

Consent Evaluation Report

Applicant: Brymer Farms Limited **File No.:** 61 94 91A
Address of Site: 2 Waiora Terrace, Hamilton **Project Code:** RC28423
Application Number: APP148775

Reference Id	Activity Subtype	Activity Description
AUTH148775.01.01	Surface water take	To take surface water from the Waikato River to supply the Brymer development

1 Introduction

Brymer Farms Limited (the applicant) have applied to take surface water from the Waikato River. The water will be used for a new residential subdivision located to the west of Hamilton City, bordering Grandview Heights in the Waikato District (see figure 1). This is a new consent to take water.

The applicant has applied to take up to 1,323 cubic metres of water per day, at a rate of 15.3 litres per second and an annual volume of 392,742 cubic metres. The water will be used for municipal supply, for a new residential development and a commercial neighbourhood centre. The applicant has said it is their intention to use Hamilton City Council's (HCC) existing intake at the Waiora Water Treatment Plant to take and treat the water (see figure 2) and use HCC's existing network to distribute the water to the subdivision. No additional infrastructure in the Waikato River is required for the proposed water take. From 1 July 2026, HCC's water services assets and infrastructure will be owned and operated by IAWAI rather than HCC.

The site is approximately 81 hectares and located within the Waikato District, bordering Hamilton City with Brymer Road to the north and east, Grandview Heights and Western Heights suburbs to the east and State Highway 23 to the south (figure 3). With the exception of the water take consent, all other consents for the development are currently being progressed via the Fast-track Approvals Act 2024 (FTAA), and to date, a decision has not been made.

The subdivision will consist of a variety of different sized land parcels, totalling 1400 residential units of varying types including detached, duplexes, terraces, and apartment units, along with a supporting mixed-use neighbourhood centre, open spaces, and infrastructure. The Brymer development has been divided into six key stages, which will be developed and released in a staged manner to meet demand. The development is expected to take 10 to 15 years. A water management plan has been developed in line with method 8.1.2.2 of the Waikato Regional Plan (WRP) and included in the application documents.

The applicant has calculated the development water demand as per the specifications of the Regional Infrastructure Technical Specifications V 2.0 (RITS) and the HCC Water Management Plan. RITS sets out design and construction standards for water reticulation and potable water supply. The RITS specifications assume a population density of 2.7 people/house for residential, with an off-peak water consumption rate of 260 L/person/day.

HCC hold resource consent AUTH113941.01.03 which authorises a water take from the Waikato River to supply municipal water within the Hamilton City boundary. The resource consent currently allows up to 125,315 m³/d at a rate of take of 2.47 m³/s to be abstracted throughout the year, which increases in

stages up to 146,315 m³/day at 2.88 m³/s from December 2038 to expiry in 2044, to cater for planned growth within the city limits. In addition to its base municipal supply consent, HCC holds an additional surface water consent to take water from the Waikato River for industrial purposes. AUTH125287.01.01 authorises HCC to take water to supply the Dairy Goat Co-operative factory. This consent provides for a daily take of up to 1,200 cubic metres and an annual volume of 438,000 cubic metres. The Brymer Farms growth area is not covered by HCC's existing allocation.

It is the intention of the applicant to transfer this new resource consent (AUTH148775.01.01) to HCC/IAWAI in the future, to supplement HCC's existing allocation portfolio and enable connection and servicing of the Brymer Farms subdivision via HCC's infrastructure.

The recommended conditions I have proposed for this application were refined with consultation and in collaboration with the applicant and HCC/IAWAI. The conditions suit the unique circumstances of this application, and function as a consistent model or template for all water take applications of this type, either recently granted or lodged with Waikato Regional Council (WRC) for processing currently, or that might be lodged in future.

Jackie Colliar, Director Strategic Investment Portfolio – IAWAI, on behalf of HCC/IAWAI has said *"From 1 July 2026, IAWAI will own and operate Hamilton City's water and wastewater assets, including those the Brymer Development proposes to connect to. Granting a water abstraction consent does not ensure connection to the IAWAI network. We note this is appropriately reflected in the draft conditions."*

"We support a consistent approach across fast-track abstraction consents on the HCC periphery and are generally comfortable with the model conditions developed by WRC. Other than development-specific details (e.g. Conditions 1, 7, and 26), the conditions appear largely aligned with those for Te Kowhai East and R2." (WRC document number 36964501).

The applicant agreed to the proposed draft conditions on 23 June 2026 and confirmed the proffering of conditions to be included as part of the application (WRC document number 36978854).

