
TONGARIRO POWER SCHEME

Resource consents regarding the Tongariro River

As of 24 June 2024



Waikato Regional Council



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103863.01.04 – Moawhango Tunnel Discharge

Discharge permit – To **discharge** water taken pursuant to Resource Consent 101281 (Manawatu – Wanganui Region) and any material entrained therein at a maximum rate of up to 25 cubic metres per second into the Tongariro River at or about map reference NZMS 260 T20: 499-177 [*Moawhango Tunnel*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Discharge restrictions

1. The maximum discharge rate shall not exceed 25 cubic metres per second as measured at the Moawhango Tunnel flow measurement station at or about map reference NZMS T20: 499-177.
2. There shall be no discharge of water into the Tongariro River pursuant to this consent when the water level in Lake Taupo reaches or, in the view of the Waikato Regional Council, is clearly likely to reach the Maximum Control Level (MCL) which is defined as:
 - 357.25 masl (maximum control level)

or other MCL subsequently determined as a result of, and specified in, any resource consent authorising the operation of the Taupo Control Gates. The Consent Holder shall keep records as to the times when this condition comes into effect and shall provide such records to the Waikato Regional Council upon request.

Responsibility for 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 Moawhango Tunnel Discharge structure, if in the opinion of the Waikato 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 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 in the month of June each year following the commencement of this consent, or within three months of any change in the MCL specified for Lake Taupo in any regional plan or any resource consent (including ones held by other parties).
5. The Council may, within six months of the commencement of any resource consent relating to the Taupo Control Gates, and/or following the expiry of the Tongariro Offset Works Agreement, serve notice on the Consent Holder pursuant to 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 avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent, and in relation to any aspect of Condition 2 of this consent.

Treaty of Waitangi claim settlements

6. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
7. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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, and the Lake Rotoaira Trust.

Consent History

Variation	Date	Change
	2 Dec 2005	Change of date range for MCL
103863.01.04	22 Dec 2014	Removal of MCL options

103864.01.02 – Waihohonu Dam and Take

Water permit – To **dam** the Waihohonu Stream by means of the existing Waihohonu Dam structure and to **divert** and **take** water at a maximum rate of up to 30 cubic metres per second from the Waihohonu Stream at or about map reference NZMS 260 T20: 492-185 [*Waihohonu Intake Dam*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Design capacity

1. The rate at which water is diverted and taken 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 at the date of commencement of this consent.
2. The intake structure spillway crest shall be maintained at not more than 830.5 m above Moturiki Datum. Compliance with this condition shall be satisfied provided that the dimensions are not altered from those existing at the date of commencement of consent.

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 during the month of June each year following the commencement of this consent.

Treaty of Waitangi claim settlements

4. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
5. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

Consent History

Number	Date	Change
103864.01.02	9 Feb 2015	Condition 2: Height above Moturiki Datum changed from 822.7 m.

103866 – Waihohonu Discharge

Discharge permit – To **discharge** the water taken pursuant to Resource Consent 103864 and any material entrained therein at a maximum rate of up to 30 cubic metres per second into the Tongariro River at or about map reference NZMS 260 T20: 499-178 [Waihohonu Tunnel] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Discharge restrictions

1. The maximum rate of discharge of water to the Tongariro River shall not exceed 30 cubic metres per second as measured at the Waihohonu Stream Tunnel flow measurement station at or about map reference NZMS 260 T20: 492-184. The Consent Holder shall keep records as to the rate of discharge and shall provide such records to the Waikato Regional Council upon request.

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 the Waihohonu Tunnel Discharge structure, if in the opinion of the Waikato 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.

Treaty of Waitangi claim settlements

3. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
4. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

103867.01.07 – Rangipo Dam and Power Station Take

Water permit – To **dam** the Tongariro River by means of the Rangipo Dam structure and to **divert** and **take** water at a maximum rate of up to 69 cubic metres per second from the Tongariro River, to **discharge** water from the Rangipo Dam to the Tongariro River, and to undertake the following activities for the purpose of flushing, moving, and removing accumulated sediment in the vicinity of the Rangipo Dam structure —

- i) to **enter, pass across** or **disturb** the bed of the Rangipo headpond and the Tongariro River;
- ii) to **deposit** removed material on the bed of the Rangipo headpond and the Tongariro River downstream of the Rangipo Dam;
- iii) to **divert** water;
- iv) to **discharge** water, sediment or other materials into water —

All within the Tongariro River at or about map reference NZMS 260 T20: 499-179 [*Rangipo Dam and Tunnel, Rangipo Dam flushing*], with the exception of matters addressed by condition 18 which may occur anywhere in the Tongariro River, for a duration of 35 years from the commencement of this consent, subject to the following conditions:

General

1. The maximum rate of taking water from the Tongariro River shall not exceed 69 cubic metres per second as measured at the Rangipo Power Station.

