

## GENERAL ADVICE

The conditions refer to “this consent” and “these consents”. The term should be consistent, with the preferable term being “these consents”.

Although the Council(s) responsible for the administration of a specific consent condition is clear in many conditions, there are some conditions that both Councils will have administration responsibility for and some conditions that don’t clearly specify or indicate the Council responsible for their administration. An option is to include an Advice Note at the end specifying/listing the conditions each Council has administration responsibility for. This would remove ambiguity over administration responsibility for the consent condition and help third-parties understand which Council(s) to engage if they have enquiries/concerns or complaints regarding the consent conditions, The Advice Note could be along the lines of the following:

Advice Note: The responsibility for the administration and monitoring of each consent condition is as follows;

If Condition 71 is deleted –

<b>Council(s)</b>	<b>Consent Condition Number(s)</b>
Both	1-9, 50, 83-87, 89, 102-112, 121
Northland Regional	10-42*, 47, 49, 55-81, 82(a), 88, 90-101
Far North District	43-45, 48, 51-54, 82(b)-(d)

If Condition 71 is noted deleted –

<b>Council(s)</b>	<b>Consent Condition Number(s)</b>
Both	1-9, 50, 84-88, 90, 103-113, 122
Northland Regional	10-42*, 47, 49, 55-82, 83(a), 89, 91-102
Far North District	43-45, 48, 51-54, 83(b)-(d)

\*This assumes that “Councils’ Responsible Officers” is replaced with “NRC Responsible Officer” in Conditions 17,18,19, 22 and 26.

There are also several consent conditions that either Council could administer:

Condition 46, which limits the storage of hazardous substances. The NRC has the function of controlling discharges of contaminants into or onto land or water (s30(1)(f) RMA) but does not administer any provisions of the Hazardous Substances and New Organisms Act 1996 (HSNO). The FNDC controls aspects of hazardous substances through rules in the Far North District Plan (Section 12.8.6) and has HSNO enforcement responsibilities (s97(1)(h) HSNO). The NRC would prefer that Condition 46 be administered by the FNDC.

Conditions 113-120 (if Condition 71 is deleted) or 114-121 (if Condition 71 is not deleted), which require the establishment and operation of community and kaitiaki liaison groups. It would be preferable to assign the responsibility for the administration of these consent conditions to a single Council.

#### Milestone Dam design and Construction Peer review conditions:

There is likely to be duplication with building consent requirements for progress reports and actions during dam construction. As the Building Consent Authority is the primary agency to ensure the dam is constructed in accordance with design, it would be preferable to rely on the building consent that is required for the dam rather than duplicate requirements under these consents.

#### Reservoir Filling:

Require notification of the NRC responsible officer at least 10 working days prior to filling so that compliance with Condition 24 can be determined. Could add this requirement to Condition 23.

#### Dam Safety Management System

This is covered in NZSOLD Guidelines. For certification purposes, it would be beneficial to be able to compare the Consent Holder's DSMS against NZSOLD guidelines. Therefore, Condition 26 could be amended so that it is consistent with conditions relating to CEAP and EAP.

#### Erosion, Sediment and Dust Control

It would be normal council practice to have a water quality standard condition so that ESCs are designed to achieve a specified minimum standard. Otherwise bare minimum measures could be installed which may not be sufficient to minimise adverse effects from sediment in a receiving watercourse.

#### High Flow Water Take

The existing FNDC weir is not capable of reliably monitoring high flows as it is primarily a low flow recorder. There have also been documented issues with accuracy of the flow recorder. It is requested that conditions are put on consent that require confirmation that the weir can record higher flows and that it is telemetered to NRC for compliance purposes. It is also requested that confirmation/verification is provided to the NRC that the weir is calibrated correctly prior to exercise of the take.

#### Non-augmentation Water Take

There is no existing equipment for recording flows at Cumber Road for the NRC to determine compliance with the minimum flow requirement of 98 litres per second at this location. It is requested that conditions are included requiring a flow monitoring station to be installed at this location that is telemetered to the NRC for compliance purposes. It is also requested that a condition requires that the design of the flow monitoring station is certified by the NRC prior to installation. An alternative is to tie the flow to an existing permanent NRC flow recorder site within the catchment.

#### Operation of the Matawii Water Storage Reservoir

Insert a condition requiring calibration of flow bypass structure to confirm accuracy of structure and certification by the NRC that this has been met.

#### Water Use

Would be beneficial to include a map/plan of area of service and properties included as part of Water Supply Management Plan.

#### Additional Condition Regarding Protection of FNDC Water Take

Need to consider a condition in accordance with Section 12 of NES for Sources of Human Drinking Water particularly in regard to large sediment discharges and also poor water quality due to low levels of dissolved oxygen or cyanobacteria. In other words, a discharge standard for augmentation water to minimise adverse effects on water quality and the ecology of Wairoro Stream.