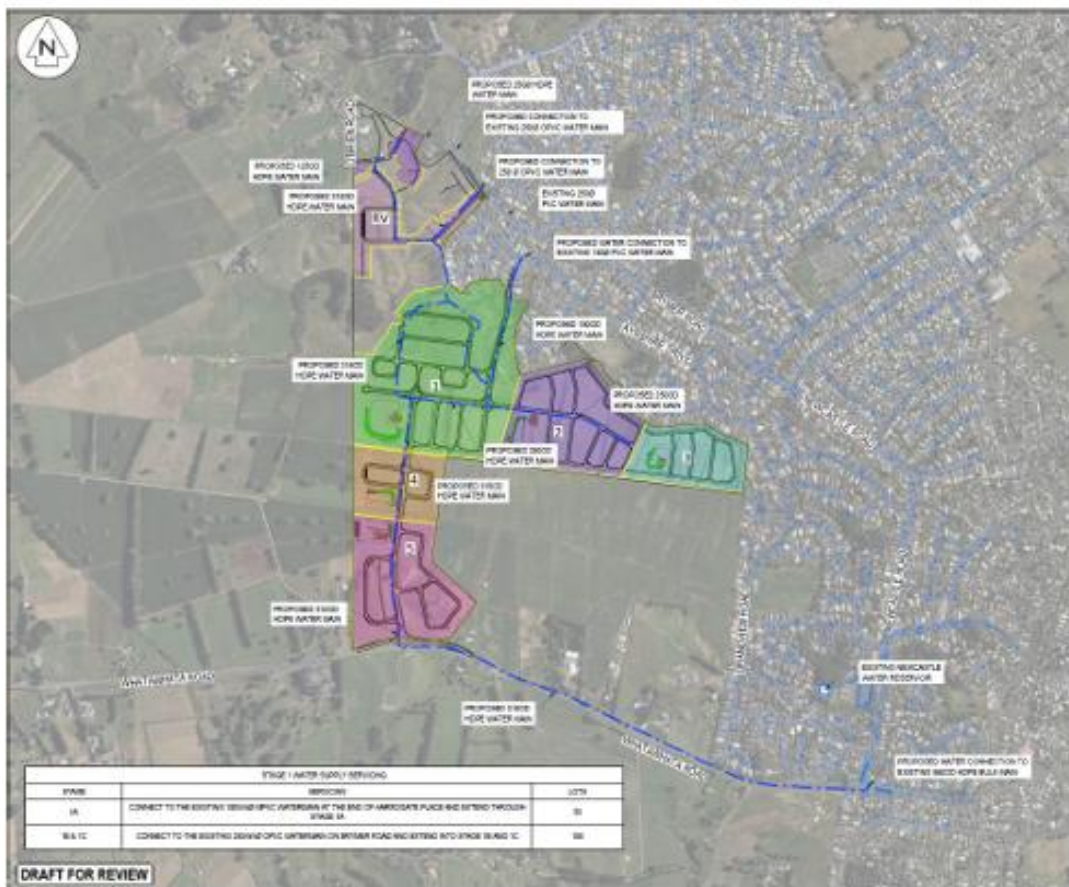


Figure 1: Location of the subdivision in relation to Hamilton City boundary as supplied by the applicant.



Figure 2: Location of the water treatment plant with the intake structure, as supplied by the applicant.



Figure 3: Development plan with lot sizes, as supplied by the applicant (WRC document number 35715298).

2 Status of Activities under the Plan

The Waikato Regional Plan (WRP) is the operative plan which has effect in this region. Chapters 3.3 and 3.4 of the plan apply to the taking and efficient use of water, and Chapter 4.2 applies to river and lakebed structures.

Under the WRP the proposed surface water take cannot be classified as a permitted activity as the take exceeds 15m³/day (rule 3.3.4.13). This is a municipal supply as defined by the WRP, as such the take could be classified as a controlled activity under 3.3.4.18. However, this is a new water take, not previously authorised and therefore does not meet the criteria for this rule.

The relevant catchment for this application is the Waikato River at landward boundary of the coastal marine area (CMA). For the Waikato River at the CMA, water is currently available for allocation within the primary allocable flow as a controlled activity between May through September and as a restricted discretionary activity for October through April. With a grant of this application, cumulative allocation will increase across all months of the year, and water will remain available for allocation within the primary allocable flow. As the strictest activity applies, the take will be a **restricted discretionary activity under rule 3.3.4.21** of the Waikato Regional Plan.

The HCC intake structure is considered a **permitted activity under rule 4.2.5.1** of the Waikato Regional Plan. The use of water for residential use can be provided for by **permitted activity rule 3.4.5.4**.

3 Consultation/Affected Party Approvals

This activity occurs in the rohe (area) of Waikato Tainui and Ngāti Hauā.

The applicant has said ongoing and regular consultation has occurred with iwi and HCC. Workshops were held with iwi, focusing on the water take and Brymer development. Iwi in attendance were representatives from the following iwi; Waikato Tainui, Te Hira, Ngāti Māhanga, Ngāti Wairere, Ngāti Koroki Kahukura, Ngāti Apakura, Ngāti Hauā, Ngāti Tamainu-pō.

To date no written approval has been received from any party, and the applicant has said consultation is ongoing.