Dam safety

2. 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. Reports documenting the findings of surveillance, inspections and safety reviews shall be made available to the Waikato Regional Council on request.
3. The Rangipo Dam spillway crest shall be maintained at not more than 818.4 m above Moturiki Datum. Compliance with this condition shall be satisfied provided that the spillway dimensions are not altered from those existing at the date of commencement of consent.

Minimum flows

4. The Consent Holder shall provide a continuous flow release from the Rangipo Dam to the Tongariro River below the dam of not less than 600 litres per second, as measured either at the “Tongariro River downstream of the Rangipo Dam” gauging site at or about map reference NZMS 260 T20: 499-178, or by opening the discharge valve in accordance with the established rating curve for the valve. **Alternatively, the flow may be measured using a pipeflow sensor on the Rangipo Dam siphon pipework.**

- alternative added 20/11/2019

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 Waikato Regional Council at all reasonable times upon request.

- 4A. The flow in the Tongariro River downstream of the Rangipo Dam may fall below the flows specified in Condition 4 by no more than 10% provided that:
- a) The maximum duration where flow drops below 600 litres per second shall be no longer than 30 minutes within any 24-hour period; and
 - b) The flow shall not fall below 600 litres more than twice in any four week period; and
 - c) The consent holder shall take immediate action to restore the minimum flow
- condition 4A added 20/11/2019*
5. If using the discharge valve to maintain the flow required by condition 4, the Consent Holder shall verify the rating curve for the discharge valve by alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Rangipo Dam discharge 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 Waikato 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.

Recreational flows

- 7.
- (a) Commencing by 0800 hours on three separate Sundays each calendar year, but excluding the period 1 October to 31 December inclusive, the Consent Holder shall exercise this consent such that a recreational flow in the Tongariro River downstream of Rangipo Dam of not less than 30 cubic metres per second is maintained for a period of not less than eight consecutive hours on each occasion.
 - (b) The dates on which the flow releases described in condition 7(a) shall occur shall be determined on an annual basis between the Consent Holder and a representative appointed by the New Zealand Recreational Canoeing Association.
 - (c) 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 Waikato Regional Council within one week of the discharge occurring.
8. The Consent Holder shall notify its intention to provide flows in accordance with condition 7 by public notice in a newspaper circulating in the Turangi area at least fourteen days and not more than one month in advance of the days on which the flow will be provided.
9. Information on the flow in the Tongariro River at the Rangipo Dam flow measurement station at or about map reference NZMS 260 T20: 499-178 shall be made available to the public via a free telephone system and a web-site. The flow information provided shall normally be updated at least daily.

Monitoring and reporting

10. The Consent Holder shall prepare and undertake a Rangipo Reach Monitoring Programme, in consultation with the Department of Conservation, to the

satisfaction of the Waikato Regional Council. The purpose of the Rangipo Reach monitoring programme is to assess the extent and magnitude of periphyton growths within a 1 kilometre reach of the Tongariro River downstream of the Rangipo Dam and shall include:

- River flow monitoring;
- Blue duck monitoring on a ten yearly basis; and
- Periphyton monitoring

If periphyton levels recorded immediately downstream of the Rangipo Dam exceed MfE guidelines for percent cover of filamentous algae >30% or thick mats >60% or biomass levels 200 milligrams per square metre of chlorophyll a, the Consent Holder shall, within ten (10) working days of receiving notification of these elevated levels, release, subject to flow conditions and public safety, a flushing flow from the Rangipo Dam of sufficient magnitude and duration to reduce periphyton levels below MfE guidelines.

