve. The flushing flow shall be provided by opening the drawdown



valve in stages over a one hour period, held at the opening required to maintain a flow of 30 cubic metres per second for a period of at least nine hours, and closed in stages over a one hour period.

4. Unless otherwise agreed in writing by the Manawatu Wanganui Regional Council following Consent Holder consultation with the Moawhango community, the flushing flow shall occur in each of the months of December, January, February and March. The consent holder shall ensure that:
- i. the flushing flows shall be released between 8.00 pm and 9.00 pm the day before the flushing event reaches the Moawhango and Rangitikei Rivers; and
 - ii. the flushing flows shall be released on a Tuesday or Wednesday; and
 - iii. no flushing flow shall be released during the period between 11 December and the Tuesday following the public holiday marking Wellington Anniversary Day.

4a. Notwithstanding Condition 4, the consent holder shall submit a proposed schedule for the forthcoming flushing seasons to Manawatu-Wanganui Regional Council's for the approval of the Environmental Protection Manager and the Science Manager each year before 14 October.

4b. The consent holder shall ensure that the public warning system referred to in Condition 1 is updated to reflect the changes to Condition 4 authorised by this consent and submitted to the Manawatu Wanganui Regional Council Environmental Protection Manager prior to 31 December 2009.

~~Two of the four flushing flows shall commence on days and at times fixed in consultation with the New Zealand Recreational Canoeing Association. The two flushing flows not fixed in consultation with the New Zealand Recreational Canoeing Association shall occur during the first natural fresh that occurs in the Moawhango River during each month, except that if a natural fresh has not occurred by the 21st day of any month¹, the flushing flows shall commence from the Moawhango Dam at 5 am on the following Monday.~~

January 2010

5. If using the drawdown valve to maintain the flushing flows required by condition 3, the Consent Holder shall verify the rating curve for the Moawhango Dam drawdown valve by alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Moawhango Dam drawdown valve following any structural changes that may affect the rating curve. The results of the verification exercise or any changes to the rating curve shall be forwarded to the Manawatu Wanganui Regional Council within 10 days of completion.

Minimum flows

6. Upon the commencement of this consent, the Consent Holder shall provide a continuous flow release from the Moawhango Dam to the Moawhango River below the dam of not less than 600 litres per second at the point of discharge from the dam, The magnitude of the minimum residual flow shall be measured at either the "Moawhango River at Waiouru" gauging site at or about map reference NZMS 260 T20: 468 948 or at Moawhango Dam at or about map reference NZMS 260 T20: 472 962 by opening the special release valve in accordance with the established rating curve for the valve.



The Consent Holder shall keep records to determine compliance with this condition for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.

- 7 If using the special release valve to maintain the flow required by condition 6, the Consent Holder shall verify the rating curve for the special release valve by alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Moawhango Dam special release valve following any structural changes that may affect the rating curve. The results of the verification exercise or any changes to the rating curve shall be forwarded to the Manawatu Wanganui Regional Council within 10 days of completion.
- 8 If the magnitude of the flows required by either condition 3 or condition 6 is to be measured at the "Moawhango River at Waiouru" gauging site at or about map reference NZMS 260 T20: 468 948 the Consent Holder shall establish a relationship between the flow immediately downstream of the dam and the flow at the "Moawhango River at Waiouru" gauging site in order to verify that the required flow is being released from the dam. If compliance with either condition 3 or condition 6 is to be met using a gauging site then a flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

Consultative meetings

9. During each year that this consent is exercised, the Consent Holder shall invite representatives of the Moawhango community, tangata whenua, and conservation and recreation interests to attend a Consultative Meeting to be held ~~during the month of July~~ once annually. The Consent Holder shall notify its intention to hold a consultative meeting by public notice in a newspaper circulating in the area at least fourteen days and not more than one month in advance of the meeting.
The purpose of the Consultative Meeting is to provide an opportunity to discuss all matters pertaining to this consent, including, but not limited to, the results of monitoring undertaken pursuant to this consent.
10. The Consent Holder shall circulate minutes of the Consultative Meeting to all attendees and the Manawatu Wanganui Regional Council within one month of the meeting.
11. Information on the flow at the "Moawhango River at Waiouru" gauging site at or about NZMS 260 T20: 468-948 shall be made available to the public via a free telephone system and a web-site. The flow information provided shall be updated hourly.

Eastern diversion monitoring plan

- 12 Within 6 months following the commencement of this resource consent the Consent Holder shall prepare an Eastern Diversion Monitoring Plan to the satisfaction of the Manawatu Wanganui Regional Council. That Plan shall relate to the exercise of consents 101277, 101279 and 101280.

The aim of the Plan shall be to detail the type, frequency and location of monitoring that will be undertaken by the Consent Holder to assess the effects of the discharges from Lake Moawhango on: algal and periphyton growth in the Moawhango River; the invertebrate community present in the Moawhango



River; and the potential effects of lake stratification on the Moawhango River, and the potential erosion of the edge of Lake Moawhango.

Changes to the Plan may be made on an annual basis, subject to the approval of the Manawatu Wanganui Regional Council, following the receipt by the Manawatu Wanganui Regional Council of the Report specified in condition 13 of this consent.

The Plan shall address:

- i. methodologies and procedures to monitor flow into the Mangaio Stream and the pH of water in the Wahianoa Aqueduct as required by condition 6 of consent 101277,
- ii. methodologies and procedures to assess the abundance and composition of algae, periphyton and invertebrates in the Moawhango River between the dam and the Moawhango Village,
- iii. methodologies and procedures to assess water temperature downstream of the dam,
- iv. methodologies and procedures to assess water quality of the discharge authorised by this consent in terms of dissolved oxygen, iron, manganese and soluble nutrients in the Moawhango River above the Aorangi Stream confluence so that the potential occurrence and consequential effects of thermal stratification within Lake Moawhango can be determined,
- v. methodologies and procedures, developed after consultation with the Department of Conservation, to assess the adequacy of the minimum residual flow established by condition 6 of this consent in terms of its ability to support an invertebrate community generally representative (in terms of abundance and composition) of a healthy high country lake fed watercourse in the Moawhango River above the Aorangi Stream confluence,
- vi. methodologies and procedures to assess the adequacy of the flushing flows established by condition 3 of this consent in terms of their ability to improve the physical and biological characteristics of the Moawhango River (particularly algal proliferations and offensive odours) between the dam and the Moawhango Village,
- vii. methodologies and procedures to assess the extent and magnitude of shoreline erosion at Lake Moawhango adjacent to the access road from the confluence of the Mangaio Stream with Lake Moawhango to a position 1 kilometre east of the Moawhango Dam as required by condition 6 of consent 101279. These methodologies are to be developed in consultation with the New Zealand Defence Force, and shall include an initial baseline survey, regular ongoing monitoring, and utilise information derived from any previous lakeshore erosion monitoring undertaken by the Consent Holder,
- viii. the standards and guidelines that any monitoring activities shall be designed in accordance with or required to comply with.

Reporting

13

The Consent Holder shall provide to the Manawatu Wanganui Regional Council a written report by 31 August each year that this consent is current. As a minimum this report shall include the following:

- i. all data collected as required under condition 12 of this resource consent.



- ii. a summary of the monitoring results required by condition 12 of this resource consent and a critical analysis of that information in terms of compliance and environmental effects,
- iii. a comparison of data with previously collected data identifying any emerging trends,
- iv. comment on compliance with conditions of consents 101277, 101279 and this consent,
- v. any reasons for non-compliance or difficulties in achieving compliance with the conditions of consents 101277, 101279 and this consent,
- vi. any works that have been undertaken to improve the environmental performance of the TPD activities authorised by consents granted by the Manawatu Wanganui Regional Council, and any such works that the Consent Holder proposes to undertake in the following 12 months ,
- vii. recommendations on alterations to the monitoring required by condition 12 of this consent,
- viii. any other issues considered important by the Consent Holder.
- ix. report on and discuss complaints received regarding the activities authorised by consents 101277, 101279 and 101280 and consents 101296, 101302, 101303, 101304, 101306, 101307, 101309 and 101310 which authorise the scheme wide maintenance of structures and activities relating to the TPD.
- x. report on and discuss feedback received from any community liaison activities.

Consent review

14 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and in June every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 3, 4 and 6 in terms of their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

Specific purposes of the review shall be:

- i. to review the adequacy of the flushing flows specified in condition 3 in terms of their ability to improve the physical and biological characteristics of the Moawhango River from the Moawhango Dam to the Moawhango Village (particularly algal proliferations and offensive odours), and to amend that condition or add further conditions if necessary, and
- ii. to review the adequacy of the minimum flow specified in condition 6 in terms of its ability to maintain an invertebrate community containing species representative of a high country lake fed watercourse in the Moawhango River from the Moawhango Dam to the confluence with the Aorangi Stream, and to amend that condition or add further conditions if necessary; and
- iii. to evaluate the results of the Moawhango River monitoring specified in this consent and to amend the conditions of this resource consent or add further conditions if necessary to avoid, remedy or mitigate any adverse effects identified by that monitoring.



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.

Change or cancellation of consent conditions

15 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tamakopiri, Ngati Whitiakoeka and Ngati Hauti, and with the Wellington and Taranaki Fish and Game Councils.



EASTERN DIVERSION

Lake Moawhango Take 101281

Water permit – To divert and take water at a maximum rate of up to 25 cubic metres per second from Lake Moawhango [*Moawhango Tunnel*] at or about map reference NZMS 260 T20: 484 994 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate of water diverted and taken pursuant to this resource consent shall be deemed to comply with this consent if the capacity of the intake structure is no greater than it was at the date of commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka and Ngati Hauiti.



