

**APPENDIX IV  
LAKE ROTORANGI  
PATEA RIVER HYDRO SCHEME**

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## **LAKE ROTORANGI DESIGNATION DECISION – PATEA RIVER HYDRO SCHEME**

Pursuant to Section 118 (5) of the Town and Country Planning Act 1977, the Egmont Electric Power Board (hereinafter called “The Board”) requires that provision be made in the respective District Schemes of the Hawera District Council, the Eltham and Patea County Councils, as appropriate —

- (A) For the formation of a lake behind an earth dam located at, or about, Map reference NZMS

LAKE N 130-123331 in the Patea County to be used for the generation of electricity, such lake to be formed by controlling the maximum operating level of the water in the lake to a level of 80 metres above mean sea level.

- (B) For the provision of a dam site and power house area as set out on map sheet 13

DAM submitted to Patea County Council.

- (C) (1) The provision of a Lake Shore Reserve of a minimum width of 20 metres,

RESERVES related to a theoretical lake level of 80 metres above mean sea level, subject to the provisions below, around the total perimeter of the lake and extending up any tributary, river or stream exceeding three metres in width except where the topography of the land precludes the siting of necessary roads or road reserves other than within this area. Where the topography of the land makes the siting of a road, or road reserve, within the close proximity to the edge of the 20-metre reserve impracticable as determined upon by the Board and the territorial local authority concerned, then the 20-metre reserve strip shall as much as is necessary be replaced by a road, or road reserve and the provision of the 20-metre reserve strip around the entire lake boundary shall be subject to road access, parking and barge docking provisions, more specifically set out hereunder.

- (2) The provision of a further reserve for parking and recreational facilities just upstream of the dam and associated works on the left bank from land which has previously been used for constructional purposes.

The above information shall be subject to the following conditions:

- (i) All reserves shall be vested in the territorial local authority in whose territory they are situated unless, prior to the vesting, an Administering Body is appointed under the Reserves Act 1977 in which case the reserves will be vested in such administering body.

- (ii) The cost of the land for reserves, its subdivision of and incidental to its vesting as above set out, shall be borne by the Board.
- (iii) The Board shall, whether the reserves are vested in the Council or not, be responsible for carrying out the conditions of the Taranaki Catchment Commission Water Right No 488 and in particular, so far as preparation, formation and maintenance of the lake perimeter and reserve area is concerned.
- (iv) Those areas of the river reserve or any other reserve other than road reserve inundated by the lake and not replaced by lake shore reserve, or road reserve, shall be compensated for by land for reserves at such point, or points adjoining the lake as shall be approved by the appropriate Council or at the option of the Board or the appropriate Council may be compensated for in cash the amount to be determined under the Public Works Act 1928.

(D) The retention of the following roads and road reserves —

**FIRST PART**

- ON ROADS**
- (1) A continuous road, or road reserve outside the 20-metre lake reserve provided this is practicable as determined by the Board and the territorial local authority concerned, on the left bank of the lake from Glen-Nui and downstream, through Maben Road, across a new bridge to be constructed and linking up with Ball Road extension.
  - (2) The extension of the Tangahoe Valley Road along the left bank of the Kuraiti Stream as access to the lake on the right bank of the Patea River, to the boundary of Lot 1, Pt Sec 5 as shown on the scheme plan of subdivision 1007459 prepared by Payne Sewell Limited in October 1987, to a formed width of 10m.
  - (3) A road connecting the lower Maben Road with Rotorangi Road and the lake reserve above the dam site.
  - (4) The retention of the Patupuremu Road to join Maben Road.

In respect of roading, the following conditions shall apply —

Save as is set out below, the provision of road including bridges and road reserves, shall be the responsibility of the Territorial Authority in whose area they are.

**Conditions**

The basis on which the conditions are set is intended to reinstate any roads, or bridges, which are inundated and to provide for improvements where added usage is envisaged as a direct result of the formation of the lake and where the lake necessitates the provisions of alternative access for the land used around its perimeter.