11. The Consent Holder shall provide to the Waikato Regional Council a written report by 30 September each year that this consent is current. The report shall be to the satisfaction of the Waikato Regional Council. As a minimum this report shall include the following:
 - i) all data collected as required under condition 10 of this resource consent;
 - ii) a summary of the monitoring results required by condition 10 of this resource consent and a critical analysis of that information in terms of the extent of periphyton growth observed;
 - iii) a record as to the dates, times, size, and duration of any flushing flows to reduce periphyton biomass below nuisance levels (i.e. percent cover of filamentous algae >30% and or thick mats >60% or biomass levels > 200 milligrams per square metre of chlorophyll a);
 - iv) a comparison of data with previously collected data identifying any emerging trends in terms of the growth of periphyton below the Rangipo Dam;
 - v) recommendations on alterations to the monitoring required by condition 10 of this consent;
 - vi) any other issues considered important by the Consent Holder.
 - vii) a report on and discussion of complaints received regarding the growth of periphyton in the Tongariro River below the Rangipo Dam to the Poutu Intake.

Operation during volcanic activity

12. Within twelve months of the commencement of this consent, the Consent Holder shall prepare a Volcanic Activity Management Plan to the satisfaction of the Waikato Regional Council. The management plan shall be prepared following consultation with the Department of Conservation and the Taupo District Council. The purpose of the plan shall be to detail procedures for the management of Tongariro Power Development structures in order to minimise, to the extent practicable, risks to property, life and the natural environment arising from the operation of Tongariro Power Development 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 Tongariro Power Development 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.
13. This consent shall be exercised in accordance with the Volcanic Activity Management Plan prepared in accordance with condition 12. 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.

Flushing flows

14. The Consent Holder shall only operate the Rangipo Dam sluice gates to flush sediment from behind Rangipo Dam when the flow in the Tongariro River upstream of the dam exceeds 60 cubic metres per second, and is estimated by the Consent Holder to exceed 100 cubic metres per second within the next 6 hours. This requirement does not apply when volcanic eruptions deposit ash in the dam catchment, in which case the sluice gates may be opened at any time so that the sediment storage capacity of the dam is not exceeded.
15. Within twelve months of the commencement of this consent, the Consent Holder shall, to the satisfaction of the Waikato Regional Council, develop a methodology for predicting inflows into Rangipo Dam to enable effective releases of sediment from Rangipo Dam via the sluice gates as described in condition 14 of this consent.
- 16.
- a) The Consent Holder may take all the flow being discharged into the Tongariro River via the Moawhango Tunnel for generation at the Rangipo Power Station, at all times including during sediment flushing.
 - b) During sediment flushing the Consent Holder may take water in addition to that described in condition 16(a) from the Tongariro River at the Rangipo Dam when the turbidity as measured in the Tongariro River at the Poutu Intake falls to:
 - 60 FNU, for a total generation of up to 44 MW of electricity at the Rangipo Power Station; or
 - 40 FNU, for a total generation of up to 88 MW of electricity at the Rangipo Power Station; or
 - 20 FNU, for generation of electricity up to the full capacity of the Rangipo Power Station. At which time the sediment flushing event is deemed to be completed, and conditions 14, 15 and 16 no longer apply.; or
 - The pre-flood background turbidity level (as defined by the average turbidity level measured over the 24 hour period prior to flood flows rising at Poutu Intake), for generation of electricity up to the full capacity of the Rangipo Power Station. At which time the sediment flushing event is deemed to be completed, and conditions 14, 15 and 16 no longer apply.

17. The Consent Holder shall maintain a record of the start time, duration, flow data, and generation at the Rangipo Power Station for each flushing operation. The record shall also include turbidity measurements at the Poutu Intake to determine compliance with condition 16. This record shall be made available to the Waikato Regional Council as soon as practicable following each opening of the sluice gates.

Removal of construction debris

18. The Consent Holder shall remove (as far as reasonably practicable), and dispose of in a lawful manner, all construction debris in the bed and/or on the banks of the Tongariro River associated with the construction of the Tongariro Power Development, in accordance with the Construction Debris Removal Management Plan set out in condition 19.

The Consent Holder shall keep a record of the type of construction debris removed, the location from which it was removed and the disposal site or sites. Records shall also be kept detailing the construction material left and the reason why it was not removed.