SCHEME WIDE

Maintenance of Structures and Watercourses 101296

Combined land use consent, water permit and discharge permit – To undertake the following activities for the purpose of maintaining structures or removing sediment, weed, debris, plants and other material from watercourses within the Tongariro Power Development:

- i) to **reconstruct, alter, remove or demolish** any structure or part of any structure in, on, under or over the bed of a river or lake;
- ii) to disturb, remove, damage, or destroy sediment, weed, debris, plants and other material in, on, under, over or adjacent to the bed of a river or lake;
- iii) to **enter, pass across or disturb** the bed of a river or lake, including for the purpose of removing or flushing accumulated bed material in order to maintain the functional integrity and operational efficiency of a structure;
- iv) to **deposit** removed material on the bed of a river or lake;
- v) to **dam and divert** water;
- vi) to **discharge** water into water;
- vii) to **discharge** sediment and other materials into water —

within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

- NOTE The activities authorised by this consent include but are not limited to:
- The flushing, automatic or manual removal, excavation or sluicing and deposition of accumulated sediment and debris;
 - Drainage and maintenance discharges from structures, culverts, pipelines and tunnels;
 - Discharges from the Whakapapa-Tawhitikuri-Whanganui Tunnel bulkhead maintenance discharge to the Tawhitikuri Stream;
 - Whakapapa-Tawhitikuri-Whanganui Tunnel drain valve maintenance discharge to the Whanganui River;
 - Discharges from the testing of gates and structures;
 - Construction of temporary dams and diversions.

Scope of consent

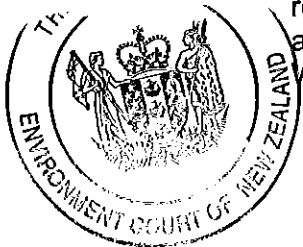
- 1 This resource consent only applies to activities undertaken within 200 upstream or downstream of any TPD structure located within a watercourse.
- 2 This consent does not apply to the specific activities that are authorised by resource consents 101279, 101302 or 101303.

Responsibility for operations

- 3 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 4 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.



Advice 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 its sole expense prior to any works being undertaken.

Fish passage and blue ducks

- 5 The activities authorised by this consent shall not prevent the passage of fish both upstream and downstream.
- 6 The activities authorised by this consent shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity. This condition does not apply to the automatic sluicing of diversion or intake structures or essential works required to maintain the structural integrity or safe operation of a structure.

Effects of structure on water flow

- 7 The Consent Holder shall ensure that any machinery, equipment or materials associated with any activities authorised by this consent, but not in use, do not obstruct the flood channel of the watercourse.

Control of contaminants from operation of machinery

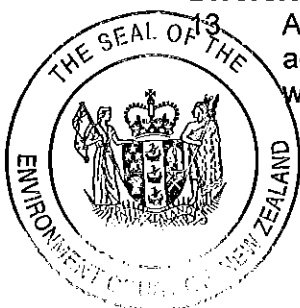
- 8 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter any water body.

Discharges to water

- 9 Any materials used for activities authorised by this consent shall be managed in ways that ensure risks to aquatic ecosystems are minimised to the fullest extent practicable.
- 10 Where as a result of the exercise of this resource consent, sections of the channel banks have in excess of five square metres of vegetation removed from them, the Consent Holder shall where necessary minimise channel bank erosion to the fullest extent practicable.
- 11 No dry cement shall be released into the watercourse. Any concrete placed in or adjacent to a watercourse shall be contained by a watertight form work in such a way that cement slurry is not able to seep out and enter the watercourse. New concrete shall not be exposed to the flow of water before it has hardened for at least 48 hours.
- 12 Any discharge of sediment directly associated with an activity authorised by this consent shall not occur for more than 5 consecutive days, nor for more than 12 hours on any one day within those 5 days.

Diversions

- 13 Any temporary diversion of water or cessation of flow required to undertake activities authorised by this consent shall be returned to its normal state within 2 working days of the completion of the activity.



- 14 Prior to implementing condition 13 of this resource consent, the Consent Holder shall inspect the temporary diversion or dewatered area and any fish impounded within it shall be returned to the original watercourse as soon as practicable following their discovery.

Rehabilitation of disturbed Areas

- 15 Within 20 working days of the completion of any activities authorised by this consent, the Consent Holder shall stabilise and re-contour any disturbed areas to the satisfaction of the Manawatu Wanganui Regional Council in order to:
- i limit sediment runoff or erosion to the greatest extent practicable,
 - ii remove any stockpiles of material and fill any depressions where these would adversely effect the flow of water.
- 16 Any disturbed areas shall be revegetated as soon as practicable in a manner consistent with existing vegetation cover at and about the site to the satisfaction of the Manawatu Wanganui Regional Council. The Consent Holder shall maintain the site until any re-vegetated area is established.
- 17 Any construction materials associated with activities authorised by this consent that are no longer required as part of the structure, and/or any temporary structures that are no longer required to undertake activities authorised by this consent, shall be removed within 2 working days following the completion of the activity.

Sediment flushing

- 18 Where sediment and other material removed from structures is deposited into a watercourse, that sediment and other material shall not be deposited directly into flowing water. It shall be deposited in such a manner and location that it can be carried away by a flow in excess of the mean annual flow for that watercourse. This condition does not apply to the automatic sluicing of diversion or intake structures.

Warning notices

- 19 Where the activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to any activities authorised by this consent. These notices shall provide warning of the activities and advice of the period over which they will be occurring. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Advice Note: Refer to condition 25 which relates to scheduled activities.

Waterway access

- 20 The Consent Holder shall ensure that existing public access is maintained along watercourses at all times, except for areas and periods where the safety of the public and integrity of any structure would be endangered as a result of the activities authorised by this consent.

Fish spawning periods



- 21 There shall be no disturbance of any actively flowing channel as a result of the exercise of this resource consent in the Moawhango River or any tributary of the Whanganui River within the period 1 July to 1 November inclusive. This condition does not apply to the automatic sluicing of diversion or intake structures or essential works required to maintain the structural integrity or safe operation of a structure.

Notification to council

22. For any scheduled maintenance activity involving the temporary use of machinery in a river or lake bed, or the temporary damming or diversion of water, the Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to exercise this consent not less than 10 working days prior to exercising the consent. The notification shall include:

- i a description of the location in which the consent will be exercised;
- ii a description of the scope and duration of the maintenance activities to be undertaken;
- iii a description of the specific measures to be used to minimise the effects of the activities to be undertaken.

- 23 For any unscheduled maintenance activity involving the temporary use of machinery in a river or lake bed, or the temporary damming or diversion of water, the Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of the activity within 48 hours of its commencement. The details of the notification shall include those specified under condition 22 of this resource consent.

Complaint register

- 24 The Consent Holder shall maintain and keep a complaints register for any complaints about the maintenance activities received by the Consent Holder in relation to the degradation of water quality, adverse effects on aquatic ecosystems or wildlife, or the impedance of public access to or along watercourses. The register shall record, where this information is available:

- i the date, time and duration of the incident that has resulted in a complaint,
- ii the location of the complainant when the incident was detected,
- iii the possible cause of the incident,
- iv any corrective action undertaken by the Consent Holder in response to the complaint.

The register shall be available to the Manawatu Wanganui Regional Council at all reasonable times. Complaints received by the Consent Holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Manawatu Wanganui Regional Council within 48 hours of the complaint being received.

Scheduled maintenance plan

- 25 By 30 June each year the Consent Holder shall provide to the Manawatu Wanganui Regional Council a Plan stating the activities authorised by this consent that are scheduled to be undertaken in the following 12 months. That Plan shall contain as a minimum:

- i details of the type, nature and location of each activity and the period during which it is intended to be undertaken, events that would potentially trigger unscheduled activities and the possible type, nature and location of such unscheduled activities.



Large scale dredging

26. This consent does not authorise any dredging in excess of 100 cubic metres of material per annum from Lake Te Whaiau, Lake Otamangakau or the Otamangakau Canal.

Change or cancellation of conditions

- 27 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 28 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 5 to 26 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

- 29 Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Maintenance Activity Discharges 101302

Discharge permit – To discharge materials onto or into land associated with the removal of sediment, weed, debris or other material from or adjacent to watercourses within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 ~~35~~ years from the commencement of this resource consent subject to the following conditions:

Scope of consent

- 1 This consent does not apply to the specific activities that are authorised by resource consents 101279, 101296 or 101303.

Responsibility for operations

- 2 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

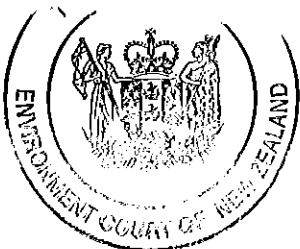
Control of contaminants from operation of machinery

- 4 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, 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 any water body.

Site management

- 5 Any accumulation of sediment onto land in excess of 50 cubic metres, resulting from the exercise of this resource consent, in any one location where it is readily visible to the public and which would otherwise be out of keeping with the character of the surrounding landscape shall be screened with vegetation or fencing to the satisfaction of, and in consultation with, the Manawatu-Wanganui Regional Council.
6. The activities authorised by this consent shall be managed in such a way so as to avoid, to the greatest extent practicable, runoff of sediment, weeds, debris or other material into surface water.

Advice Note: This may require the installation and maintenance of sediment retention devices. A separate resource consent may be required to install such works. Any such consent shall be obtained by the consent holder at its sole expense prior to any works being undertaken



7. There shall be no conspicuous oil, grease, scums or foams present in surface water after reasonable mixing as a result of the exercise of this consent.

Odour and dust

- 8 The activities authorised by this consent shall not give rise to any offensive or objectionable odour, or offensive or objectionable deposition of dust or debris, beyond the boundary of land owned or controlled by the Consent Holder.

Warning notices

- 9 Where activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to any materials deposition site. These notices shall provide warning of the activity. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Runoff management plan

- 10 Within 2 months of the commencement of this consent the Consent Holder shall provide a Management Plan to the Manawatu Wanganui Regional Council describing how the sediment, weed and debris deposition activities authorised by this consent will be managed and the methods to be adopted by the Consent Holder to achieve compliance with the conditions of this consent.

Complaint register

- 11 The Consent Holder shall maintain and keep a complaints register for any complaints about the discharge activities received by the Consent Holder in relation to the degradation of water quality, adverse effects on aquatic ecosystems or wildlife, odours, or adverse visual effects. The register shall record where this information is available:
- i the date, time and duration of the incident that has resulted in a complaint,
 - ii the location of the complainant when the incident was detected,
 - iii the possible cause of the incident,
 - iv any corrective action undertaken by the Consent Holder in response to the complaint.

