

Form No: 300



Office use only

Consent number: _____

Application number: _____

Date received: _____

Document number: _____

AEE Document number: _____

New/Renewal

Draft report to be viewed: Yes / No

Eftpos / Cash / Cheque / Int Banking / Credit Card

Amount Paid \$ _____ Date Pd _____

Resource Consent Application

(For a water permit pursuant to sections 14 and 88 of the Resource Management Act 1991)

Water Permit

To take and use surface water for general purposes

(A separate application form is required for each consent being applied for)

Important: Please read carefully before completing the form

All applicants need to respond to all of the questions. If a particular section is not applicable to your application, please say so; do not leave the question blank. Questions may be answered in attached documentation if it is more convenient or insufficient space is provided on the form. If that is done, state specifically on the application form where the answer can be found (**include page or section numbers if referring to a separate report**).

If you have any questions relating to completion of this application form, please contact the Consents Department, Taranaki Regional Council on telephone (06)765-7127 or email consents@trc.govt.nz.

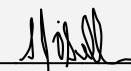
Lodge the application by signing below and sending the completed form to:

Mail: Taranaki Regional Council, Private Bag 713, Stratford 4352.
Attention: Consents Administration Officer

Email: consents@trc.govt.nz (if application is emailed please do not mail a hard copy unless requested to do so by the consents department.)

If you have not received an email acknowledgement for this application within 5 working days (for new applications) or 10 working days (for renewals) please contact consents@trc.govt.nz.

Application is hereby made for the resource consent detailed in this form

Signature of applicant or authorised agent:  _____

Name: Stephen O'Sullivan

Date: 1st February 2018 _____

Please print full name of person who signed above.

1 Application Purpose

1.1 What is the purpose of this application?

New consent

Replacement for expiring consent (renewal) Consent number of expiring consent 1795-4

Note: If you are applying to change the conditions of your consent, do not complete this form. You will need to complete form 510 instead.

2 Applicant Details

2.1 Applicant's name *(full name of proposed consent holder)*

Please complete either (a), (b) or (c) to whom consent is to be issued.

(a) Company Opanake Power Ltd

(b) Individual(s)

<i>First Name</i>	<i>Middle Name</i>	<i>Surname</i>
<hr/>		
<hr/>		

(c) Trust/Partnership Name

If Trust/Partnership: Full names of Trustees/Partners:

<i>First Name</i>	<i>Middle Name</i>	<i>Surname</i>
<hr/>		
<hr/>		
<hr/>		

2.2 Applicant's address for service *[not consultant's address]*

E-mail steve.osullivan@xtra.co.nz

Postal 13 Verona Place Stratford

Phone 06 765 5237 _____ Mob. 0274 474 555

Name of person to contact regarding this application

Contact Person Stephen O'Sullivan _____

Phone _____ Email. _____
(if different from 2.2) *(if different from 2.2)*

2.3 Address for service (if different from above, i.e. consultant, lawyer, or other person handling application)

Contact Person _____

E-mail _____

Postal _____

Phone _____ Mob. _____

The Council will serve all formal documents electronically via the email address in 2.2 and 2.3 (if provided).

3 Site Details

3.1 Name and address of owner or occupier at the site (if different from 2.1 and 2.2)

3.2 Location of activity (Including: Street/road name, number, and locality)

[South Road \(State Highway 45\) Opunake](#)

3.3 Map Co-ordinates at point of take (either Longitude/Latitude or NZTM):

_____ Longitude _____ Latitude OR

[1674582 E -5632132 N \(NZTM\)](#)

3.4 Legal description of property at site of activity (refer to land title or rates notice)

[Lot1 SS6265 Sib Sec 47 Borough of Opunake Blk IX Opunake SD](#)

3.5 Assessment/Valuation number of property (refer to land title or rates notice)

4 Location Map

- 4.1 The application must include an aerial photograph or clear map showing the location of the proposed take.

An aerial photograph of the site can be obtained free of charge from Taranaki Regional Explorer; <http://www.trc.govt.nz/taranaki-regional-xplorer/>. Alternatively, contact the Consents Department at the Council and request an aerial photograph to be provided.