19. By 30 June each year for a period of five years from the date of commencement of this consent the Consent Holder shall provide to the Waikato Regional Council a Construction Debris Removal Management Plan setting out:
- The identification of areas where construction debris is present in or adjacent to water bodies;
 - A determination as to what construction debris should be removed and what should be undisturbed. In this regard, the priority should be the removal of construction debris which poses some potential danger to recreational activities;
 - The methods by which debris will be removed and the location of its disposal;
 - A timetable for the removal of construction debris (being not longer than five years from the commencement of the resource consents); and
 - A report on the previous 12 month period setting out performance against the plan.

Reviews

20. The Council may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the Consent Holder pursuant to section 128(1)(a)(iii) of the Resource Management Act 1991 of its intention to review.
- Conditions 14, 15 and 16 for the purpose of assessing the sediment flushing requirements; and/or
 - The extent of monitoring required by condition 17; and/or
 - The conditions of this consent for the purpose of avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent.
21. The Council may during the month of June in the seventh year after commencement of this consent serve notice on the Consent Holder pursuant to

section 128(1)(a)(iii) of the Resource Management Act 1991 of its intention to review:

- Condition 10 of this consent relating to scouring of periphyton in the reach of river between the Rangipo Dam and the Poutu Intake; and/or
- The extent of monitoring required by condition 10.

Change or cancellation of 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 in the month of June each year following the commencement of this consent.

Treaty of Waitangi claim settlements

23. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
24. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust and the agreement with the Department of Conservation and the Royal Forest and Bird Protection Society to establish the Central North Island Blue Duck Conservation Trust.

Consent History

Variation	Date	Changes
	25 Jan 2007	Condition 7(a): January changed for December
	7 Dec 2009	Condition 10: Removal of monitoring programme requirement Condition 11: Written report timing changed from 30 June to 31 August & wording change in 11(iii)
	25 May 2012	Condition 16: Variation to turbidity measurement units
103867.01.05	14 Mar 2014	Condition 11: changed reporting date from 31 Aug to 30 Sep
103867.01.05b	Mar 2018	Condition 16b: Changes made to total generation: 40 became 44, 80 became 88.
103867.01.07	20 Nov 2019	Condition 4: wording changed from 0.6 cumecs to 600 litres per second, added pipeflow sensor alternative Condition 4A added

103870 – Rangipo Power Station Discharge

Discharge permit – To **discharge** the water taken pursuant to Resource Consent 103867 including any material entrained therein, and any material associated with hydroelectricity generation, into the Tongariro River at or about map reference NZMS 260 T19: 542-266 at a maximum rate of up to 69 cubic metres per second [*Rangipo Power Station discharge*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

General

1. The maximum rate of discharge of water to the Tongariro River shall not exceed 69 cubic metres per second as measured at the Rangipo Power Station.
2. All mechanical structures in the Rangipo Power Station shall be operated in a manner that ensures that spillages of fuel, oil and similar contaminants are minimised, particularly during servicing and maintenance. There shall be no conspicuous oil or grease films in the Tongariro River as a result of the exercise of this consent. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained and prevented from entering any water body.
3. The Consent Holder shall maintain appropriate infrastructure and equipment (including appropriate oil spill response equipment) to minimise the risk of a spill of fuel, oil or similar contaminants and to reduce the impact of a spill, should one occur. All areas used for the storage of oil or other hazardous substances shall be bunded in an appropriate manner.

Responsibility for 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 Rangipo Power Station Discharge structure, if in the opinion of the Waikato 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 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 at any time within one month of the anniversary each year of the commencement of this consent.

Treaty of Waitangi claim settlements

6. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.

7. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

103875.01.06 – Poutu Intake

Water permit – To **dam** the Tongariro River by means of the Poutu Intake structure and to **divert** and **take** water at a maximum rate of up to 80 cubic metres per second from the Tongariro River at or about map reference NZMS 260 T19: 540-267 [*Poutu Intake*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Minimum flows

1. Except as provided for in condition 3, this consent shall be exercised in such a way that the flow in the Tongariro River below the Poutu Intake at or about map reference NZMS 260 T19: 540-269 is not less than 16 cubic metres per second or the natural flow of the river, whichever is less. For the purposes of this condition, the term “natural flow” means the flow in the Tongariro River above the Moawhango Tunnel discharge structure plus all tributary flows downstream as far as the Poutu Intake.

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 Waikato Regional Council at all reasonable times upon request.