The register shall be available to the Manawatu Wanganui Regional Council at all reasonable times. Complaints received by the Consent Holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Manawatu Wanganui Regional Council within 48 working days of the complaint being received.

Change or cancellation of conditions

12. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 13 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter,



serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 5 to 11 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

14. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitiokopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Abrasive Blasting 101303

Discharge permit – To discharge materials into the air, onto land and into water from abrasive blasting activities undertaken for the maintenance of TPD structures within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Notification to Council

2. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to exercise this consent not less than 10 working days prior to exercising the consent. The notification shall include:
 - i A description of the location in which the consent will be exercised;
 - ii A description of the scope and duration of the activities to be undertaken;
 - iii A description of the specific measures to be used to minimise the effects of the activities to be undertaken.

Site management

3. Any abrasive media not in use shall be kept covered at all times.
4. The abrasive media used shall not contain more than 5 % silica on a dry weight basis.
45. The Consent Holder shall avoid to the fullest extent practicable any debris resulting from the abrasive blasting activities being deposited into any watercourse.

Advice Note: Compliance with this condition may require the use of physical barriers and tarpaulins to catch and contain debris.

6. All debris resulting from the abrasive blasting activities shall be removed, to the fullest extent practicable, by the Consent Holder immediately following the completion of the blasting activity and disposed of in a lawful manner.
7. The activities authorised by this consent shall not result in an objectionable deposition of dust on properties owned or occupied by any other person, unless prior written approval has been obtained from those owners or occupiers.

Scheduled abrasive blasting plan

By 30 June each year the Consent Holder shall provide to the Manawatu Wanganui Regional Council a Plan stating the activities authorised by this consent that are scheduled to be undertaken in the following 12 months. That Plan shall contain as a minimum:



- i details of the location of each activity and the period during which it is intended to be undertaken,
- ii events that would potentially trigger unscheduled activities and the type, nature and location of such unscheduled activities,
- iii measures to be undertaken to achieve compliance with conditions 3, 4, 5, 6 and 7 of this consent.

Change and cancellation of conditions

9. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 10 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 3 to 8 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

11. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Use of Structures 101304

Land use consent – To use structures within the Tongariro Power Development for the purposes of damming, diverting, taking and conveying water; discharging water and any other materials contained therein; generating hydroelectricity; providing access across waterways (bridges); measuring flows and water quality; and any other activity necessary to enable the functioning of the Tongariro Power Development. within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent.

Lapsing of consent

1 Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Monitoring Structures 101305

Land use consent – To erect, place or extend structures within the Tongariro Power Development for the purposes of measuring flows and water quality or any other monitoring within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Fish passage and blue ducks

- 3 The activities authorised by this consent shall not prevent the passage of fish both upstream and downstream.
- 4 The activities authorised by this consent shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity. This condition does not apply to essential works required to maintain the structural integrity or safe operation of a structure.

Effects of structure on water flow

- 5 Activities authorised by this consent shall not cause any reduction in the ability of any channel to convey flood flows and debris.

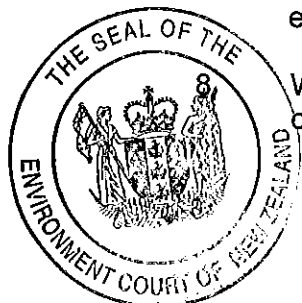
Control of contaminants from operation of machinery

- 6 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, 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 any water body.

Discharges to water

- 7 Any materials used for activities authorised by this consent shall be used in ways that ensure that risks to aquatic ecosystems are minimised to the fullest extent possible.

8 Where as a result of the exercise of this resource consent, sections of the channel banks have in excess of five square metres of vegetation removed



from them, the Consent Holder shall, where necessary, construct temporary sediment retention devices within the same working day to minimise channel bank erosion to the fullest extent practicable.

- 9 No dry cement shall be released into the watercourse. Any concrete placed in or adjacent to a watercourse shall be contained by a watertight form work in such a way that cement slurry is not able to seep out and enter the watercourse. New concrete shall not be exposed to the flow of water before it has hardened for at least 48 hours.
- 10 Any discharge of sediment directly associated with an activity authorised by this consent shall not occur for more than 5 consecutive days, nor for more than 12 hours on any one day within those 5 days.

Diversions

- 11 Any temporary diversion of water required to undertake activities authorised by this consent shall cease within 2 working days of the completion of the activity.
- 12 Prior to implementing condition 11 of this resource consent, the Consent Holder shall inspect the temporary diversion and any fish impounded within it shall be returned to the original watercourse as soon as practicable following their discovery.

Rehabilitation of disturbed areas

- 13 Within 20 working days of the completion of activities authorised by this consent, the Consent Holder shall stabilise and re-contour any disturbed areas to the satisfaction of the Manawatu Wanganui Regional Council in order to:
 - i to limit sediment runoff or erosion to the greatest extent practicable,
 - ii remove any stockpiles of material and fill any depressions where these would adversely effect the flow of water.
- 14 Any disturbed areas shall be revegetated as soon as practicable in a manner consistent with existing vegetation cover at and about the site to the satisfaction of the Manawatu Wanganui Regional Council. The Consent Holder shall maintain the site until any re-vegetated area is established.
- 15 Any construction materials associated with activities authorised by this consent that are no longer required as part of the structure, and/or any temporary structures that are no longer required to undertake activities authorised by this consent, shall be removed within 2 working days following the completion of the activity.

Council notification

16. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to erect or place any new structure or to extend any existing structure not less than 10 working days prior to exercising the consent. The notification shall include:
 - i A description of the structure to be erected, placed or extended;
 - ii A description of the duration for which any new structure is intended to be erected or placed;
 - iii A description of the specific measures to be used to minimise the effects of the activities to be undertaken;
 - iv A description of the location in which any new structure is to be erected or placed or where any structure is to be extended.



Change or cancellation of conditions

17. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 18 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 3 to 16 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

19. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Land Use – Booms and Screens 101306

Land use consent – To place structures in streams, rivers and lakes upstream or downstream of Tongariro Power Development structures for operational and public safety reasons or to prevent material entering the structures within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Activity location

3. No structure shall be placed in any water body (other than any artificial watercourse) more than 200 metres upstream or downstream of any TPD structure existing at the time that this consent commences.

Fish passage and blue ducks

- 4 The activities shall not prevent the passage of fish both upstream and downstream, other than for the purposes of:
 - i avoiding the entrainment of fish into diversion or intake structures, or
 - ii avoiding the transfer of fish between water bodies.
- 5 The activity shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity.

Effects of structure on water flow

- 6 Activities authorised by this consent shall not cause any reduction in the ability of any channel to convey flood flows.

Warning notices

- 7 Where activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to the location of any structure authorised by this consent. These notices shall provide warning of the activity. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the



commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Council notification

8. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to place any new structure in a stream, river or lake not less than 10 working days prior to placement of the structure. The notification shall include:
- i A description of the structure to be placed;
 - ii A description of the duration for which any new structure is intended to be installed;
 - iii A description of the specific measures to be used to minimise any adverse effects of the placement of the structure;
 - iv A description of the location in which any new structure is to be placed;
 - v A description of the intended purpose of the structure.

Change or cancellation of conditions

9. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

10. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

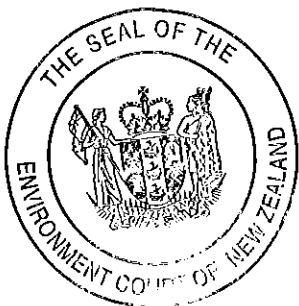
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Conveyance of Water Around Structures 101307

Combined water permit and discharge permit – To take water, divert water and discharge water and any material contained therein for the purpose of:

- i) Conveying surface water and ground water around, through, over, under or past structures within the Tongariro Power Development;
- ii) Providing for water leakage to, from and through structures within the Tongariro Power Development:

except as provided for by other resource consents within the area bounded by maps NZMS 260 S19, T19 AND T20 for a duration of ~~10~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for structural integrity and erosion control

- 1 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Lapsing of consent

2. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitiokopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Water Take 101309

Water permit – To take up to 20 cubic metres of water per day for purposes related to the operation of the Tongariro Power Development other than generating hydroelectricity within the area bounded by maps NZMS 260 S19, T19 and T 20, for a duration of 40 ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Recording of take locations

- 2 The Consent Holder shall maintain a record of the locations at which this consent is exercised and shall provide a copy of that record to the Manawatu Wanganui Regional Council upon request.

Take rate from rivers

3. The maximum rate of extraction of water from any river shall not exceed 10% of the discharge of the river at the point of taking at the time the water is taken.

Change or cancellation of conditions

4. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

5. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

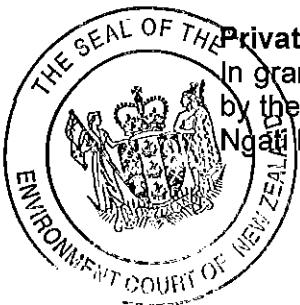
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Stormwater Discharge 101310

Discharge permit – To discharge stormwater from buildings and other structures onto or into land, or into water within the area bounded by maps NZMS 260 S19, T19 and T 20, for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Discharge conditions

- 2 The discharge shall not drain any unroofed or unenclosed area or structure used for the storage, use or disposal of any hazardous substances or waste management purposes.
3. Where stormwater discharges onto land, the stormwater shall be directed away from any bare soil surfaces.
4. There shall be no conspicuous oil, grease, scum or foam present in surface water after reasonable mixing as a result of the exercise of this consent.
5. Appropriate erosion protection and energy dissipating devices shall be provided, where necessary to avoid erosion from the discharge, at any stormwater discharge outlet structure.
6. Any structure installed for the purpose of meeting condition 5 shall not prevent the passage of fish both upstream and downstream.