Aerial photograph (or map) included

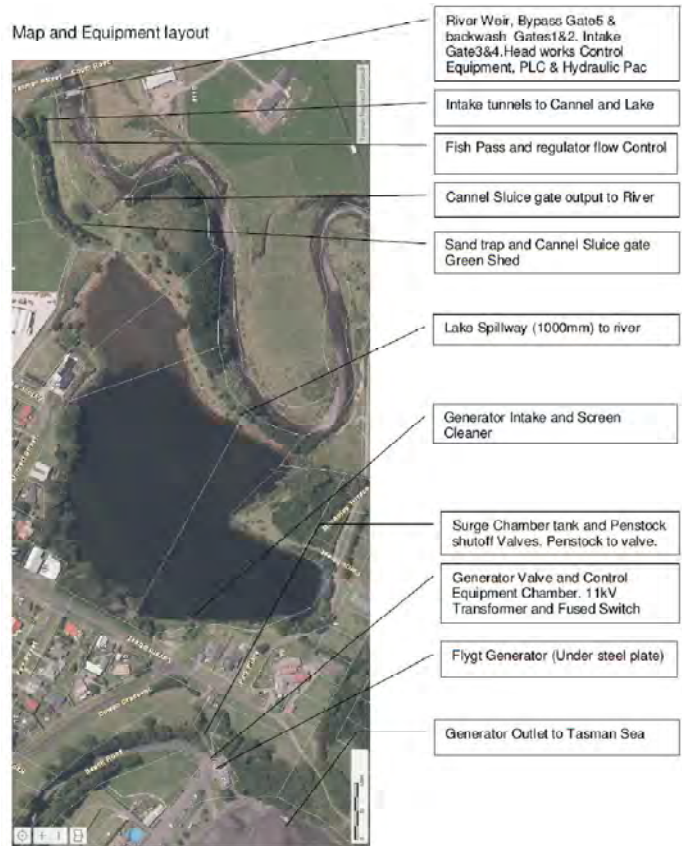
Please make sure the following is shown on your aerial photograph or map:

- Location of proposed take
- Intake details
- Local Roads
- Property boundaries
- Any other relevant features



Photo 1 Opumake Power Limited scheme on the Waiaua River

Map and Equipment layout



5 Details of the Activity

5.1 If you have discussed this proposal with a council staff member, please give the person's name here:

Bart Jansma

5.2 In your own words, briefly describe the activity you are undertaking:

Take water from the Waiaua River for the purpose of Electricity Generation by the Opunake Hydro Electric Scheme

5.3 What is the source of the water? *[name of river, stream, lake]*

Waiaua River

5.4 What purpose will the water be taken for?

- Community water supply No of people/properties _____
- Industrial Industry Type: Hydro Electric Scheme _____
- Small commercial/trade
- Dairy farm purposes No of properties _____
No of cows _____
- Other farming Give details _____
- Other Give details _____

5.5 Is the pump? Existing Proposed

5.6 Is the taking from a dam or weir (*either existing or yet to be constructed*)? (*Note any barrier constructed in the stream that impounds water behind it is considered to be a dam or weir*)

- No – Go to Q5.9 Yes – Go to next question

5.7 Is the dam authorised by an existing consent or the subject of a separate consent application?

- Yes – Provide details below No – Go to next question

Opunake Power holds land use consent 5581-1 to cover the damming of the Waiaua River in association with the Opunake hydroelectric power scheme. This permit was issued by the Taranaki Regional Council on 21 March 2001 under Section 87(e) of the Resource Management Act. It is due to expire on 1 June 2018.

Existing dams/weirs generally do not need a resource consent if they are less than 3m high, do not restrict fish passage and the upstream catchment is less than 25ha. If a dam is to be constructed it must also meet other standards relating to environmental effects during construction. Please refer to Rule 59 of the Regional Freshwater Plan or contact the Council for details of these additional standards.

5.8 Does the dam/weir need a resource consent (see box above)?

No

Yes, an application will be lodged

Don't know

Council staff will contact you and advise

5.9 Describe the method of taking in detail including any structure necessary to facilitate taking of water. If a structure on, under, or over a river bed is needed please attach sketch plan of the structure including dimensions.

A concrete weir approximately 25M wide and 4.5M high spanning the Waiaua River, intake sluice box, intake screens and dual intake tunnels direct the water to a canal. The 3 bypass/sluice gates and the intake gates have automated control gates.