2. To comply with condition 1 a flow-rating curve shall be maintained so that it shows the true flow plus or minus 8% for 95% of the time.
3. The flow in the Tongariro River at or about map reference NZMS 260 T19: 540-269 may fall below 16 cubic metres per second as a result of flow fluctuations:
 - a) caused by changes in operation of the Rangipo Power Station or if the Rangipo Power Station trips and all reasonable systems kept available and maintained for the purpose of meeting minimum flow requirements in the Tongariro River below the Poutu Intake also fail. If this occurs, then the minimum flow shall be restored within four hours.

Advice Note: Under low flow conditions, the travel time between Rangipo Dam and Poutu can take up to 3.5 hours and the time for the water level to reach the spill crest of the Rangipo Dam to deliver downstream flow can be up to 0.5 hours.

- b) That are not attributable to the operation of the Rangipo Power Station, provided the instances where flow drops below 16 cubic metres per second are for a maximum duration of no longer than 30 minutes within any 24 hour period the minimum flow downstream of the Poutu Intake does not fall below 15.0 cubic metres per second. Under these circumstances immediate action must be taken by the consent holder to restore the minimum flow.

Advice note: The purpose of condition 3b is to allow the flow to drop below 16 m³/s only when: Reasonable projections of flow recession made by the Consent Holder have not occurred; or Events unforeseen by the Consent Holder have occurred.

4. At the end of every three month period, the Consent Holder shall advise the Waikato Regional Council of:
 - a) The number and duration of incidents where the flow fell below 16 cubic metres per second as a result of a change in the operation of the Rangipo Power Station or if the Rangipo Power Station tripped and all systems kept available and maintained for the purpose of meeting minimum flow requirements in the Tongariro River below the Poutu Intake failed or as a result of natural causes;

- b) The reasons for the flow falling below 16 cubic metres per second;
 - c) The actions taken to restore the minimum flow requirement set out in condition 1;
 - d) A description of any practical steps that can be taken to avoid the situation recurring.
 - e) The number and duration of incidents where the flow fell below 16 cubic metres per second as authorised under condition 3b that are not attributable to the operation of the Rangipo Power Station.
5. The Consent Holder shall operate and maintain an audible alarm that can be clearly heard for at least 500 m downstream of the Poutu Intake structure. This alarm shall be sounded for a minimum of five minutes whenever the Consent Holder increases the release flow by more than 2 cubic metres per second over a period of less than 30 minutes. Such flow increases shall include the surges resulting from any changed release flows from Rangipo Dam as a result of loss of station flows as detailed under condition 3 above.
6. Following the flushing of sediment from Rangipo Dam pursuant to resource consent 103867 and in accordance with condition 1 of this consent, the Consent Holder shall only take water via the Poutu Intake as follows:
- Up to 25% of the flow in excess of 16 cubic metres per second, plus the volume being discharged from the Moawhango Tunnel, 24 hours after the turbidity as measured in the Tongariro River at the Poutu Intake falls below 40 FNU;
 - Up to 50% of the flow in excess of 16 cubic metres per second, plus the volume being discharged from the Moawhango Tunnel, 36 hours after the turbidity as measured in the Tongariro River at the Poutu Intake falls below 40 FNU;
 - Up to 75% of the flow in excess of 16 cubic metres per second, plus the volume being discharged from the Moawhango Tunnel, 48 hours after the turbidity as measured in the Tongariro River at the Poutu Intake falls below 40 FNU;
 - Up to 100% of the flow in excess of 16 cubic metres per second, plus the volume being discharged from the Moawhango Tunnel, 60 hours or more after the turbidity as measured in the Tongariro River at the Poutu Intake falls below 40 FNU.

Recreational flows

7

- a) Notwithstanding condition 6(c) of resource consent 101282 (Manawatu Wanganui Region), if during any 5 year period there has been a total of no more than one flow release on the Whakapapa River, the Consent Holder shall, within 12 months of the end of the preceding 5 year period, provide one additional flow release from the Poutu Intake to the Tongariro River of not less than the maximum flow with all sluice gates open but not less than 30 cubic metres per second for a continuous period of not less than six hours on a weekend day, but excluding the period 1 October to 31 December inclusive. The date of this release is to be agreed between the Consent Holder and a representative appointed by the New Zealand Recreational

Canoeing Association. The release provided pursuant to this condition shall be in addition to the three provided pursuant to condition 7(b).