Change or cancellation of conditions

7. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

8. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such



charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



WESTERN DIVERSION

Whakapapa Intake 101282

Water permit – To dam the Whakapapa River by means of the Whakapapa Intake structure and to divert and take water at a maximum rate of up to 40 cubic metres per second from the Whakapapa River at or about map reference NZMS 260 S19: 234 289 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate at which water is taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Minimum flow in the Whakapapa River

2. Subject to condition 3, the Consent Holder shall exercise this consent in such a way that the flow as measured at the "Whakapapa River at Footbridge" gauging site at or about map reference NZMS 260 S19: 226-295 does not fall below 3 cubic metres per second or the natural flow of the river, whichever is less.
3. The flow at the "Whakapapa River at Footbridge" gauging site at or about map reference NZMS 260 S19: 226-295 may fall below 3 cubic metres per second as a result of the exercise of this resource consent for not more than 5% of any day, provided that:
 - i When the flow at or about map reference NZMS 260 S19: 226-295 drops below 3 cubic metres per second the Consent Holder shall take immediate action to restore the flow to 3 cubic metres per second or the natural flow whichever is less; and
 - ii The flow shall not be less than 3 cubic metres per second for more than one hour at any time as a result of the taking of water by the Consent Holder; and
 - iii The flow shall not fall below 2.8 cubic metres at any time as a result of the taking of water by the Consent Holder.

Advice Note: The purpose of condition 3 is to allow the flow to drop below that specified in condition 2 only when:

- Reasonable projections of flow recession made by the Consent Holder have not occurred; or
- Other events beyond the direct control of the Consent Holder have occurred.

- 4 The Consent Holder shall monitor the flow in the Whakapapa River at the "Whakapapa River at Footbridge" gauging site at or about map reference NZMS 260 S19: 226-295 on a continuous basis. The Consent Holder shall keep records to determine compliance with conditions 2, 3 and 6 for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.



- 5 The Consent Holder shall maintain a flow-rating curve for the "Whakapapa River at Footbridge" gauging site at or about map reference NZMS 260 S19: 226-295. This flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

Recreational flows

6. (a) Commencing by 0900 hours on two separate weekend days each calendar year, but excluding the period 1 October to 31 January inclusive, the Consent Holder shall, subject to condition 6(b), exercise this consent such that the natural flow of the Whakapapa River is released from the Whakapapa Intake to the Whakapapa River, for a period of not less than eight consecutive hours on each occasion.

(b) Notwithstanding condition 6(a), if the natural flow in the Whakapapa River is less than 16 cubic metres per second on any day in which a flow release is proposed pursuant to condition 6(a), then that flow release shall be rescheduled to occur on another separate weekend day, but excluding the period 1 October to 31 January inclusive, provided that the natural flow on that day is not less than 16 cubic metres per second. The Consent Holder shall liaise with a representative appointed by the New Zealand Recreational Canoeing Association in relation to the rescheduling of any such flow release.

(c) Subject to condition 7(a) of resource consent 103875 (Waikato Region), in the event that any rescheduled flow required by condition 6(b) above is not required to occur, because the natural flow is less than 16 cubic metres per second, then the Consent Holder shall have no further obligation in respect of that flow release.

(d) The dates on which the flow releases described in conditions 6(a) to 6(b) above shall occur shall be determined on an annual basis between the Consent Holder and a representative appointed by the New Zealand Recreational Canoeing Association.

(e) If it is unlikely that flows will be sufficient for natural releases, the Consent Holder shall inform the Manawatu Wanganui Regional Council and a representative appointed by the New Zealand Recreational Canoeing Association a minimum of 24 hours prior to the scheduled release and take all reasonable steps to ensure that the public are also informed.

(f) The Consent Holder shall keep records of the time, duration and rate of release of all discharges made under this condition and forward a copy to the Manawatu Wanganui Regional Council within one week of the discharge occurring.

Minimum flow in the Whanganui River

7. Other than provided for by condition 8 of this resource consent, the Consent Holder shall exercise this consent and consents 101288 and 101294 in such a way that the flow in the Whanganui River as measured at the "Whanganui River at Te Maire" gauging site at or about map reference NZMS 260 S19: 998-490 between 1 December and 31 May inclusive does not fall below 29 cubic metres per second, or the natural flow of the river, whichever is less.

8. The flow at the "Whanganui River at Te Maire" gauging site at or about map reference NZMS 260 S19: 998-490 may fall below 29 cubic metres per



second between 1 December and 31 May inclusive as a result of the exercise of this resource consent for not more than 10% of any week, provided that:

- i The Consent Holder shall take immediate action to maintain a flow of 29 cubic metres per second or the natural flow whichever is less, when it becomes apparent that the flow is likely to fall below 29 cubic metres per second;
- ii The flow shall not fall below 28.5 cubic metres for more than 8 hours per day as a result of the taking of water by the Consent Holder; and
- iii The flow shall not fall below 28 cubic metres per second at any time as a result of the taking of water by the Consent Holder.

Advice Note: The purpose of condition 8 is to allow the flow to drop below that specified in condition 7 only when:

- *Reasonable projections of flow recession made by the Consent Holder have not occurred; or*
- *Other events beyond the direct control of the Consent Holder have occurred.*

9. The Consent Holder shall monitor the flow at the "Whanganui River at Te Maire" gauging site at or about map reference NZMS 260 S19: 998-490 on a continuous basis. The Consent Holder shall keep records to determine compliance with conditions 7 and 8 for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.
10. The Consent Holder shall maintain a flow-rating curve for "Whanganui River at Te Maire" gauging site at or about map reference NZMS 260 S19: 998-490. This flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

River flow information

11. Information on the flow in the Whakapapa River at "Whakapapa River at Footbridge" gauging site at or about map reference NZMS 260 S19: 226-295 shall be made available to the public via a free telephone system and a web-site. The flow information provided shall be updated hourly.

Lahar detection

12. The Consent Holder shall maintain two lahar detection devices at the following locations:
 - i On the Whakapapaiti Stream at or upstream of map reference NZMS 260 S19: 236 225 (at SH 47 Bridge).
 - ii On the Whakapapanui Stream at or upstream of map reference NZMS 260 S19: 267 256 (at SH 47 Bridge).
13. In the event that the lahar detection devices identified in condition 12 indicate that a lahar is likely to pass down the Whakapapa River, the Whakapapa Intake shall be shut to prevent contaminated water entering the Whakapapa – Tawhitikuri Tunnel.
14. The lahar detection devices located in accordance with condition 12 and the system triggering the closure of the intake shall be automated and shall be maintained in a sound working condition and tested by the Consent Holder every 3 months. The results of the tests shall be documented and provided



to the Manawatu Wanganui Regional Council within 10 working days of their completion.

15. This consent shall be exercised in accordance with the Volcanic Activity Management Plan prepared in accordance with resource consent 101277. Where there is any inconsistency between the provisions of the Volcanic Activity Management Plan and the conditions of this consent, then the conditions of this consent shall prevail.

Intake specifications

16. The Whakapapa River intake structure spillway crest shall be maintained at 680.8 metres above Moturiki Datum and the width of the spillway shall be maintained at 36.6 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

17. The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Whakapapa Intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Western diversion monitoring plan

18. Within 6 months following the commencement of this resource consent the Consent Holder shall prepare a Western Diversion Monitoring Plan to the satisfaction of the Manawatu Wanganui Regional Council. That Plan shall relate to the exercise of consents 101282, 101286, 101288, 101290, 101293 and 101294.

The aim of the Plan shall be to detail the type, location and frequency of monitoring that will be undertaken by the Consent Holder to assess the effectiveness of minimum release or residual flows on the aquatic ecosystems (particularly blue duck habitat) and natural character of the watercourses affected by those activities.

Changes to the Plan may be made on an annual basis, subject to the approval of the Manawatu Wanganui Regional Council, following the receipt by the Manawatu Wanganui Regional Council of the Report specified in condition 19 of this consent.

The Plan shall address:

- i methodologies and procedures to assess the state and extent of blue duck populations in the Whakapapa, Mangatepopo and Whanganui Rivers between the locations of the take and diversion structures to the confluence of the Whakapapa and Whanganui Rivers,
- ii methodologies and procedures to assess the state and extent of trout and native fish populations in the Whakapapa, Mangatepopo and Whanganui Rivers from the locations of the take and diversion structures to the confluence of the Whakapapa and Whanganui Rivers,



- iii methodologies and procedures to assess the abundance and composition of algae, periphyton and invertebrates in the Whakapapa, Mangatepopo and Whanganui Rivers from the locations of the take and diversion structures to the confluence of the Whakapapa and Whanganui Rivers,
- iv methodologies and procedures to assess the adequacy of the minimum residual flows established by consents 101282, 101286, and 101288 in terms of their ability to safeguard blue duck habitat,
- v the standards and guidelines that any monitoring activities shall be designed in accordance with or required to comply with.

Reporting

19. The Consent Holder shall provide to the Manawatu Wanganui Regional Council, and the Ruapehu District Council, and Whanganui Iwi a written report by 31 August each year that this consent is current. As a minimum this report shall include the following:

- i all data collected as required under conditions 5, 9 and 18 of this resource consent.
- ii a summary of the monitoring results required by conditions 5, 9 and 18 of this resource consent and a critical analysis of that information in terms of compliance and environmental effects,
- iii a comparison of data with previously collected data identifying any emerging trends in terms of potential adverse effects on aquatic ecosystems or the natural character of watercourses directly affected by the operation of the TPD,
- iv comment on compliance with conditions of consents 101282, 101286, 101288, 101290, 101293 and 101294,
- v any reasons for non-compliance or difficulties in achieving compliance with the conditions of consents 101282, 101286, 101288, 101290, 101293 and 101294,
- vi any works that have been undertaken to improve the environmental performance of the TPD activities authorised by consents granted by the Manawatu Wanganui Regional Council, and any such works that the Consent Holder proposes to undertake in the following 12 months,
- vii recommendations on alterations to the monitoring required by conditions 5, 9 and 18 of this consent,
- viii any other issues considered important by the Consent Holder,
- ix report on and discuss complaints received regarding the activities authorised by consents 101282, 101286, 101288, 101290, 101293 and 101294 and consents 101296, 101302, 101303, 101304, 101306, 101307, 101309 and 101310 which authorise the scheme wide maintenance of structures and activities relating to the TPD,
- x report on and discuss feedback received from any community liaison activities.
- xi identification of each time the provisions of conditions 3 and 8 have been utilised and the reasons why these have occurred.