As HCC/IAWAI own the infrastructure, the applicant and WRC sought comment from with HCC/IAWAI during the draft condition review. Amendments were made to conditions following feedback from HCC/IAWAI who have indicated their acceptance of the final version of conditions proposed and included in this report (WRC document number 36964501). Conditions have been included to ensure that no water can be taken until either the consent is transferred to HCC/IAWAI or a contractual agreement to access water exists. With HCC/IAWAI's acceptance of draft conditions as proffered by the applicant, it is my understanding therefore that they support the approach of the application.

I do not consider iwi or any other party to be adversely affected by this proposal.

A decision to process this application as non-notified is detailed in WRC document 36422294.

4 Process Matters

The application was lodged on 24 April 2026 and deemed complete under section 88 of the RMA at initial review. A 20 day section 37 timeframe extension and further 1 day timeframe extension was applied (WRC document number 35969132 and 36991953).

5 Statutory Considerations

The application was lodged on 24 April 2026 and therefore all RMA amendments apply. The matters to which the Waikato Regional Council as the consent authority must have regard to when considering applications are set out in section 104 of the RMA.

Section 104 Consideration of Applications

In summary, subject to Part 2 the following matters in Section 104(1) of the RMA are relevant to the consideration of the proposal.

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
- (b) any relevant provisions of—*
 - (i) a national environmental standard:*
 - (ii) other regulations:*
 - (iii) a national policy statement:*
 - (iv) a New Zealand coastal policy statement:*
 - (v) a regional policy statement or proposed regional policy statement:*
 - (vi) a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

The following statutory instruments and policy documents have been considered in the evaluation of this application:

- The National Policy Statement for Freshwater Management 2020 (NPSFM)
- The National Policy Statement for Infrastructure
- The National Policy Statement for Urban Development
- The Waikato Regional Policy Statement (WRPS)
- The Waikato Regional Plan (WRP) and Plan Change 1
- The Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010
- Waikato -Tainui Environmental Plan
- Ngāti Hauā Environmental Management Plan

Consideration has been given to section 104 of the RMA. The actual and potential effects have been discussed in the sections below along with measures being taken to avoid, remedy or mitigate these effects.

5.1 Assessment of Environmental Effect (s104(1)(a))

The surface water take is considered a restricted discretionary activity as outlined in section 2 above. A number of matters have had discretion reserved as listed in rule 3.3.4.21 of the Waikato Regional Plan.

The potential and actual adverse effects that should be considered in respect of this water take application are effects on flow regime and aquatic fauna, as well as potential effects from the intake structures. These matters are within the discretion of rule 3.3.4.21.

5.1.1 Flow regime

The take is from the Waikato River, with a proposed daily take of 1,323 cubic metres, at a rate of 15.3 litres per second. As discussed in section 2, in the event of grant, water will remain available for allocation within the Waikato River at the CMA within the primary allocable flow as a restricted discretionary activity between October to April and as a controlled activity from May to September.

The take is classified as a SW-B for water shortage purposes, as outlined in Policy 18 of Chapter 3.3 of the WRP. I have proposed conditions of consent which will restrict the taking of water during water shortage conditions for the Waikato River at Rangiriri flow station. The conditions will ensure that the water take has less potential to impact the flow of the stream to ensure that there is sufficient water flow to provide instream environmental flow requirements and other authorised takes during low flow conditions.

The above factors together lead me to conclude that in the event of grant of the application, the cumulative adverse effects on flow regimes and consequently the matters that flow regime provide for as set out in the WRP 3.3.3 Policy 1, Establish Allocable and Minimum Flows for Surface Water – shall be less than minor.

5.1.2 Aquatic Biota

The Waikato River at the point of take is classified as contact recreation, trout fishery/spawning and indigenous fishery under section 3.2.3 of the WRP. The most stringent conditions generally apply to the take location. The site is less than 100m above mean sea level and the relevant standard dictates an intake mesh screen aperture of no more than 1.5mm in diameter. In addition, the relevant standard states the maximum intake velocity shall not exceed 0.3 metres per second.

The HCC intake structure (shown in figure 4 below), is considered a permitted activity under rule 4.2.5.1 of the Waikato Regional Plan. As part of the conditions for AUTH113941.01, HCC was required to design a monitoring plan to assess the effects of the velocity of the water take and effects on aquatic fauna to avoid entrainment of fish. HCC engaged Tonkin & Taylor to undertake this assessment over the duration of the consent. The assessments confirmed while the velocities vary across the intake opening and differ depending on screen blockages and height of the river, the maximum velocities calculated are less than 0.3 m/s which is in line with the WRP water classification standards at this location.

As the applicant is utilising HCC's existing intake structure, there will be no further infrastructure installed in the Waikato River. Intake rates will be limited to the intake rate authorised in HCC's existing water take consent AUTH113941.01 of 2.88 cubic metres per second. Overall, I consider the water take and existing intake structure will have less than minor adverse effects on aquatic biota.



Figure 4: HCC intake on the Waikato River.