- (b) Commencing by 0900 hours on two Saturdays each calendar year, until December 2016, and on three Saturdays each calendar year thereafter, being in the same weekend as the dates specified in condition 7(a) of resource consent 103867, but excluding the period 1 October to 31 December inclusive, the Consent Holder shall exercise this consent such that a recreational flow in the Tongariro River downstream of Poutu Intake of not less than the maximum flow with all sluice gates open but not less than 30 cubic metres per second is maintained for a period of not less than six consecutive hours on each occasion.
 - (c) The dates on which the flow releases described in condition 7(b) shall occur shall be determined on an annual basis between the Consent Holder and a representative appointed by the New Zealand Recreational Canoeing Association.
 - (d) 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 Waikato Regional Council within one week of the discharge occurring.
8. The Consent Holder shall notify its intention to provide flows in accordance with condition 7 by public notice in a newspaper circulating in the Turangi area at least fourteen days and not more than one month in advance of the days on which the flow will be provided.

General

- 9. Information on the flow in the Tongariro River at the Downstream Poutu Intake flow measurement station at or about map reference NZMS 260 T19: 540-269 shall be made available to the public via a free telephone system and a web-site. The flow information provided shall normally be updated at least daily.
- 10. Water shall not be taken from the Tongariro River via the Poutu Intake when the flow in the Tongariro River exceeds either:
 - a) 160 cubic metres per second upstream of at the Poutu Intake; or
 - b) 220 cubic metres per second at the Poutu Intake, limited to the two hour period following the reinstatement of flow through Rangipo Power Station following Rangipo Power Station shutdown.

Advice note: Compliance with this condition will be achieved, provided that once the flow in the Tongariro River reaches 160 cubic metres per second (condition 10a) or 220 cubic metres per second (condition 10b) at the Poutu Intake, the Poutu Intake gate starts to close and is fully closed within 2 hours, unless the flow falls below 160 cubic metres per second (condition 10a) or 220 cubic metres per second (condition 10b) within that time.

- 11. Water shall not be taken from the Tongariro River via the Poutu Intake when conductivity in the Tongariro River is above 200 μ s and the turbidity is above 10 FNU.

Volcanic activity management plan

- 12. Within twelve months of the commencement of this consent, the Consent Holder shall prepare a Volcanic Activity Management Plan to the satisfaction of the Waikato Regional Council. The management plan shall be prepared following consultation with the Department of Conservation and the Taupo District Council.

The purpose of the plan shall be to detail procedures for the management of Tongariro Power Development structures in order to minimise, to the extent practicable, risks to property, life and the natural environment arising from the operation of Tongariro Power Development 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 Tongariro Power Development 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.
13. This consent shall be exercised in accordance with the Volcanic Activity Management Plan prepared in accordance with condition 12. 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.

Dam Safety

14. 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.
15. The Poutu Intake structure spillway crest shall be maintained at not more than 578.1 m above Moturiki Datum. Compliance with this condition shall be satisfied provided that the spillway dimensions are not altered from those existing at the date of commencement of consent.

Change or cancellation of conditions

16. 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 in the month of June each year following the commencement of this consent.
17. The Council may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the Consent Holder pursuant to 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 avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent.

Treaty of Waitangi claim settlements

18. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this

consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.

19. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

Consent History

Variation	Date	Description
	27 Mar 2007	Conditions 7a and 7b: Flow changes from 35 cumecs to max flow with all sluice gates open but not less than 30 cumecs
	25 May 2012	Condition 6: changed turbidity measurement units.
103875.01.05	13 Mar 2014	Condition 10: Change requirement of flow recording upstream of intake to at the intake and 2 hour window to close the gate
103875.01.06	Jan 2019	Conditions 3 & 4: accounting for travel time between Rangipo Power Station and Poutu Intake Condition 10: Addition of condition 10a to account for technical aspects of operation Condition 11: replacement of pH measurement with conductivity and turbidity

103877 – Poutu Canal Discharge to Poutu Stream

Discharge permit – To **discharge** the water taken pursuant to Resource Consent 103875 and any material entrained therein at a maximum rate of up to 7 cubic metres per second into the Poutu Stream at or about map reference NZMS 260 T19: 497-328 [*Poutu Canal drain valve*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

General

1. The rate of water discharged pursuant to this resource consent shall be deemed to comply with the conditions of this consent if the capacity of the drain valve is no greater than it was at the date of commencement of this consent.
2. Except when the drain valve is being used in an emergency situation, the Consent Holder shall notify the Waikato Regional Council and the Department of Conservation at least five working days prior to the intention to drain the Poutu Canal.
3. When the Poutu Canal is drained for scheduled maintenance the Consent Holder shall take all reasonable measures to minimise the risk of death to trout in the canal by catching them and returning them to Lake Rotoaira as soon as practicable following their discovery.