Consent Review

20. The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1)(a)(iii) of the Resource Management Act 1991 of its intention to review conditions 2 to 19 in terms of their adequacy in avoiding, remedying or mitigating adverse



effects on the environment and to amend those conditions or add further conditions if necessary.

Specific purposes of the review shall be:

- i to review the adequacy of the minimum flows specified in conditions 2 and 7 in terms of their ability to safeguard the lifesupporting capacity of the Whakapapa and Whanganui River ecosystems to the extent contemplated at the time of commencement of this consent, and to amend those conditions or add further conditions if necessary.
- ii to review the locations of the minimum flow monitoring sites listed in conditions 5 and 9 in order to determine if additional or alternative monitoring sites located closer to the points of take on the Whakapapa and Whanganui Rivers are appropriate.
- iii to review conditions 3 and 8 for the purpose of ensuring that flow projections undertaken by the Consent Holder are appropriate for meeting the requirements of conditions 2 and 7.

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.

Dam safety

- 21 The Consent Holder shall undertake an annual surveillance inspection to ensure that the dam and associated structures are structurally sound, pose no undue risk to life or property and are able to perform satisfactorily under all foreseeable circumstances. This inspection shall be undertaken by an appropriately qualified Civil Engineer.

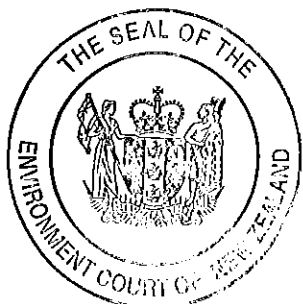
Change or cancellation of consent conditions

- 22 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Okupata Take 101283

Water permit – To **dam** the Okupata Stream by means of the Okupata Intake structure and to **divert** and **take** water at a maximum rate of up to 2 cubic metres per second from the Okupata Stream at or about map reference NZMS 260 S19: 287 351 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate at which water is taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Dam specifications

- 2 The intake structure spillway crest shall be maintained at 704.1 metres above Moturiki Datum and the width of the spillway shall be maintained at 12.2 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Okupata Intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

- 4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such



charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Taurewa Take 101284

Water permit – To **dam** the Taurewa Stream by means of the Taurewa Intake structure and to **divert** and **take** water at a maximum rate of up to 2 cubic metres per second from the Taurewa Stream at or about map reference NZMS 260 T19: 305 356 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate at which water is taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Dam specifications

- 2 The intake structure spillway crest shall be maintained at 723.6 metres above Moturiki Datum and the width of the spillway shall be maintained at 7.6 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Taurewa Intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

- 4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such



charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Tawhitikuri Take 101285

Water permit – To dam the Tawhitikuri Stream by means of the Tawhitikuri Intake structure and to divert and take water at a maximum rate of up to 2 cubic metres per second from the Tawhitikuri Stream at or about map reference NZMS 260 T19: 311 359 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate at which water is taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Dam specifications

- 2 The intake structure spillway crest shall be maintained at 630.9 metres above Moturiki Datum and the width of the spillway shall be maintained at 12.2 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Tawhitikuri Intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

- 4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

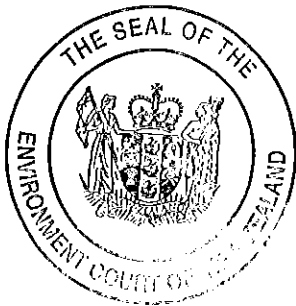
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such



charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Mangatepopo Take 101286

Water permit – To dam the Mangatepopo Stream by means of the Mangatepopo Intake structure and to divert and take water at a maximum rate of up to 5 cubic metres per second from the Mangatepopo Stream at or about map reference NZMS 260 T19: 313 361 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions.

Intake structure design capacity

- 1 The quantity of water taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Dam specifications

- 2 The intake structure spillway crest shall be maintained at 643.1 metres above Moturiki Datum and the width of the spillway shall be maintained at 16.8 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Mangatepopo Intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Minimum flows

1. As soon as practicable, but no later than 6 months following the commencement of this consent, the Consent Holder shall provide a continuous release from the Mangatepopo Dam structure to the Mangatepopo Stream below the dam of not less than 500 litres per second or the natural flow of the stream immediately above the influence of the Mangatepopo intake structure, whichever is less. The magnitude of the minimum residual flow shall be measured either at the Mangatepopo Stream gauging site at or about map reference NZMS 260 T19: 313 361 or by opening a control gate in the Mangatepopo Intake structure dam in accordance with an established rating curve for the gate.
The Consent Holder shall keep records to determine compliance with this condition for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.

If using a control gate to maintain the flow required by condition 4, the Consent Holder shall verify the rating curve for the control gate by alternative means of



measurement prior to using this method. The Consent Holder shall update the rating curve for the Mangatepopo Intake control gate following any structural changes that may affect the rating curve. The results of the verification exercise or any changes to the rating curve shall be forwarded to the Manawatu Wanganui Regional Council within 10 days of completion.

- 6 If compliance with condition 4 is to be met using a flow gauging site then a flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

Consent review

- 7 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and in June every 5 years thereafter, serve notice on the Consent Holder under section 128 (1)(a)(iii) of the Resource Management Act 1991 of its intention to review condition 4 for the purpose of assessing the adequacy of the specified minimum flow in terms of its ability to provide habitat suitable for blue duck and in terms of avoiding, remedying or mitigating adverse effects, and to amend that condition or add further conditions if necessary.

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.

Change or cancellation of consent conditions

- 8 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Te Whaiiau Canal Discharge 101287

Discharge permit – To discharge the water taken pursuant to Resource Consents 101282, 101283, 101284, 101285 and 101286 and any material contained therein at a maximum rate of up to 51 cubic metres per second into Lake Te Whaiiau [*Te Whaiiau Canal*] at or about map reference NZMS 260 T19: 353 395 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Rate of discharge

- 1 The maximum discharge of water shall not exceed 51 cubic metres per second as measured at the Te Whaiiau Canal flow measurement station at or about map reference NZMS 260 T19: 355-395.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the point of discharge of the Te Whaiiau Canal, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from that discharge.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

- 3 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Whanganui Intake 101288

Water permit – To dam the Whanganui River by means of the Whanganui Intake structure and to divert and take water at a maximum rate of up to 14 cubic metres per second from the Whanganui River [*Whanganui Intake*] at or about map reference NZMS 260 T19: 353 386 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Intake structure design capacity

- 1 The rate at which water is taken and diverted pursuant to this resource consent shall be deemed to comply with the conditions of this consent provided the capacity of the intake structure is not increased above its capacity as at the date of commencement of this consent.

Dam specifications

- 2 The intake structure spillway crest shall be maintained at 618.4 metres above Moturiki Datum and the width of the spillway shall be maintained at 10.1 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

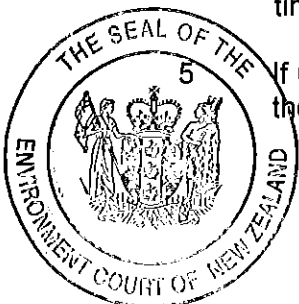
- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Whanganui intake structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Minimum flows

4. As soon as practicable, but no later than 6 months following the commencement of this consent, the Consent Holder shall provide a continuous release from the Whanganui Dam structure to the Whanganui River below the dam of not less than 300 litres per second or the natural flow of the river immediately above the influence of the Whanganui River intake structure, whichever is less. The magnitude of the minimum residual flow shall be measured either at the Whanganui River gauging site at or about map reference NZMS 260 T19: 353 386 or by opening a control gate (or gates) in the Whanganui Intake structure dam in accordance with an established rating curve for the gate (or gates) .
The Consent Holder shall keep records to determine compliance with this condition for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.

5 If using the control gate (or gates) to maintain the flow required by condition 4, the Consent Holder shall verify the rating curve for the control gate (or gates) by



alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Whanganui Intake control gate (or gates) following any structural changes that may affect the rating curve. The results of the verification exercise or any changes to the rating curve shall be forwarded to the Manawatu Wanganui Regional Council within 10 days of completion.

- 6 If compliance with condition 4 is to be met using a flow gauging site then a flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

Consent review

- 7 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and in June every 5 years thereafter, serve notice on the Consent Holder under section 128 (1)(a)(iii) of the Resource Management Act 1991 of its intention to review condition 4 for the purpose of assessing the adequacy of the specified minimum flow in terms of its ability to provide habitat suitable for blue duck and in terms of avoiding, remedying or mitigating adverse effects, and to amend that condition or add further conditions if necessary

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.

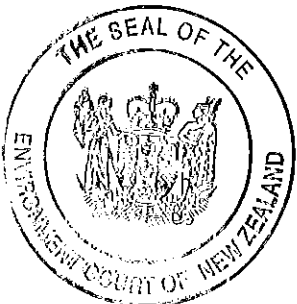
Change or cancellation of consent conditions

- 8 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Te Whaiiau Culvert Discharge 101289

Discharge permit – To discharge the water taken pursuant to Resource Consent 101288 and any material contained therein at a maximum rate of up to 14 cubic metres per second into Te Whaiiau Stream [*Te Whaiiau Culvert*] at or about map reference NZMS 260 T19: 357 390 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Rate of discharge

1. The maximum discharge of water to the Te Whaiiau Stream shall not exceed 14 cubic metres per second as measured at the Te Whaiiau Culvert flow measurement station at or about map reference NZMS 260 T19: 357-390.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the point of the Te Whaiiau Culvert discharge, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from that discharge.

Advice 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 its sole expense prior to any works being undertaken.

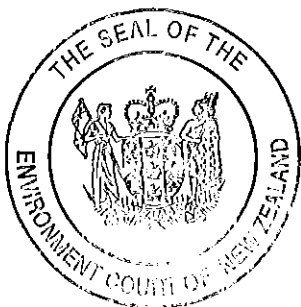
Change or cancellation of consent conditions

- 3 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Te Whaiau Canal 101290

Water permit – To dam and divert Te Whaiau Stream by means of the Te Whaiau Dam structure which forms Lake Te Whaiau [*Te Whaiau Dam*] and discharge water over the Te Whaiau dam spillway at or about map reference NZMS 260 T19: 357 398 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Dam specifications

- 1 The dam spillway crest shall be maintained at 611.98 metres above Moturiki Datum and the width of the spillway shall be maintained at 182.9 metres. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of this consent.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Te Whaiau dam structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Dam safety

3. The Consent Holder shall have in place a Dam Safety Assurance Programme in accordance with the Dam Safety Guidelines issued by the New Zealand Society on Large Dams, dated November 1995 and as updated from time to time. Reports documenting the findings of surveillance, inspections and safety reviews shall be made available to the Manawatu Wanganui Regional Council upon request.

