

## Appendix I: Freshwater Fisheries Dispensation

### WAIHI NORTH PROJECT - FRESHWATER FISHERIES DISPENSATION

**FTAA s42(4)(j) application - Dispensation that would otherwise be applied for under regulation 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity.**

This complex freshwater fisheries activity approval grants, subject to conditions, dispensation from providing a fish facility that would otherwise be required under regulation 43 of the Freshwater Fisheries Regulations 1983 at the following diversion structures:

1. The Northern Uphill Diversion Drain; being a diversion of watercourse TB1 around the Northern Rock Stack (the TB1 Diversion); and
2. The Southern Uphill Diversion Drain; being a diversion of the Ruahorehore Stream around Tailings Storage Facility 3 (the Ruahorehore Diversion).

#### Conditions

<b>Management Plan</b>		
FF1	All works must be undertaken in accordance with the provisions of the Aquatic Fauna Salvage and Relocation Plan and the Stream Diversion and Development Plan which are included in the Waihi Area Ecology and Landscape Management Plan.	The provisions of Section 7.1 of the Stream Diversion and Development Plan relate specifically to the ecological objectives of the diversion channel design.
<b>Diversion Design</b>		
FF2	The TB1 Diversion and Ruahorehore Stream Diversion must be designed in accordance with the principles set out in the Indicative Stream Channel Diversion Design provided in Appendix 1.  <i>Advice Note: The design of the TB1 Diversion and Ruahorehore Stream Diversion must be in accordance with the Diversion Design resource consent requirements applying to the "Waihi North Project - Conditions for the Waikato Regional Council".</i>	Refer to Condition G22 of the Waihi North Project – Proposed Conditions for the Waikato Regional Council.
<b>Exclusion Conditions</b>		
FF3	The Dispensation holder will not undertake the following activities:  (a) <i>Instream works during peak migration times;</i> (b) <i>The utilisation of wet concrete in flowing water.</i>	

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<b>Biosecurity Management</b>		
FF4	The Dispensation holder must comply with the Ministry for Primary Industry's "Check, Clean, Dry" cleaning method to prevent the spread of didymo ( <i>Didymosphenia geminata</i> ) and other freshwater pests when moving between waterways. "Check, Clean, Dry" cleaning methods can be found at <a href="http://www.biosecurity.govt.nz/cleaning">http://www.biosecurity.govt.nz/cleaning</a> . The Dispensation holder must regularly check this website and update their precautions accordingly.	
FF5	The Dispensation holder must undertake biosecurity risk assessments of any species which are to be translocated throughout the establishment of the TB1 Diversion and the Ruahorehore Diversion.	

**SUPERSEDED**