5.2 Assessment against Policy Statements, Plans and Regulations (s104(1)(b))

5.2.1 Vision and Strategy

Under s11 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and other river “settlement” legislation, the Vision and Strategy is deemed to be part of the Waikato Regional Policy Statement. Under s104(1)(b), the Council must “have regard to” the RPS when considering any application for resource consent. However, additionally, the river settlement legislation also requires that the Council must have “particular regard” to the Vision and Strategy for the Waikato River when carrying out any of its functions under RMA 1991. Through case law, the Vision and Strategy is acknowledged as the primary, direction-setting policy for the River. Case law indicates that activities which are subject to the V&S are required to provide for the protection and restoration of the River, and that this will require “betterment” to an extent proportionate with the scale of the activity and its effects.

The surface water take is within primary allocable flow and conditions have been included to limit the volumes of water taken during low flow periods. The proposed activity will avoid instream works and any changes to existing infrastructure. I have reviewed the application against this document, and it is my view that the proposed activity is consistent with the purpose and principles of the Vision and Strategy, provided all conditions are adhered to.

5.2.2 National Environmental Standards

As of June 2026, there are 11 National Environmental Standards that have come into effect.

National Environmental Standard for Sources of Human Drinking Water

The National Environmental Standard for Sources of Human Drinking Water commenced on 17/5/2008. This standard is a regulation enacted by an Order in Council, under s43 of the Resource Management Act. The regulation requires that a regional council must not grant a water or discharge permit for an activity that will occur upstream of a drinking water abstraction point if specific criteria at the point of abstraction are exceeded. The matters to be considered as part of an assessment are dependent on the permit being sought and the level of effects on any drinking water supplier located downstream or down gradient of the activity.

Under this regulation a regional council may also impose a condition of consent on any resource consent application requiring the consent holder to notify, as soon as reasonably practical, the registered drinking-water supply operators and the regional council if the activity leads to an event that, or as a consequence of an event, results in a significant adverse effect on the quality of the water at the abstraction point.

The HCC drinking water take is registered in the Taumata Arowai register of Drinking Water Suppliers and is in the same location as the applicant's proposed water take. The next downstream water take from the Waikato River is for the Ngāruawāhia – Huntly community water take, supply ID HUN002, approximately 23km downstream. As discussed in section 5.1 of this report, the effects of the proposed surface water take are less than minor on the flow regime downstream, and therefore, the application is consistent with the regulations 7 and 8 and s104G of the RMA.

5.2.3 Other regulations

The Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 apply to any consumptive take greater than 5L/s. The proposed surface water take does meet the threshold for the Regulations to apply and relevant conditions have been included.

5.2.4 National policy statements (including NZ Coastal Policy Statement)

As of June 2026 there are ten National Policy statements in Effect.

The **National Policy Statement for Freshwater Management (NPSFM)** is relevant to this proposal. The objective of the NPSFM 2020 is to ensure that natural and physical resources are managed in a way that prioritises the health and wellbeing of water bodies and freshwater ecosystems, the health needs of people, and the ability of people and communities to provide for their social, economic and cultural wellbeing. There are 15 policies to achieve this objective. The water take volumes are within the allocable flows of the Waikato River catchment and therefore the proposed water take will not result in the loss of extent or values of rivers (section 3.24). It is my view that this application is not inconsistent with the objectives of the NPSFM.

The **National Policy Statement for Urban Development (NPSUD)** came into effect in August 2020. The NPSUD provides direction on planning for urban environments. The NPSUD enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1). The water take is to provide water to a new subdivision which is considered to contribute to HCC's development capacity in accordance with the NPSUD, as HCC is classified as a tier 1 Council. It is my view that this application is not inconsistent with the objectives of the NPSUD.

The **National Policy Statement for Infrastructure (NPSI)** came into effect in December 2025. The NPSI defines infrastructure, additional infrastructure and infrastructure activities which include a water supply distribution system and the construction, operation, maintenance, upgrade and removal of infrastructure including the intake structure, water treatment plant, pipeline and storage facilities. The NPSI enables the infrastructure to support the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations. It is my view that this application is not inconsistent with the objectives of the NPSI.

5.2.5 Regional Policy Statement

The Regional Policy Statement (RPS) identifies the significant resource management issues of the region and sets out the objectives, policies and methods to address these issues and to achieve integrated management of the natural and physical resources of the Region. The RPS aims to ensure the way we

use our resources does not tip the balance and compromise the ability of future generations to provide for their own needs.

The Waikato Regional Council's RPS was made operative on 20 May 2016 and the amended version was publicly notified on 30 September 2022. I have reviewed the objectives and policies of the RPS with regard to this application.

- Objective IM O1: - Integrated management
- Objective IM O2: - Resource use and development
- Objective IM- O3: - Decision making
- Objective IM- O4: - Health and wellbeing of the Waikato River
- Objective IM – O7: - Relationship of tāngata whenua with the environment
- Objective IM – O8: - Sustainable and efficient use of resources
- Objective LF – O1: - Mauri and values of fresh water bodies
- Objective LF – O2: - Allocation and use of fresh water
- Policy IM- P1 - Integrated approach
- Policy IM- P3 - Tāngata whenua
- Policy LF -P1 - Approach to managing water bodies
- Policy LF -P3 - All fresh water bodies
- Policy LF – P5 – Waikato River catchment
- Policy LF – P6 - Allocating fresh water
- Policy LF – P7 – Efficient use of fresh water

I do not consider that the activity will be contrary to the above RPS provisions provided that the activity is carried out as per the consent conditions I have proposed.