Change or cancellation of consent conditions

- 4 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

Consent review

- 5 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and in June every 5 years thereafter, serve notice on the Consent Holder under section 128 (1)(a)(iii) of the Resource Management Act 1991 of its intention to review the conditions of this consent, for the purpose of dealing with any unforeseen adverse effects resulting from the Te Whaiau dam spillway discharge, and to amend conditions or add further conditions if necessary.



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.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Otamangakau Canal Take 101291

Water permit – To divert and take water at a maximum rate of up to 74 cubic metres per second from Lake Te Whaiiau [*Otamangakau Canal*] at or about map reference NZMS 260 T19: 360 398 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

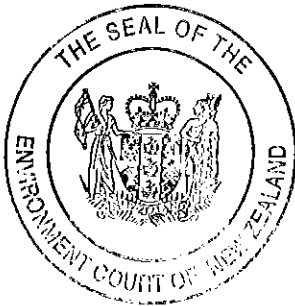
Otamangakau Canal Discharge 101292

Discharge permit – To discharge the water taken pursuant to Resource Consent 101291 and any material contained therein at a maximum rate of up to 74 cubic metres per second into Lake Otamangakau [*Otamangakau Canal*] at or about map reference NZMS 260 T19: 370 406 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Otamangakau Dam 101293

Water permit – To dam and divert the Otamangakau Stream by means of the Otamangakau Dam structure which forms Lake Otamangakau [*Otamangakau Dam*] at or about map reference NZMS 260 T19: 367 410 for a duration of 40 ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Lake levels

1. The Consent Holder shall maintain the level of Lake Otamangakau:
 - a. between a minimum of 610.75 metres and a maximum of 611.98 metres above Moturiki Datum during the period 1 November to 31 March inclusive, and
 - b. between a minimum of 610.50 metres and a maximum of 611.98 metres above Moturiki Datum during the period 1 April to 31 October inclusive.
2. ~~During the period 1 October to 31 May the Consent Holder shall use its best endeavours to maintain an average lake level of 611.10 metres above Moturiki Datum. November 2007~~
3. Notwithstanding condition 1 of this consent, the level of Lake Otamangakau shall be permitted to rise above a level of 611.98 metres above Moturiki Datum if:
 - i TPD discharges to Lake Taupo have been discontinued due to the requirements of consents 103882 and 103863, or flood inflows to Lake Otamangakau are occurring, and
 - ii the intake on the Whakapapa River is fully closed and the Lake Otamangakau drainage valve is fully open.

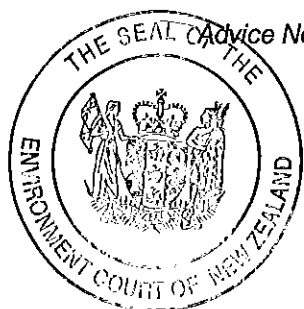
The Consent Holder shall ensure that the level of Lake Otamangakau is reduced to at least the maximum level specified in condition 1 of this consent as soon as is practicable once the situations listed in (i) of condition 3 no longer prevail.

Consent review

4. The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and in June every 5 years thereafter, serve notice on the Consent Holder under section 128 (1)(a)(iii) of the Resource Management Act 1991 of its intention to review conditions 1 to 3 for the purpose of assessing the adequacy of the specified lake level regime in terms of its ability to maintain the lake's trophy trout fishery and lake habitat, whilst providing adequate operational flexibility to the Consent Holder, and to amend those conditions or add further conditions if necessary.

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.



Dam safety

5. The Consent Holder shall have in place a Dam Safety Assurance Programme in accordance with the Dam Safety Guidelines issued by the New Zealand Society on Large Dams, dated November 1995 and as updated from time to time. Reports documenting the findings of surveillance, inspections and safety reviews shall be made available to the Manawatu Wanganui Regional Council upon request.

Change or cancellation of consent conditions

- 6 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:**Administration charges**

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Otamangakau Dam Discharge 101294

Discharge permit – To discharge water and any material contained therein at a maximum rate of up to 3 cubic metres per second into the Otamangakau Stream downstream of the Otamangakau Dam structure via a controlled release mechanism [*Otamangakau Dam discharge*] at or about map reference NZMS 260 T19: 367 410 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Minimum flows

- 1 Within 6 months of the commencement of this consent the Consent Holder shall measure flow either at the "Whanganui River at Otamangakau" gauging site at or about map reference NZMS 260 T19: 366 409 or by calibrating the Otamangakau Dam flow release mechanism so that an accurate record of the flow released through it can be obtained by recording the days and times when it is used.
The Consent Holder shall keep records to determine compliance with this condition for at least the duration of this consent. These records shall be made available to the Manawatu Wanganui Regional Council at all reasonable times upon request.
- 2 If using the flow release mechanism to maintain the flow required by condition 1, the Consent Holder shall verify the rating curve for the Otamangakau Dam flow release mechanism by alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Otamangakau Dam flow release mechanism following any structural changes that may affect the rating curve. The results of the verification exercise or any changes to the rating curve shall be forwarded to the Manawatu Wanganui Regional Council within 10 days of completion.
- 3 If compliance with condition 1 is to be met using a flow gauging site then a flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.

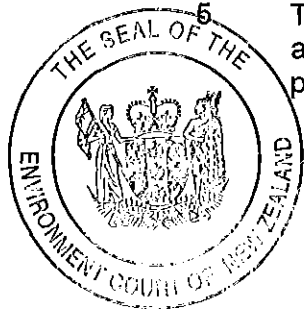
Responsibility for structural integrity and erosion control

- 4 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Otamangakau dam structure, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from the operation of that structure.

Advice 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 its sole expense prior to any works being undertaken.

Change or cancellation of consent conditions

- 5 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act 1991 at any

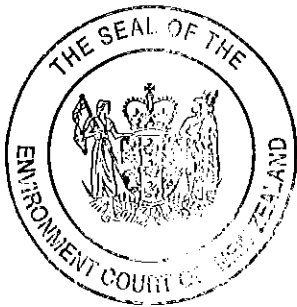


time within one month of the anniversary each year of the commencement of this consent.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



WESTERN DIVERSION

Wairehu Canal Take 101295

Water permit – To divert and take water at a maximum rate of up to 55 cubic metres per second from Lake Otamangakau [*Wairehu Canal*] at or about map reference NZMS 260 T19: 386 411 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Fish passage

1. The Consent Holder shall take all practicable measures to prevent fish passage between Lake Otamangakau and the Wairehu Canal.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.



SCHEME WIDE

Maintenance of Structures and Watercourses 101296

Combined land use consent, water permit and discharge permit – To undertake the following activities for the purpose of maintaining structures or removing sediment, weed, debris, plants and other material from watercourses within the Tongariro Power Development:

- i) to **reconstruct, alter, remove or demolish** any structure or part of any structure in, on, under or over the bed of a river or lake;
- ii) to disturb, remove, damage, or destroy sediment, weed, debris, plants and other material in, on, under, over or adjacent to the bed of a river or lake;
- iii) to **enter, pass across or disturb** the bed of a river or lake, including for the purpose of removing or flushing accumulated bed material in order to maintain the functional integrity and operational efficiency of a structure;
- iv) to **deposit** removed material on the bed of a river or lake;
- v) to **dam and divert** water;
- vi) to **discharge** water into water;
- vii) to **discharge** sediment and other materials into water —

within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

- NOTE The activities authorised by this consent include but are not limited to:
- The flushing, automatic or manual removal, excavation or sluicing and deposition of accumulated sediment and debris;
 - Drainage and maintenance discharges from structures, culverts, pipelines and tunnels;
 - Discharges from the Whakapapa-Tawhitikuri-Whanganui Tunnel bulkhead maintenance discharge to the Tawhitikuri Stream;
 - Whakapapa-Tawhitikuri-Whanganui Tunnel drain valve maintenance discharge to the Whanganui River;
 - Discharges from the testing of gates and structures;
 - Construction of temporary dams and diversions.

Scope of consent

- 1 This resource consent only applies to activities undertaken within 200 upstream or downstream of any TPD structure located within a watercourse.
- 2 This consent does not apply to the specific activities that are authorised by resource consents 101279, 101302 or 101303.

Responsibility for operations

- 3 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.



Advice 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 its sole expense prior to any works being undertaken.

Fish passage and blue ducks

- 5 The activities authorised by this consent shall not prevent the passage of fish both upstream and downstream.
- 6 The activities authorised by this consent shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity. This condition does not apply to the automatic sluicing of diversion or intake structures or essential works required to maintain the structural integrity or safe operation of a structure.

Effects of structure on water flow

- 7 The Consent Holder shall ensure that any machinery, equipment or materials associated with any activities authorised by this consent, but not in use, do not obstruct the flood channel of the watercourse.

Control of contaminants from operation of machinery

- 8 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, 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 any water body.

Discharges to water

- 9 Any materials used for activities authorised by this consent shall be managed in ways that ensure risks to aquatic ecosystems are minimised to the fullest extent practicable.
- 10 Where as a result of the exercise of this resource consent, sections of the channel banks have in excess of five square metres of vegetation removed from them, the Consent Holder shall where necessary minimise channel bank erosion to the fullest extent practicable.
- 11 No dry cement shall be released into the watercourse. Any concrete placed in or adjacent to a watercourse shall be contained by a watertight form work in such a way that cement slurry is not able to seep out and enter the watercourse. New concrete shall not be exposed to the flow of water before it has hardened for at least 48 hours.
- 12 Any discharge of sediment directly associated with an activity authorised by this consent shall not occur for more than 5 consecutive days, nor for more than 12 hours on any one day within those 5 days.

Diversions

Any temporary diversion of water or cessation of flow required to undertake activities authorised by this consent shall be returned to its normal state within 2 working days of the completion of the activity.