5.10 What is the maximum rate of taking proposed? 3900 litres/sec

5.11 What is the maximum volume proposed to be taken in a 7-day period? 2,358,720 m³

5.12 How will your taking vary through a typical year?

Take Rate	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.
Maximum or near to maximum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Less than maximum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
No taking expected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5.13 Explain any variation in the rate of taking through the year.

The volume is restricted to river flow both low and high; the water take has to stop for heavy sediment loading during flood events.

5.14 Explain why the rate requested is reasonable for your needs.

The generator at full load uses approximately 2.4m³ thus at maximum river flows 3.9m³ will allow for the quickest time to refill the lake during high river flows and continue to supply the residual flow

6 Hydrology

This application must include information about the stream flow at the site during dry periods and the availability of water for allocation. This information will need to be obtained by undertaking flow gaugings during the summer if this has not been done previously. Please contact the Council's Hydrology Department to get advice about the existing flow record, and if necessary to make arrangements for the gaugings to be undertaken.

6.1 What is the mean annual low flow (MALF) at the take site? (*Obtain this from Council Hydrology Department*)

Estimated at 1117 litres/second

6.2 What is your understanding of the availability of water for allocation from the stream?

To strictly adhere to the Regional Fresh Water Plan the water take would be 2/3 MALF approximately 737l/s, but due to mitigating circumstances, due to sand/sediment loading the Opunake lake may be a more beneficial food producing habitat for trout and other species than the river.

The HEP scheme has been operating with a residual flow of 180 l/s for 12 Years. Scientific studies of the available in stream habitat make recommendations that 180 l/s is suffice to support native fish and brown trout life at 15% food producing habitat.

7 Assessment of Environmental Effects

An assessment of environmental effects [AEE] in accordance with schedule 4 of the Resource Management Act 1991 must be provided with the application. The AEE detail must correspond to the scale of the effects that the activity may have on the environment.

Completing the AEE section of this form will be sufficient for most applications. However for activities with actual or potential effects that are significant, a separate comprehensive AEE report including specific investigations may be required.

Schedule 4 can be viewed at www.tca.govt.nz/resource-consent-application-forms

7.1 If the application is to renew a consent, summarise the monitoring that has been undertaken and the environmental effects as identified by that monitoring.

Annual TRC monitoring reports are available that generally included monthly inspections and that included river residual flow gauging.

The last fish survey was completed in 2014 and temperature and streambed community monitoring has been postponed due to very high sedimentation loading makes it impractical.

15Minute logs of various measurements are taken and provided to the TRC (required at 3 monthly intervals), these measurements are Fish Pass Level, Lake Level and Generation

Additional information includes when the river is in a flood state, operation of the Weir Sluice Bypass Gates.

The ongoing issues with sedimentation of the Waiaua River caused by sand deposition from erosion events on the mountain are causing ongoing problems – we have been working on options to mitigate this issue and the single most effective solution to date is to ensure the South Weir Gate (G5) opens on a regular basis (6hourly) and on heavy flows (1hourly) this has the effect of transporting the sedimentation down the river rather than into the intake canal.

The other major issue is the migration of native fish through the intake tunnels to the upper reaches of the Waiaua River. The native fish appear to traverse the fish pass but have trouble with the high velocity inside the intake tunnels. Previous consent holder has added a fish ladder inside the smaller tunnel. I have seen schools of fish above the intake gates and torrent fish above the intake screen, so some are getting through. There does not seem to be any issues for Eels, Trout and Elvers as I see plenty in the Fish Pass, Canal and both sides of the weir.

The TRC have made recommendations that a catch release program be instigated, we have tried a couple of fish trapping options with varying success, but a 3rd option has been discussed and will need to be implemented before the migratory native fish start to spawn.

OR

New Consent/No monitoring data

7.2 Comment on the possible detrimental effects on the environment of the proposed taking and any proposed structure described in question 5.9. Particular attention should be given to the effects on:

- Availability of water to downstream users
- The natural character of the river, lake or stream and visual aesthetics
- Cultural, spiritual, historic, recreational, scientific and amenity values
- Ecology (*e.g. river and lake habitat, vegetation, fish and fisheries, wildlife*)
- River flow

The downstream users will have the same residual flow as per the last 12 years 180 l/s, this is a significant improvement of the original 100 l/s allowed in the initial consent conditions. The variable flow has been improved with the regular operation of the Bypass gates and that the weir overtops about 36% of the time.