Advice Note: The Taupo Fishing Regulations 1984 require the written authority of the Director General of Conservation to take, possess and release these fish.

Responsibility for 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 Poutu Canal drain valve, if in the opinion of the Waikato Regional Council that erosion directly results from the operation of that valve.

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

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 at any time within one month of the anniversary each year of the commencement of this consent.
6. The Council may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the Consent Holder pursuant to 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 avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent.

Treaty of Waitangi claim settlements

7. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted

by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.

8. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

Lapsing of consent

9. Pursuant to section 125(1) of the Resource Management Act 1991 this consent shall not lapse until the consent duration of 35 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 Waikato 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 and the Lake Rotoaira Trust.

103878 – Poutu Canal Discharge to Rotoaira

Discharge permit – To **discharge** the water taken pursuant to Resource Consent 103875 and any material entrained therein at a maximum rate of up to 80 cubic metres per second into Lake Rotoaira via the Rotoaira Channel at or about map reference NZMS 260 T19: 497-328 [Poutu Canal] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

General

1. The maximum rate of discharging water to Lake Rotoaira shall not exceed 80 cubic metres per second as measured at the Poutu Canal flow measurement station at or about map reference NZMS 260 T19: 541-267.

Treaty of Waitangi claim settlements

2. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
3. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

103879.01.02 – Poutu Dam

Water permit – To **dam** the outlet of Lake Rotoaira by means of the Poutu Dam structure [Poutu Dam] and to **discharge** water to the Poutu Stream at or about map reference NZMS 260 T19: 497-328 for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Lake levels

1. The water level of Lake Rotoaira shall be maintained within the control levels as set out in the 1972 Lake Rotoaira Deed of Agreement, as follows:
 - The maximum lake level shall not exceed 564.64 m above Moturiki Datum, except in extraordinary flood conditions when the lake level shall not exceed 565.25 m above Moturiki Datum; and
 - The normal minimum lake level shall not be less than 564.25 m above Moturiki Datum.

The Consent Holder shall keep records as to the levels of Lake Rotoaira and shall make such records available to the Waikato Regional Council upon request.

Minimum flows

2. The Consent Holder shall provide a continuous release of water from the Poutu Dam structure to the Poutu Stream below the dam as follows:
 - Not less than 600 litres per second during the period 1 February to 31 October inclusive;
 - Not less than 300 litres per second during the period 1 November to 31 December inclusive; and
 - Not less than 450 litres per second during the period 1 January to 31 January inclusive.

For the purposes of this condition, compliance with these flows shall be measured either at the “Poutu Stream at Ford” gauging site at or about map reference NZMS 260 T19:497-328, or by opening the discharge valve in the dam in accordance with the established rating curve for the valve. **Alternatively, the flow may be measured using a pipe flow sensor on the Poutu Canal drainage pipework.**

- alternative added 20/11/2019

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 Waikato Regional Council at all reasonable times upon request.

- 2A. The flow in the Poutu Stream downstream of the Poutu Dam may fall below the flows specified in Condition 2 by no more than 10% provided that:
 - a) The maximum duration of flows falling below the flows specified in Condition 2 shall be no longer than 30 minutes within any 24-hour period; and
 - b) The flow shall not fall below the flows specified in Condition 2 more than twice in any four week period; and
 - c) When the flow falls below the flows specified in Condition 2 the consent holder shall take immediate action to restore the minimum flow.

- condition 2A added 20/11/2019

3. If using the discharge valve to maintain the flow required by condition 2, the Consent Holder shall verify the rating curve for the discharge valve by alternative means of measurement prior to using this method. The Consent Holder shall update the rating curve for the Poutu Dam discharge 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 Waikato Regional Council within 10 days of completion.
4. If compliance with condition 2 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.
5. The Consent Holder shall operate and maintain an audible alarm that can be clearly heard for at least 500 m downstream of the Poutu Dam. This alarm shall be sounded for a minimum of five minutes whenever the Consent Holder increases the flow released by the dam by more than 2 cubic metres per second over less than 30 minutes.