- 14 Prior to implementing condition 13 of this resource consent, the Consent Holder shall inspect the temporary diversion or dewatered area and any fish impounded within it shall be returned to the original watercourse as soon as practicable following their discovery.

Rehabilitation of disturbed Areas

- 15 Within 20 working days of the completion of any activities authorised by this consent, the Consent Holder shall stabilise and re-contour any disturbed areas to the satisfaction of the Manawatu Wanganui Regional Council in order to:
- i limit sediment runoff or erosion to the greatest extent practicable,
 - ii remove any stockpiles of material and fill any depressions where these would adversely effect the flow of water.
- 16 Any disturbed areas shall be revegetated as soon as practicable in a manner consistent with existing vegetation cover at and about the site to the satisfaction of the Manawatu Wanganui Regional Council. The Consent Holder shall maintain the site until any re-vegetated area is established.
- 17 Any construction materials associated with activities authorised by this consent that are no longer required as part of the structure, and/or any temporary structures that are no longer required to undertake activities authorised by this consent, shall be removed within 2 working days following the completion of the activity.

Sediment flushing

- 18 Where sediment and other material removed from structures is deposited into a watercourse, that sediment and other material shall not be deposited directly into flowing water. It shall be deposited in such a manner and location that it can be carried away by a flow in excess of the mean annual flow for that watercourse. This condition does not apply to the automatic sluicing of diversion or intake structures.

Warning notices

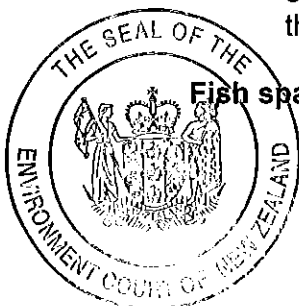
- 19 Where the activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to any activities authorised by this consent. These notices shall provide warning of the activities and advice of the period over which they will be occurring. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Advice Note: Refer to condition 25 which relates to scheduled activities.

Waterway access

- 20 The Consent Holder shall ensure that existing public access is maintained along watercourses at all times, except for areas and periods where the safety of the public and integrity of any structure would be endangered as a result of the activities authorised by this consent.

Fish spawning periods



- 21 There shall be no disturbance of any actively flowing channel as a result of the exercise of this resource consent in the Moawhango River or any tributary of the Whanganui River within the period 1 July to 1 November inclusive. This condition does not apply to the automatic sluicing of diversion or intake structures or essential works required to maintain the structural integrity or safe operation of a structure.

Notification to council

22. For any scheduled maintenance activity involving the temporary use of machinery in a river or lake bed, or the temporary damming or diversion of water, the Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to exercise this consent not less than 10 working days prior to exercising the consent. The notification shall include:
- i a description of the location in which the consent will be exercised;
 - ii a description of the scope and duration of the maintenance activities to be undertaken;
 - iii a description of the specific measures to be used to minimise the effects of the activities to be undertaken.

- 23 For any unscheduled maintenance activity involving the temporary use of machinery in a river or lake bed, or the temporary damming or diversion of water, the Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of the activity within 48 hours of its commencement. The details of the notification shall include those specified under condition 22 of this resource consent.

Complaint register

- 24 The Consent Holder shall maintain and keep a complaints register for any complaints about the maintenance activities received by the Consent Holder in relation to the degradation of water quality, adverse effects on aquatic ecosystems or wildlife, or the impedance of public access to or along watercourses. The register shall record, where this information is available:
- i the date, time and duration of the incident that has resulted in a complaint,
 - ii the location of the complainant when the incident was detected,
 - iii the possible cause of the incident,
 - iv any corrective action undertaken by the Consent Holder in response to the complaint.

The register shall be available to the Manawatu Wanganui Regional Council at all reasonable times. Complaints received by the Consent Holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Manawatu Wanganui Regional Council within 48 hours of the complaint being received.

Scheduled maintenance plan

- 25 By 30 June each year the Consent Holder shall provide to the Manawatu Wanganui Regional Council a Plan stating the activities authorised by this consent that are scheduled to be undertaken in the following 12 months. That Plan shall contain as a minimum:
- i details of the type, nature and location of each activity and the period during which it is intended to be undertaken,
 - ii events that would potentially trigger unscheduled activities and the possible type, nature and location of such unscheduled activities.



Large scale dredging

26. This consent does not authorise any dredging in excess of 100 cubic metres of material per annum from Lake Te Whaiiau, Lake Otamangakau or the Otamangakau Canal.

Change or cancellation of conditions

- 27 The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 28 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 5 to 26 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

- 29 Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

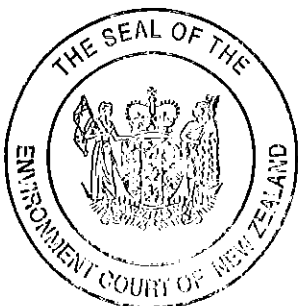
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Maintenance Activity Discharges 101302

Discharge permit – To discharge materials onto or into land associated with the removal of sediment, weed, debris or other material from or adjacent to watercourses within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Scope of consent

- 1 This consent does not apply to the specific activities that are authorised by resource consents 101279, 101296 or 101303.

Responsibility for operations

- 2 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 3 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

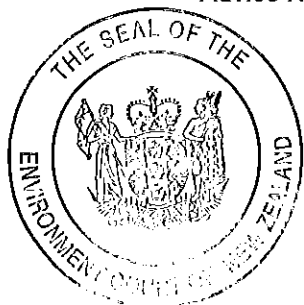
Control of contaminants from operation of machinery

- 4 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, 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 any water body.

Site management

- 5 Any accumulation of sediment onto land in excess of 50 cubic metres, resulting from the exercise of this resource consent, in any one location where it is readily visible to the public and which would otherwise be out of keeping with the character of the surrounding landscape shall be screened with vegetation or fencing to the satisfaction of, and in consultation with, the Manawatu-Wanganui Regional Council.
6. The activities authorised by this consent shall be managed in such a way so as to avoid, to the greatest extent practicable, runoff of sediment, weeds, debris or other material into surface water.

Advice Note: This may require the installation and maintenance of sediment retention devices. A separate resource consent may be required to install such works. Any such consent shall be obtained by the consent holder at its sole expense prior to any works being undertaken



7. There shall be no conspicuous oil, grease, scums or foams present in surface water after reasonable mixing as a result of the exercise of this consent.

Odour and dust

- 8 The activities authorised by this consent shall not give rise to any offensive or objectionable odour, or offensive or objectionable deposition of dust or debris, beyond the boundary of land owned or controlled by the Consent Holder.

Warning notices

- 9 Where activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to any materials deposition site. These notices shall provide warning of the activity. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Runoff management plan

- 10 Within 2 months of the commencement of this consent the Consent Holder shall provide a Management Plan to the Manawatu Wanganui Regional Council describing how the sediment, weed and debris deposition activities authorised by this consent will be managed and the methods to be adopted by the Consent Holder to achieve compliance with the conditions of this consent.

Complaint register

- 11 The Consent Holder shall maintain and keep a complaints register for any complaints about the discharge activities received by the Consent Holder in relation to the degradation of water quality, adverse effects on aquatic ecosystems or wildlife, odours, or adverse visual effects. The register shall record where this information is available:
- i the date, time and duration of the incident that has resulted in a complaint,
 - ii the location of the complainant when the incident was detected,
 - iii the possible cause of the incident,
 - iv any corrective action undertaken by the Consent Holder in response to the complaint.

The register shall be available to the Manawatu Wanganui Regional Council at all reasonable times. Complaints received by the Consent Holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Manawatu Wanganui Regional Council within 48 working days of the complaint being received.

Change or cancellation of conditions

12. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter,



serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 5 to 11 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

14. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

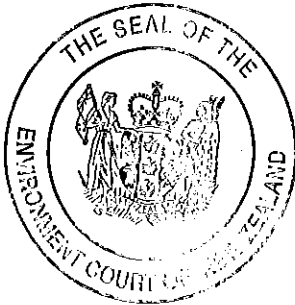
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauti and the Lake Rotoaira Trust.



SCHEME WIDE

Abrasive Blasting 101303

Discharge permit – To discharge materials into the air, onto land and into water from abrasive blasting activities undertaken for the maintenance of TPD structures within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Notification to Council

2. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to exercise this consent not less than 10 working days prior to exercising the consent. The notification shall include:
 - i A description of the location in which the consent will be exercised;
 - ii A description of the scope and duration of the activities to be undertaken;
 - iii A description of the specific measures to be used to minimise the effects of the activities to be undertaken.

Site management

3. Any abrasive media not in use shall be kept covered at all times.
4. The abrasive media used shall not contain more than 5 % silica on a dry weight basis.
45. The Consent Holder shall avoid to the fullest extent practicable any debris resulting from the abrasive blasting activities being deposited into any watercourse.

Advice Note: Compliance with this condition may require the use of physical barriers and tarpaulins to catch and contain debris.

6. All debris resulting from the abrasive blasting activities shall be removed, to the fullest extent practicable, by the Consent Holder immediately following the completion of the blasting activity and disposed of in a lawful manner.
7. The activities authorised by this consent shall not result in an objectionable deposition of dust on properties owned or occupied by any other person, unless prior written approval has been obtained from those owners or occupiers.

Scheduled abrasive blasting plan

8. By 30 June each year the Consent Holder shall provide to the Manawatu Wanganui Regional Council a Plan stating the activities authorised by this consent that are scheduled to be undertaken in the following 12 months. That Plan shall contain as a minimum:



- i details of the location of each activity and the period during which it is intended to be undertaken,
- ii events that would potentially trigger unscheduled activities and the type, nature and location of such unscheduled activities,
- iii measures to be undertaken to achieve compliance with conditions 3, 4, 5, 6 and 7 of this consent.

Change and cancellation of conditions

9. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 10 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 3 to 8 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

11. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

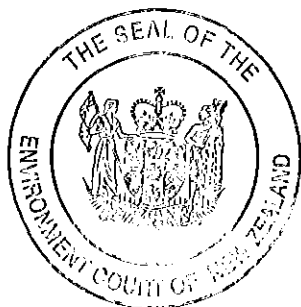
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Use of Structures 101304

Land use consent – To use structures within the Tongariro Power Development for the purposes of damming, diverting, taking and conveying water; discharging water and any other materials contained therein; generating hydroelectricity; providing access across waterways (bridges); measuring flows and water quality; and any other activity necessary to enable the functioning of the Tongariro Power Development. within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of ~~40~~ 35 years from the commencement of this resource consent.