From historical photo's the river condition has improved beyond measure as there appeared to be absolutely minimal residual flow and only when the weir was being over topped did any significant flow enter the lower reaches of the river.

The river is fished regularly as the lake is used as a seeding population of both the lower and upper reaches of the river, the lower reaches have been said to hold very well conditioned trout both Brown and Rainbow.

The bird life extends between the lake and river and it is common to see many water fowl ducklings which in turn has enticed the water rats and stoats, which I have seen many around the river and canal edge.

We have anecdotal evidence that White Baiters would like additional flow during the season in the Waiaua River, but others are White Baiters have great success at the tail race tunnel block.

The ongoing issues with sedimentation of the Waiaua River caused by sand deposition from erosion events on the mountain are causing ongoing problems – we have been working on options to mitigate this issue and the single most effective solution to date is to ensure the South Weir Gate (G5) opens on a regular basis (6hourly) and on heavy flows (1hourly) this has the effect of transporting the sedimentation down the river rather than into the intake canal.

The other major issue is the migration of native fish through the intake tunnels to the upper reaches of the Waiaua River. The native fish appear to traverse the fish pass but have trouble with the high velocity inside the intake tunnels. Previous consent holder has added a fish ladder inside the smaller tunnel. I have seen schools of fish above the intake gates and torrent fish above the intake screen, so some are getting through. There does not seem to be any issues for Eels, Trout and Elvers as I see plenty in the Fish Pass, Canal and both sides of the weir.

7.3 How will the adverse effects described in question 7.2 above be mitigated?

The TRC have made recommendations that a catch release program be instigated, we have tried a couple of fish trapping options with varying success, but a 3rd option has been discussed and will need to be implemented before the migratory native fish start to spawn.

The ongoing issues with sedimentation of the Waiaua River caused by sand deposition from erosion events on the mountain are causing ongoing problems – we have been working on options to mitigate this issue and the single most effective solution to date is to ensure the South Weir Gate (G5) opens on a regular basis (6hourly) and on heavy flows (1hourly) this has the effect of transporting the sedimentation down the river rather than into the intake canal.

7.4 Please note any other information that may assist the Council in processing your application.

An AEE has been provided and a stakeholders meeting has been planned for 1st June 2018

8 Assessment of Part 2 Matters and Policy

An assessment of the activity against the matters set out in Part 2 of the RMA and against any relevant provisions of policy documents and regulations must be provided with the application. The assessment must be in sufficient detail to satisfy the purpose for which its required.

For most applications the brief assessment provided below will be adequate. However for activities with significant policy implications, or where a National Policy Statement is relevant, a specific more comprehensive assessment is likely to be required.

The proposal is consistent with Part 2 of the RMA (the focus of which is to promote sustainable management of natural resources). The *Regional Freshwater Plan for Taranaki* generally supports taking surface water if at least 2/3 of habitat at MALF is retained and particular regard is had for specific matters such as ecological and amenity values, existing and future needs and the relationship of Tangata Whenua with the water body.