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- (1) Where any of the above roads, bridges or road reserves are inundated, (except for the length of road from Glen-Nui at the upstream boundary of Glen-Nui Station to the dam site) then these parts inundated shall be raised, or replaced at a level not less than the 100-year flood level, or in the case of bridges, not less than to give clearance to a 100-year flood to the satisfaction of the local authority engineer based on acceptable design principles at the expense in all things of the Board and, in particular—
- (i) They shall be sited in a position which shall not allow flooding and which shall have an adequate and stable foundation but as near as is practicable to the lake side reserve where that reserve exists, or where there is no reserve as near as is practicable to the lake itself.
  - (ii) They shall be replaced with roads to a Class 2 axle loading NRB standard all-weather access, metalled but not sealed, except where the part required to be replaced has been previously sealed, when the replacement shall also be sealed – all roads to conform generally with “The Guide of Design or Rural Roads” – as prepared by the National Roads Board.

**Note:** The Planning Committee is of the opinion that the formation of the lake will of itself require the Councils to upgrade the access roads to at least this standard.

- (iii) Included in the road area to be brought up to this standard at the Board’s expense, and in addition to the road inundated, is the whole of the access road through Ball Road, Ball Road extension, the Ball Track and Maben Road to the dam site with such necessary gates and/or cattle stops as the Patea County Council shall reasonably require.

**Note:** The necessity to upgrade this road is a direct result of the Power Project and will in any case be required by the board for access purposes.

- (iv) Included in the road area to be brought up to this standard is a new road to be formed connecting the lower Maben road with the Rotorangi Road and the lake reserve in the vicinity of the dam site.
- (v) If required by circumstances specifically attributable to the formation of the lake and power project, following consultation with the Board, and pursuant to a resolution of the appropriate Territorial Council, the Board shall erect a fence, or fences, to an adequate standard so as to contain any formed road, or road reserves which pursuant to these conditions are being replaced and/or upgraded in positions satisfactory to the appropriate Councils and the costs of such fencing shall be the responsibility of the Board.

These requirements shall lapse fifteen years after the date that the engineer of the Local Authority certifies that the road has been brought up to the standard satisfied above.

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- (vi) The Board shall provide at the point shown on the accompanying plan a private causeway and metalled vehicle track along the right bank of the Kuraiti Stream to the new site on Mr D Larcom's whare. This track shall be of sufficient standard to provide access for trucks.
  - (vii) The Board shall provide at the private causeway on the Kuraiti Stream shown on the accompanying plan adequate private turn-around, parking and docking facilities for the reasonable farming needs for the landowners on the left bank of the Patea River and Mr D Larcom and his successors and suitable docking facilities on the opposite side of the lake to enable the loading and unloading of the barge referred to below.
  - (viii) Where any bridges in this area are inundated or endangered by the scheme, they shall be raised and/or replaced by bridges of the same standard, or bridges which will take a HNHO 72 design load, whichever is better. If any bridge requires replacement it shall be replaced in low maintenance materials.
  - (ix) The Board shall construct a new bridge over the Patea River linking the Ball and Maben Roads in low maintenance materials to take at least an HNHO 72 design load.
  - (x) Where it can be shown that any damage to the bridge over the Patea River on the Rawhitiroa Road is caused wholly, or partly by the formation of the lake and/or the Board's Hydro-electrical scheme, then the Board shall be liable for such damage, the question of liability and quantum of damage shall be referred to Arbitration in accordance with the Arbitration Act 1908.
  - (xi) All roads, bridges and other works referred to above, which are the responsibility of the Board, shall be maintained by the Territorial Local Authority at the cost of the Board for four years after completion of the work, or the commissioning of the Scheme, whichever is the later, except where the roads are not replacements or existing inundated roads where the maintenance period shall be one year after the completion of the work or commissioning of the scheme, whichever is the latest.
  - (xii) If there is any disagreement between the Board and the Local Authority concerning the standard and/or completion, or non-completion of any work, the matter shall be referred to the District Commissioner of Works, Wanganui or his appointed representative, whose decision shall be binding on all parties.