Lapsing of consent

1 Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

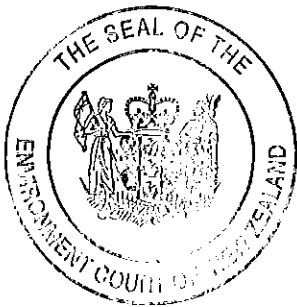
GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the consent holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Monitoring Structures 101305

Land use consent – To erect, place or extend structures within the Tongariro Power Development for the purposes of measuring flows and water quality or any other monitoring within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Fish passage and blue ducks

- 3 The activities authorised by this consent shall not prevent the passage of fish both upstream and downstream.
- 4 The activities authorised by this consent shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity. This condition does not apply to essential works required to maintain the structural integrity or safe operation of a structure.

Effects of structure on water flow

- 5 Activities authorised by this consent shall not cause any reduction in the ability of any channel to convey flood flows and debris.

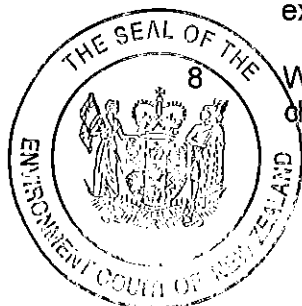
Control of contaminants from operation of machinery

- 6 All machinery shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are minimised to the fullest extent practicable, 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 any water body.

Discharges to water

- 7 Any materials used for activities authorised by this consent shall be used in ways that ensure that risks to aquatic ecosystems are minimised to the fullest extent possible.

8 Where as a result of the exercise of this resource consent, sections of the channel banks have in excess of five square metres of vegetation removed



from them, the Consent Holder shall, where necessary, construct temporary sediment retention devices within the same working day to minimise channel bank erosion to the fullest extent practicable.

- 9 No dry cement shall be released into the watercourse. Any concrete placed in or adjacent to a watercourse shall be contained by a watertight form work in such a way that cement slurry is not able to seep out and enter the watercourse. New concrete shall not be exposed to the flow of water before it has hardened for at least 48 hours.
- 10 Any discharge of sediment directly associated with an activity authorised by this consent shall not occur for more than 5 consecutive days, nor for more than 12 hours on any one day within those 5 days.

Diversions

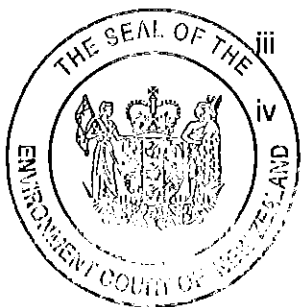
- 11 Any temporary diversion of water required to undertake activities authorised by this consent shall cease within 2 working days of the completion of the activity.
- 12 Prior to implementing condition 11 of this resource consent, the Consent Holder shall inspect the temporary diversion and any fish impounded within it shall be returned to the original watercourse as soon as practicable following their discovery.

Rehabilitation of disturbed areas

- 13 Within 20 working days of the completion of activities authorised by this consent, the Consent Holder shall stabilise and re-contour any disturbed areas to the satisfaction of the Manawatu Wanganui Regional Council in order to:
 - i to limit sediment runoff or erosion to the greatest extent practicable,
 - ii remove any stockpiles of material and fill any depressions where these would adversely effect the flow of water.
- 14 Any disturbed areas shall be revegetated as soon as practicable in a manner consistent with existing vegetation cover at and about the site to the satisfaction of the Manawatu Wanganui Regional Council. The Consent Holder shall maintain the site until any re-vegetated area is established.
- 15 Any construction materials associated with activities authorised by this consent that are no longer required as part of the structure, and/or any temporary structures that are no longer required to undertake activities authorised by this consent, shall be removed within 2 working days following the completion of the activity.

Council notification

16. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to erect or place any new structure or to extend any existing structure not less than 10 working days prior to exercising the consent. The notification shall include:
 - i A description of the structure to be erected, placed or extended;
 - ii A description of the duration for which any new structure is intended to be erected or placed;
 - iii A description of the specific measures to be used to minimise the effects of the activities to be undertaken;
 - iv A description of the location in which any new structure is to be erected or placed or where any structure is to be extended.



Change or cancellation of conditions

17. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Review (s128)

- 18 The Manawatu Wanganui Regional Council may in June of the fifth year after the commencement of this resource consent, and every 5 years thereafter, serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991 of its intention to review conditions 3 to 16 for the purpose of assessing their adequacy in avoiding, remedying or mitigating adverse effects on the environment and to amend those conditions or add further conditions if necessary.

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.

Lapsing of consent

19. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitiokopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Land Use – Booms and Screens 101306

Land use consent – To place structures in streams, rivers and lakes upstream or downstream of Tongariro Power Development structures for operational and public safety reasons or to prevent material entering the structures within the area bounded by maps NZMS 260 S19, T19 AND T 20 for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Responsibility for structural integrity and erosion control

- 2 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Activity location

3. No structure shall be placed in any water body (other than any artificial watercourse) more than 200 metres upstream or downstream of any TPD structure existing at the time that this consent commences.

Fish passage and blue ducks

- 4 The activities shall not prevent the passage of fish both upstream and downstream, other than for the purposes of:
 - i avoiding the entrainment of fish into diversion or intake structures, or
 - ii avoiding the transfer of fish between water bodies.
- 5 The activity shall not disturb the nesting or breeding of blue ducks within a distance 200 metres upstream and downstream of the activity.

Effects of structure on water flow

- 6 Activities authorised by this consent shall not cause any reduction in the ability of any channel to convey flood flows.

Warning notices

- 7 Where activities authorised by this consent are undertaken in an area accessible to the public, then the Consent Holder shall erect notices that are easily readable from a distance of 5 metres adjacent to the location of any structure authorised by this consent. These notices shall provide warning of the activity. The notices shall be erected at least 5 working days prior to the commencement of any scheduled activity and shall not be removed by the Consent Holder for the duration of the activity. For non-scheduled activities the warning signs shall be erected as soon as practicable following the



commencement of the activity and shall not be removed by the Consent Holder for the duration of the activity.

Council notification

8. The Consent Holder shall notify the Manawatu-Wanganui Regional Council in writing of its intention to place any new structure in a stream, river or lake not less than 10 working days prior to placement of the structure. The notification shall include:
- i A description of the structure to be placed;
 - ii A description of the duration for which any new structure is intended to be installed;
 - iii A description of the specific measures to be used to minimise any adverse effects of the placement of the structure;
 - iv A description of the location in which any new structure is to be placed;
 - v A description of the intended purpose of the structure.

Change or cancellation of conditions

9. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

10. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitiokopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Conveyance of Water Around Structures 101307

Combined water permit and discharge permit – To take water, divert water and discharge water and any material contained therein for the purpose of:

- i) Conveying surface water and ground water around, through, over, under or past structures within the Tongariro Power Development;
- ii) Providing for water leakage to, from and through structures within the Tongariro Power Development:

except as provided for by other resource consents within the area bounded by maps NZMS 260 S19, T19 AND T20 for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for structural integrity and erosion control

- 1 The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of any activities authorised by this consent, if in the opinion of the Manawatu Wanganui Regional Council that erosion directly results from those activities.

Advice 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 its sole expense prior to any works being undertaken.

Lapsing of consent

2. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauti and the Lake Rotoaira Trust.



SCHEME WIDE

Water Take 101309

Water permit – To take up to 20 cubic metres of water per day for purposes related to the operation of the Tongariro Power Development other than generating hydroelectricity within the area bounded by maps NZMS 260 S19, T19 and T 20, for a duration of 40 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Recording of take locations

- 2 The Consent Holder shall maintain a record of the locations at which this consent is exercised and shall provide a copy of that record to the Manawatu Wanganui Regional Council upon request.

Take rate from rivers

3. The maximum rate of extraction of water from any river shall not exceed 10% of the discharge of the river at the point of taking at the time the water is taken.

Change or cancellation of conditions

4. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

5. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.



SCHEME WIDE

Stormwater Discharge 101310

Discharge permit – To discharge stormwater from buildings and other structures onto or into land, or into water within the area bounded by maps NZMS 260 S19, T19 and T 20, for a duration of ~~40~~ 35 years from the commencement of this resource consent subject to the following conditions:

Responsibility for operations

- 1 The Consent Holder shall ensure contractors are made aware of the conditions of this resource consent and the need to comply with them.

Discharge conditions

- 2 The discharge shall not drain any unroofed or unenclosed area or structure used for the storage, use or disposal of any hazardous substances or waste management purposes.
3. Where stormwater discharges onto land, the stormwater shall be directed away from any bare soil surfaces.
4. There shall be no conspicuous oil, grease, scum or foam present in surface water after reasonable mixing as a result of the exercise of this consent.
5. Appropriate erosion protection and energy dissipating devices shall be provided, where necessary to avoid erosion from the discharge, at any stormwater discharge outlet structure.
6. Any structure installed for the purpose of meeting condition 5 shall not prevent the passage of fish both upstream and downstream.

Change or cancellation of conditions

7. The Consent Holder may apply to the Council for a change or cancellation of any of the conditions to this consent by giving notice of its intention to do so pursuant to Section 127(1)(a) of the Resource Management Act at any time within one month of the anniversary each year of the commencement of this consent.

Lapsing of consent

8. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 10 years expires.

GENERAL ADVICE NOTES:

Administration charges

Charges, set in accordance with section 36 of the Resource Management Act 1991, and Section 690A of the Local Government Act 1974, shall be paid to the Manawatu Wanganui Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act, except where an objection or appeal is lodged against any such



charge in which case the appropriate charge is payable when the objection or appeal is determined.

Private agreements

In granting this consent particular regard has been had to the agreements reached by the Consent Holder with Ngati Tuwharetoa, Ngati Tamakopiri, Ngati Whitikopeka, Ngati Hauiti and the Lake Rotoaira Trust.