I will adopt the RMA assessment above; or

I will attach an alternative assessment

The AEE will be supplied which discusses the residual flow being 180 l/s

9 Other Consents Required

9.1 What consents are required from other authorities for the proposed activity

None

Consent Required		Authority: Taranaki Regional Council
Consent No Expiry Date	Location	Activity authorised
1795-4 1 st June 2018	South Road, (State Highway 45), Opunake	To take water from the Waiaua River in association with the Opunake hydro electric power scheme.
1796-3 1 st June 2018	Lake Opunake, Layard Street, Opunake	To take and use water from Lake Opunake for hydroelectric power generation in association with the Opunake hydroelectric power scheme
1797-3 1 st June 2018	Lake Opunake, Layard St, Opunake	To discharge sand and silt deposits from a diversion canal sand trap via a spillway to the Waiaua River in association with the Opunake hydroelectric power scheme
4658-2 1 st June 2024	Lake Opunake, Layard St, Opunake	To disturb the bed of Lake Opunake in the Waiaua catchment by removing reeds and flaxes from the edge of the lake.
4563-2 1 st June 2018	Opunake Beach, Beach Road, Opunake	To erect, place and maintain an outfall structure in the coastal marine area on the Opunake Beach foreshore in association with the Opunake hydroelectric power scheme
4744-2 1 st June 2018	Beach Road, Opunake	To discharge water from hydroelectric power generation through two marine outfall pipes into the Tasman Sea
5692-1 1 st June 2018	South Road [State Highway 45], Opunake	To disturb the bed of the Waiaua River by removing sediment build-up upstream of a weir for the purpose of maintaining the Opunake hydroelectric scheme intake
5581-1 1 st June 2018	South Road [State Highway 45], Opunake	To dam the Waiaua River in association with the Opunake hydroelectric power scheme

All are being applied for _____ Yes No

10 Consultation / Affected Parties

10.1 Please list the persons that you believe to have an interest in or that may be affected by the proposal.

Name	Surname	Organisation	Att.	Phone	Cell Phone	Email
Bart	Jansma	TRC	Yes		272112362	Bart.Jansma@trc.govt.nz
Brian	Vincent	OPK Community Board	Yes		272000515	
Brian	Roach	STDC - Councillor	Yes		274457888	
Brent	Manning	STDC - Engineer	TBC	06 278 0555		Brent.Manning@STDC.govt.nz
Nikki	Palmer	Department of Conservation	TBC			npalmer@doc.govt.nz
Allen	Stancliff	Fish and Game New Zealand	Yes	06 757 9676	272639152	AStancliff@fishandgame.org.nz
Paddy	Walsh	Opunake angling & Surfcasting Club	Yes		272305820	paddy@actionaki.co.nz
Leanne	Horo	Taranaki Iwi - Authorised voice of Te Kāhui o Taranaki Trust	TBC	06 763 8242	274988746	admin@taranaki.iwi.nz
Nigel	Robinson	Landowner	Yes		274756073	elite.fs@xtra.co.nz
Heather	Sharpe	Landowner	Yes		211311961	
Rex	Langton	Opunake Lions Club	Yes		276527271	randllangton@xtra.co.nz

10.2 Detail the consultation undertaken with any interested/affected parties, and the views of those consulted. Attach correspondence if appropriate. The consultation undertaken and the information provided is to aid the Council in determining who may be adversely affected by the proposal.

Stake holders meeting held in 2011, Stake holders meeting to be held 1st June 2018.

Many discussions have been had with Rex Langton and Heather Sharpe.

Meetings have been held on site with STDC councillor Brian Roach.

Discussions have been held with Allen Stancliff, Taranaki Fish and Game, he has indicated that the residual flow to be left about as is and to have a limited notification as it is a renewal.

Please note: Council may determine that your application is to be notified. But generally it will be non-notified if there are no more than minor adverse effects beyond the adjacent land, and if written approval is obtained from all those people who are likely to be adversely affected in a minor or more than minor way. Council will determine the people who are likely to be adversely affected and you will have the option of obtaining their written approval so that your application can be non-notified.

11 Draft report and conditions

11.1 Do you wish to review and make comment on a draft report and recommendation [including consent conditions] before any consent is issued?

Yes No

If you answered 'Yes' please consider agreeing to a timeframe extension [See section 12 below.]

12 Processing Timeframes

The RMA specifies timeframes for processing resource consent applications, [for example 20 working days for a non-notified application], however these timeframes can be extended with the applicant's agreement.

12.1 Do you agree to the Taranaki Regional Council extending the RMA consent processing timeframes?

- Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *[renewal applications]*.
- Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.
- Yes, provided that the application process is completed before ___/___/___ *[enter date]*

13 Value of investment (renewal applications)

Please complete this section only if your application is to renew an existing consent

13.1 Provide an assessment of the value of your investment that is dependent on this consent.

- | | | | |
|-----------------------|-------------------------------------|--------------------------|--------------------------|
| < \$10,000 | <input type="checkbox"/> | \$10,000 to \$50,000 | <input type="checkbox"/> |
| \$50,000 to \$250,000 | <input checked="" type="checkbox"/> | \$250,000 to \$1,000,000 | <input type="checkbox"/> |
| \$1 M to \$5 M | <input type="checkbox"/> | \$5 M to \$50 M | <input type="checkbox"/> |
| >\$50 M | <input type="checkbox"/> | | |

14 Surrender of existing consent [renewal applications only]

Please note that your existing consent is to be surrendered on the granting of this application.