5.2.6 Waikato Regional Plan

The Waikato Regional Plan (WRP) is operative. The purpose of regional plans is to help the Council carry out its functions under s30 of the RMA. In October 2016 the Council notified Proposed Plan Change 1 (PC1) intended to protect and restore the health and well-being of water quality in the Waikato/Waipā River Catchments. A “decisions version” of PC1 was released in 2020 and as of June 2026 remains subject to appeals in the Environment Court.

I have assessed the proposed surface water take against the relevant sections of the WRP as below.

Chapter 3.3- Water Takes

- Objective 3.1.2 –Management of water resources
- Objective 3.3.2 –Water takes
- Policy 8: How surface water takes will be classified in catchments that do not exceed the Table 3-5 allocable flows
- Policy 11: Consent Application Assessment Criteria- Surface water
- Policy 15: Consent duration for the taking of water
- Policy 16: Water take recording and reporting
- Policy 17: Water shortage conditions
- Policy 18: Levels of priority to apply during water shortages
- Restricted discretionary activity rule 3.3.4.21
- Standard 3.3.4.27: How water shortage restrictions shall apply
- Table 3-5: Allocable flows for surface water

Chapter 3.4- Efficient use of water

- Policy 1: Manage the use of water
- Policy 2: Efficient use of water

- Permitted Activity Rule 3.4.5.4

I have assessed the proposed water take activity against the provisions of Policy 11. The proposed take is unlikely to adversely affect the restoration and protection of the health and wellbeing of the Waikato River, or the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

The applicant has requested a 35 year duration and 10 year lapse which I consider appropriate for this consent. The duration is in line with Policy 15 of Chapter 3.3 which allows a municipal water take to have a consent duration exceeding 15 years. The 10 year lapse provides for the FFTA process to be completed and development and connection to HCC infrastructure to commence.

In the event of grant of this consent, provision for reviews in line with relevant catchment investigation dates is provided for within Policy 15. The catchment review date is 1 July 2034 (Waikato River 3). Therefore, I consider a review should be provided in the period 1 July 2034 to 30 June 2035 and 1 July 2049 to 30 June 2050.

In accordance with Policy 16, I consider it reasonable for the applicant to install a tamperproof water measuring device, with electronic recording and reporting via telemetry. Virtual recording and reporting requirements have also been included to ensure consistency with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 until a physical connection occurs.

Overall, I consider the proposed surface water take, if undertaken in accordance with the proposed conditions, is consistent with the objectives and policies of the Waikato Regional Plan.

5.2.7 Waikato Regional Council – Proposed Plan Change 1

Proposed Plan Change 1 was notified on 22 April 2020, with the purpose to restore and protect the health and wellbeing of the Waikato and Waipa River catchments. The plan focuses on reducing the effects of contaminants from entering the catchments from point source and non-point source discharges. As the proposed water take is unlikely to increase the levels of nitrogen, phosphorus, sediment and bacteria in groundwater or surface water, the activity is therefore consistent with the relevant objectives and policies of the proposed plan.

5.3 Other Matters

Waikato-Tainui Environmental Plan (Tai Tumu Tai Pari Tai Ao)

The overarching purpose of the Waikato-Tainui Environmental Plan is “to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that it was in when Kiingi Taawhiao composed his maimai aroha”. Amongst other things, it describes Waikato Tainui environmental issues and provides guidance to external agencies regarding Waikato-Tainui values, principles, knowledge and perspectives on, relationship with and objectives for natural resources and the environment. The granting of this consent application, subject to conditions as proposed is not inconsistent with the Waikato Tainui Environmental Plan.

Ngāti Hauā Environmental Management Plan

The Ngāti Hauā Environmental Management Plan sets out the values, frustrations, aspirations and position statements in relation to the natural environment, urban development, cultural heritage and use and development of Maori land. Relevant objectives include those in relation to 1) integrated holistic and collective approach to land use, development and management, 2) restoration of land and soils, and 3) recognition of Ngāti Hauā values, interests and mātauranga. I have assessed this proposal against the objectives and outcomes within these plans and overall, I consider that the proposal is consistent with these Iwi Environmental Plans.

Climate change effects

Section 7(i) of the RMA identifies the effects of climate change on the proposal as an “other matter” to which particular regard must be had. I have considered the potential effects for climate change and conclude that there is unlikely to be any such effects of concern.