Dam safety

6. 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 Waikato Regional Council on request.

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 in the month of June each year following the commencement of this consent.
8. The Poutu Dam spillway crest shall be maintained at not more than 562.2 m above Moturiki Datum. Compliance with this condition shall be satisfied provided that the spillway dimensions are not altered from those existing at the date of commencement of consent.

Reviews

9. The Council may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the Consent Holder pursuant to 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 avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent.
10. The Council may, at any time, serve notice on the Consent Holder pursuant to section 128(1)(a)(iii) of the Resource Management Act 1991 of its intention to review Condition 1 of this consent for the purpose of amending the required control levels of Lake Rotoaira following any changes to the 1972 Lake Rotoaira Deed of Agreement.

Treaty of Waitangi claim settlements

11. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
12. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 Waikato 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 and the Lake Rotoaira Trust.

Consent History

Variation	Date	Changes
103879.01.02	20/11/2019	Condition 2: flow measure changed from cumecs to litres per second; alternative flow measure site added to include pipe flow sensor Condition 2A: added

103881 – Poutu Dam Drum Gate Testing Releases

Discharge permit – To **discharge** water and any material contained therein at a maximum rate of up to 34 cubic metres per second into the Poutu Stream downstream of the Poutu Dam structure via the Poutu Dam Drum Gate for gate testing purposes at or about map reference NZMS 260 T19: 497-328 [*Poutu Dam Drum Gate test discharge*] for a duration of 35 years from the commencement of this consent, subject to the following conditions:

Drum gate testing

1. In respect of drum gate testing, the Consent Holder shall notify the Waikato Regional Council and the Department of Conservation in writing of its intention to exercise this consent not less than fourteen days and not more than one month in advance of its intention to exercise the consent. The notification shall include:
 - A description of the intended testing programme, including the proposed gate openings and the intended start date for the testing;
 - A description of the duration of the test programme;
 - A description of the specific measures to be used to minimise any adverse effects that may occur as a result of the exercise of the consent; and
 - A description of the monitoring to be undertaken during the test programme.
2. The Consent Holder shall erect signage advising of the proposed testing on key access points to the Poutu Stream prior to this consent being exercised.
3. The testing of the Poutu spillway gate shall only be carried out during the period 1 April to 31 July inclusive, during a natural fresh event where flow in the Tongariro is not less than 100 cumecs downstream of the Poutu Intake flow monitoring station at or about NZMS 260 T19 540-269. If a natural fresh does not so occur, or it was not practicable to test within this period then the test is to occur on a natural fresh event not less than 100 cumecs the timing of which shall be the first practicable period after the 31st of July.
4. Each test programme shall not exceed 6 hours in duration and shall not be carried out more than twice in each calendar year.

General

5. The Consent Holder shall sound an audible alarm that can be clearly heard for at least 500 m downstream of the Poutu Dam. This alarm shall be sounded for a minimum of 5 minutes not less than 10 minutes and not more than 20 minutes prior to the commencement of any testing.

Responsibility for erosion control

6. The Consent Holder shall construct and maintain any works necessary to remedy riverbed or riverbank erosion occurring up to 100 m downstream of the Poutu Dam Drum Gate, if in the opinion of the Waikato 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 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 in the month of June each year following the commencement of this consent.
8. The Council may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the Consent Holder pursuant to 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 avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent.

Treaty of Waitangi claim settlements

9. The Waikato Regional Council may, within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD, serve notice on the Consent Holder under section 128 of the Resource Management Act 1991 of its intention to review any or all the conditions of this consent for the purpose of making the consent consistent with all Resource Management Act 1991 matters contained in the said settlement.
10. The Consent Holder may apply to the Waikato Regional Council for a change or cancellation of any or all of the conditions of this consent by giving notice of its intention to do so pursuant to section 127(1)(a) of the Resource Management Act 1991 within 12 months of the Crown settling any Treaty of Waitangi claim by iwi in respect of rivers or lakes dammed or diverted by the TPD.

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 35 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 Waikato 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 and the Lake Rotoaira Trust.