15 Fees and charges

15.1 Initial Deposit payment – All applications must have a deposit paid before processing of the application will begin.

Non-notified applications

Amount to be Paid \$ 1196.00 (GST incl.) per application x _____ no. of applications lodged

= Total Amount Paid \$ _____ Payment date _____

Notified applications

Amount to be Paid \$ 8,050.00 (GST inclusive) per proposal

= Total Amount Paid \$8,050.00 Payment date 29-05-18

I have made payment of \$8,050.00 but the intention is that this will be a non-notified application.

Note:

- 1) Assume your application is non-notified unless Council has informed you otherwise.
- 2) Purchase orders are not acceptable as payment for the deposit.
- 3) An invoice/receipt for the deposit will be issued shortly after payment has been received.

15.2 Payment method for initial deposit

- Cheque made payable to Taranaki Regional Council (to be lodged with application documents)
- Cash/Eftpos (to be made at Taranaki Regional Council offices, 47 Cloten Rd, Stratford)
- Credit card payment made via Online Services at <https://onlineservices.trc.govt.nz>
- Internet Banking – **please complete below, and enter all details on your internet banking payment to enable us to correctly identify your payment, otherwise processing of your application may be delayed.**

Payer Particulars:	C	O	N	S	E	N	T		D	E	P	
--------------------	---	---	---	---	---	---	---	--	---	---	---	--

Payer Reference:	O	P	L	1	7	9	4	-	4			
------------------	---	---	---	---	---	---	---	---	---	--	--	--

Enter the reference you have used for your internet banking payment above. We suggest using your company name or surname, or if you make multiple applications use the location (road name or river) where activity is occurring, or consent number if known.

R

Taranaki Regional Council Account Details for Internet Banking															
Bank		Branch			Account No.					Suffix					
0	2	0	7	5	6	0	0	4	0	5	5	5	0	0	2

Please note this is a separate account for consent deposits only. It is a different account number to where you may make other Council payments, such as annual monitoring fees, or plant purchases.

15.3 Invoicing details: (where to send the invoice for this consent application)

Applicant or Consultant

15.4 Is the Council required to quote a purchase order number on future invoices for this application?

Yes Order Number:

No

The deposit amount is required when an application is submitted and is an **initial deposit** towards the final cost of processing the application. Processing of the application will begin when the deposit is received. Purchase orders are not acceptable as payment for the deposit and we are unable to issue you an invoice/receipt until payment has been received. The final cost of processing is based on actual and reasonable staff time and disbursements spent processing the application. The final cost (less the deposit) is invoiced at the end of the application process, but there may also be interim invoices during the process.

Where there is more than one application required for the same proposal, an initial deposit is required for each application (non notified applications).

If the consent is notified, a larger deposit will be required. We will advise if the application is to be notified.

Withdrawn applications will incur the cost for work done up to the date of withdrawal.

Applications returned due to inadequate information will incur the cost of work done in receiving the application, assessing the information and returning the application.

All collection costs incurred in the recovery of a debt will be added to the invoice amount due. Overdue invoices will incur an interest charge of 12% per annum.

Details of Council's charging policy are in its 2015/2025 Long-Term Plan.
(www.trc.govt.nz/council/plans-and-reports/strategy-policy-and-plans)

Official information

Please lodge the application by signing the front page and sending the completed form to:

Mail: Taranaki Regional Council, Private Bag 713, Stratford 4352.

The information you provide with your application is official information. It is used to help process your resource consent application and assess the impact of your activity on the environment and other people.

Your information is held and administered by the Taranaki Regional Council in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. This means that your information may be disclosed to other people who request it in accordance with the terms of these Acts. It is therefore important you let us know if your application includes trade secrets, commercially sensitive material or any other information you consider should not be disclosed.

Attention: Consents Administration Officer

Email: consents@trc.govt.nz (if application is emailed please do not mail a hard copy unless requested to do so by the consents department.)