6 Relevant Part 2 Considerations

The policy framework applicable to this application is robust, comprehensive and was established with the purpose of giving effect to Part 2 of the RMA. For that reason, I consider that consistency with the policy framework can be assumed to equate to consistency with Part 2 and a separate Part 2 assessment would add little value. However, for the avoidance of any doubt, I have considered the application against the relevant matters in Part 2, and in my opinion, the proposal is consistent with them.

7 Discussion/Conclusions

The applicant has applied to take up to 1,323 cubic metres per day at a rate of 15.3 litres per second for residential and commercial use at a new development at Brymer Farms. The water will be taken from the Waikato River from HCC’s intake structures.

The proposed surface water take is a restricted discretionary activity under rule 3.3.4.21 of the Waikato Regional Plan. The use of water is a permitted activity under rule 3.4.5.4.

During this assessment I have considered the following;

- Potential effects on flow regimes,
- Potential effects on aquatic biota,
- Consistency of the activity with relevant policies, regulations, plans and standards,
- Consistency with other relevant planning documents,
- Consistency of the activity with Part 2 of the RMA.

As discussed in the body of the report, the environmental effects associated with the proposed activities are likely to be less than minor. If the activity is undertaken in accordance with the recommended conditions, the proposed activities will be consistent with the Waikato Regional Council’s policies and plans and with matters under Part 2 of the RMA. As a result of this assessment, I consider that the resource consent authorising the surface water take can be granted.

As discussed in section 5.2.6, a term of 35 years is recommended in line with Policy 15. Provision for review following the relevant catchment investigation date is also provided.

7.1 Review periods

I have proposed a review condition be included, providing opportunity for an annual review and within one year of a catchment investigation being undertaken for the Waikato River Catchment (3) as shown by Table 3-4 of the Waikato Regional Plan (1 July 2034 and 2049). The review is recommended for the following purposes:

- For any of the purposes specified in section 128(1) of the RMA; or
- To review the adequacy of and the necessity for monitoring undertaken by the consent holder.
- To review the appropriateness of the take volumes of this resource consent, and if necessary, to address any inappropriateness of the volumes by way of reducing these volumes.
- To review the consistency of the conditions of this consent with the Vision and Strategy set out in Schedule 2 of Waikato-Tainui Raupatu (Waikato River) Settlement Claims Act 2010 and any

subsequent changes thereof; and if necessary to address any inconsistency of the conditions of this consent with the vision and strategy by way of further or amended conditions.

8 Monitoring

The Waikato Regional Council is responsible for managing and monitoring the cumulative effects of surface water bodies in the region. It is recommended that the following matters be addressed as conditions of the surface water take resource consent. I also consider that relevant administrative conditions should be included.

Operational limits

The following operational limits are recommended:

- A maximum total daily volume of **1,323 cubic metres** and an annual volume of **392,742 cubic metres**.
- The instantaneous rate of water shall not exceed **2.88 cubic metres per second** (in line with HCC's current maximum rate of take, authorised by AUTH113941.01.03)
- Water shortage conditions during periods of low flows, to reduce by 85% averaged over two days.

Monitoring

To effectively monitor the water take, the following monitoring requirements are recommended:

- Installation and maintenance of tamper proof water measuring device
- Recording of water take information via telemetry through a physical and virtual system

9 Recommended Decision

I recommend that in accordance with s104C resource consent application be granted in accordance with the duration and conditions prescribed in the attached Resource Consent Certificate for the following reasons:

- The activity will have less than minor actual or potential adverse effects on the environment
- The activity is not contrary to any relevant plans or policies
- The activity is consistent with the purpose and principles of the Resource Management Act 1991



Charlotte Walter

Senior Consents Officer

Resource Use Directorate

Date: 23 June 2026

10 Decision

That the resource consent applications are granted in accordance with the above recommendations.



Donna Jones

Date: 24 June 2026

Team Leader – Consents

Resource Use Directorate

Acting under authority delegated subject to the provisions of the RMA 1991 which at the time of decision had not been revoked.

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH148775.01.01

File Number: 61 94 91A

*Pursuant to the Resource Management Act 1991, the
Regional Council hereby grants consent to:*

Brymer Farms Limited
P O Box 1559
Waikato Mail Centre
Hamilton 3240

(hereinafter referred to as the Consent Holder)

Consent Type: Water Permit

Consent Subtype: Surface water take

Activity authorised: To take surface water from the Waikato River to supply the Brymer development

Location: 2 Waiora Terrace, Fitzroy, Hamilton

Map reference: NZTM 1802834 E 5813070 N

Consent duration: This consent will commence in accordance with section 116 of the Resource Management Act 1991 and will expire on 23 June 2061

Lapse date: 23 June 2036

Subject to the conditions overleaf:

CONDITIONS

1. Water taken must only be used for municipal supply purposes associated with the Brymer Farms development described in the application for this consent.
2. The taking of water allowed by this consent must only be undertaken via the existing water intake structure ("intake structure") that is located at or about NZTM 1802860 5813074 and is owned and operated by Hamilton City Council and from 1 July 2026 will be owned and operated by IAWAI.
3. Prior to physically taking water for the first time pursuant to this consent, the consent holder must provide documentation to Waikato Regional Council ("WRC") that demonstrates that a legally binding arrangement – involving the consent holder and the owner and operator of the intake structure – is in place and provides for the consent holder to use the intake structure over the duration of this consent to enable taking water pursuant to this consent.
4. Water must not be physically taken pursuant to this consent until WRC has provided confirmation in writing to the consent holder that WRC has received the documentation required by condition 3.
5. Conditions 3 and 4 do not apply if both of the following apply:
 - (1) water has not physically been taken for the first time pursuant to this consent; and
 - (2) this consent has been transferred in whole in accordance with section 136(2)(a) of the Resource Management Act 1991 to either Hamilton City Council or IAWAI.
6. Water must not be taken when taking water pursuant to this consent – either on its own or in combination with any other consent that allows water to be taken from the Waikato River via the intake structure – is contributing to or will contribute to an exceedance of 2.88 cubic metres per second being taken via the intake structure.
7. The daily net take volume must not exceed 1,323 cubic metres and the annual net take volume for the year ending 30 June must not exceed 392,742 cubic metres.
8. The consent holder must submit a demand forecast report to WRC by 31 October each year. Each demand forecast report must include at least the following:
 - (1) An analysis of actual one-day and two-day net take volume pursuant to this consent for the previous year ending 30 June.
 - (2) A forecast of unrestricted peak one-day and unrestricted peak two-day net take volume pursuant to this consent for the current year ending 30 June.
 - (3) A commentary regarding the forecast's methodologies and assumptions and justification for the forecasted volumes.
9. When the Waikato River seven-day rolling average flow at Rangiriri (WRC site number 1131.117, map reference NZTM 1788389E 5855059N), as determined by WRC, is less than 163.53 cubic metres per second for 10 or more consecutive days, the net take volume over any two-day period must not exceed 85 percent of the unrestricted peak two-day net take volume forecasted pursuant to condition 8 for the corresponding year ending 30 June.
10. If, in any year and for any reason, the consent holder does not submit the demand forecast report required by condition 8 by 31 October, condition 11 applies over the course of the corresponding year ending 30 June instead of condition 9.

11. When the Waikato River seven-day rolling average flow at 1131.117, as determined by Waikato Regional Council, is less than 163.53 cubic metres per second for ten or more consecutive days, the net take volume over any two-day period must not exceed 85 percent of the highest actual two-day net take volume for the three immediately preceding years ending 30 June.
12. Within one month of the granting of the consent, the consent holder must implement a virtual water take measurement, recording and reporting system ("virtual system"). The virtual system must:
 - (1) generate 96 virtual measurement values per day representing 96 15-minute periods; and
 - (2) record a net take volume of zero cubic metres on a continuous basis in units of cubic metres for each 15-minute period; and
 - (3) be automated and auditable; and
 - (4) be capable of electronic daily reporting to WRC in accordance with WRC data standards and protocols; and
 - (5) continuously operate upon and from its implementation date; and
 - (6) cease operating upon and from the implementation date of the physical system required by condition 14.
13. For the purposes of section 125 of the Resource Management Act 1991:
 - (1) generating and reporting zero net take values via the virtual system does not constitute giving effect to this consent; and
 - (2) this consent shall be deemed to have been given effect to only upon physically taking water for the first time pursuant to this consent; and
 - (3) this consent lapses 10 years after the date of commencement of this consent.
14. Prior to physically taking water for the first time pursuant to this consent, the consent holder must install and implement a physical water take measurement, recording and reporting system ("physical system"). The physical system must:
 - (1) measure and record the net take volume on a continuous basis in units of cubic metres for each 15-minute period; and
 - (2) have a minimum accuracy of +/- 5 percent; and
 - (3) be sealed and tamper-proof; and
 - (4) be capable of electronic daily reporting to WRC in accordance with WRC data standards and protocols; and
 - (5) continuously operate upon and from its implementation date.
15. If the consent holder considers that it is not practicable to install the physical system at the location from which the water is taken from the river ("take location"), the consent holder may submit a written request to WRC that proposes to install the physical system at either an alternative location or alternative locations ("alternative location") as near as practicable to the take location. The written request must include at least the following:
 - (1) A full explanation – set out in terms of why this consent was required in the first instance and the specific purpose this consent is intended to serve – detailing the reasons why physical system installation at the take location is not practicable and why the proposed alternative location is as near as practicable to the take location.
 - (2) A detailed site plan clearly identifying both the take location and proposed alternative location.
 - (3) Technical specifications and independent verification from a suitably qualified person demonstrating that the physical system will be able to comply with the requirements of condition 14 if installed at the proposed alternative location.
16. The physical system must be installed at the alternative location if WRC after considering both:
 - the written request made pursuant to condition 15; and

- why this consent was required in the first instance and the specific purpose this consent is intended to serve;
- provides written notice to the consent holder advising both:
- WRC approval; and
 - the period of approval;
- for the physical system being installed at the alternative location because in WRC's opinion the alternative location is as near as practicable to the take location.
17. The physical system must be installed at the take location if WRC – after considering the written request made pursuant to condition 15 – does not provide written notice to the consent holder advising WRC approval for the physical system being installed at the proposed alternative location.
 18. The physical system must be installed at the take location if the consent holder does not make a written request pursuant to condition 15.
 19. The consent holder must ensure that the virtual system is verified as accurate by a suitably qualified person before the next 30 June following the granting of this consent, unless the physical system has been implemented and is operating, in which case virtual system verification is not required.
 20. The consent holder must ensure that the virtual system is verified as accurate by a suitably qualified person at a frequency of no less than five yearly from the date of the first verification required by condition 19, unless the physical system has been implemented and is operating, in which case virtual system verification is not required.
 21. The consent holder must ensure that the physical system is verified as accurate by a suitably qualified person:
 - (1) within one month of water physically being taken pursuant to this consent for the first time; and
 - (2) at a frequency of no less than five yearly from the date of the first verification required by condition 21(1).
 22. WRC may at any time request the consent holder to engage a suitably qualified person to undertake verification of the virtual system or physical system, and the consent holder must comply with any such request within the timeframe specified by WRC in the request.
 23. The consent holder must submit to WRC evidence of any verification of the virtual system or physical system – including the name and qualifications of the verifier and the results of the verification – within one month of any verification being completed.
 24. Upon and from the date of virtual system implementation and continuing upon and after the date of physical system implementation, the consent holder must report – via a telemetry system compatible with WRC data standards and protocols – continuous values of recorded net take volume – from either the virtual system or the physical system – in each 15-minute period. These data in units of cubic metres must be reported once daily to WRC via the telemetry system and:
 - (1) there must be 96 values per daily report representing 96 15-minute periods; and
 - (2) when no water is being taken the data must specify the net take volume as zero.
 25. The consent holder must submit a report to WRC by 31 October each year that contains:
 - data and information at sufficient resolution; and
 - supporting analysis and commentary;
 to enable compliance with condition 6 to be assessed for the previous year ending 30 June.

26. The consent holder must ensure that the APP148775 Brymer Road Development Water Management Plan ("WMP") – dated April 2026 and recorded with document number 36433366 in the WRC document management system – is reviewed and updated – having particular regard to the requirements of Waikato Regional Plan section 8.1.2.2 Water Management Plans and clauses b) and c) of Waikato Regional Plan section 3.3.4.11 Conditions relating to Water Management Plans – and submitted to WRC during the period May through June, inclusive, 2029. Thereafter, the consent holder must ensure that the WMP is reviewed and updated – having particular regard to the requirements of Waikato Regional Plan section 8.1.2.2 Water Management Plans and clauses b) and c) of Waikato Regional Plan section 3.3.4.11 Conditions relating to Water Management Plans – and submitted to WRC during the period May through June, inclusive, of 2032, 2035, 2038, 2041, 2044, 2047, 2050, 2053 and 2056.
27. In the event of any conflict between any version of a WMP and the conditions of this consent, the conditions prevail.
28. At any time during the years ending 30 June 2030, 2033, 2036, 2039, 2042, 2045, 2048, 2051, 2054 and 2057 WRC may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 for the following purposes:
- (1) To review the effectiveness of the conditions of this consent in avoiding or mitigating any adverse effects on water resources or persons from the exercise of this consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions.
 - (2) To review the adequacy of and the necessity for monitoring undertaken by the consent holder.
 - (3) To review the appropriateness of any rate and/or volume specified within this consent and, if necessary, to address any inappropriateness of any rate and/or volume by way of reducing any rate and/or volume.
 - (4) To review the consistency of the conditions of this consent with the Vision and Strategy set out in Schedule 2 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and any subsequent changes thereof and, if necessary, to address any inconsistency of the conditions of this consent with the Vision and Strategy by way of further or amended conditions.
29. At any time during the years ending 30 June 2035 and 30 June 2050 WRC may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 to take account of any change to the Waikato Regional Plan being proposed as a result of any catchment investigation undertaken by WRC in terms of Waikato Regional Plan 3.3.4.9 Review Allocable Flows/Sustainable Yields and Waikato Regional Plan Table 3-4A Catchment Investigation Dates for Waikato River (3) – Karapiro Dam to Ngaruawahia at confluence of Waipa (including the Waipa River).
30. The consent holder must pay to WRC any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act

Advice notes

1. Nothing in this consent operates as an approval from the owner and operator of the intake structure and water treatment and reticulation network for access to that infrastructure.
2. The virtual system is required to ensure compliance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 during the period between the

granting of consent and the commencement of taking water. During this period, physical system infrastructure may not yet be installed, but the regulations require continuous daily reporting of water take volumes, including zero values. The virtual system provides a structured, automated, and auditable method for recording factual virtually measured zero volumes in 15-minute intervals, ensuring that reporting obligations are met in a manner consistent with the requirements of the regulations until the physical system infrastructure is in place.