- (xiii) The Board recognises the wish of the Territorial Local Authorities to carry out the work, referred to in these conditions, which arises in their territories and where possible the Board will endeavour to have the work done by the local territorial authority concerned. The final contracting out of the work shall always be the prerogative of the Board after the contracts plans and specifications have been considered by the local territorial authority and who has not met the terms and conditions given by the Board within a specified time limit.
- (xiii) Areas of road, or road reserve inundated by the lake and not replaced by lake shore reserves, or road reserve, shall be compensated for by land for reserves at such point or points adjoining the lake as shall be approved by the appropriate Council or at the option of the Board or the appropriate Council may be compensated for, in cash, the amount to be determined under the Public Works Act 1928.

SECOND  
PART ON  
ROAD

Where any part of the road, farm track and bridges between the upstream boundary of the Glen-Nui Station to the dam site are inundated, then the road track, or bridge inundated, shall be raised or replaced at the expense in all things of the Board, and in particular —

- (vi) They shall be sited in a position as near as is practicable to their present position and provided it is practicable as determined by the Board and the territorial local authority concerned outside the 20-metre lake reserve and shall have adequate and suitable foundation and not less than the 100-year flood level, or in the case of bridges, not less than to give clearance to a 100-year flood to the satisfaction of the local authority engineer, based on acceptable design principles.
- (vii) They shall be replaced with road or tracks capable of being traversed by a 35 tonne bulldozer, or a road or a track of the same state and conditions as is there at present, whichever is the better, this standard shall not apply to tracks or bridges within the property of Mr and Mrs R J McColl, where they shall be replaced to the same standard as they are in now.
- (viii) Notwithstanding that the existing road or track does not go as far as the upstream boundary of the property of Mr and Mrs R J McColl, the Board shall extend the existing road or track to that boundary.
- (iv) Where any bridges in this area are inundated, or endangered by the scheme, they shall be raised and/or replaced by bridges of the same standard, or bridges which will take a H20 S16 T16 design load, whichever is the better. If any bridge requires replacement, it shall be replaced in low maintenance materials.

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- (v) Those areas of road reserve or any other reserve in this area inundated by the lake and not replaced by lake shore reserve or road reserve, shall be compensated for by land for reserves at such point or points, adjoining the lake as shall be approved by the appropriate Council or at the option of the Board, or the Board or the appropriate Council may be compensated for, in cash, the amount to be determined under the Public Works Act 1928.
  - (vi) Where fences and culverts are inundated within the Glen-Nui Station only, they shall, if such owner so requires, be replaced and the cost of any gate widening, or fence realignment necessitated by the provision of a 35 tonne bulldozer access, shall be borne by the Board.
  - (vii) It is a further condition that until such time as a legal formed road is completed from the upstream boundary of Glen-Nui Station to the upstream boundary of R J and F M McColl's property, the Board shall arrange, at its own expense, a contractual licence from the owner of Glen-Nui Station in favour of R J and F M McColl, or the owner for the time being of the land now owned by R J and F M McColl, allowing them to traverse the road or farm track referred to above, with a bulldozer or bulldozers not heavier than the present 35 tonne model.
  - (viii) All roads, bridges and other works referred to above, which are the responsibility of the Board, shall be maintained by the Territorial Local Authority at the cost of the Board for four years after completion, or the commissioning of the Scheme, whichever is later, except where the roads are not replacements of existing inundated roads where the maintenance period shall be one year after the completion of the work or commissioning of the scheme, whichever is the later.
  - (ix) If there is any disagreement between the Board and the Local Authority concerning the standard and/or completion or non-completion of any work, the matter shall be referred to the District Commissioner of Works, Wanganui or his appointed representative, whose decision shall be binding on all parties.
  - (x) The Board recognises the wish of the Territorial Local Authorities to carry out the work referred to in these conditions, which arises in their territories and where possible the Board will endeavour to have the work done by the local territorial authority concerned. The final contracting out of the work shall always be the prerogative of the Board after the contract plans and specifications have been considered by the local territorial authority and who has not met the terms and conditions given by the Board within a specified time lime.

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MISCELLANEOUS CONDITIONS

1. The Board shall provide a barge with a loading capacity of not less than 10 tonnes, such barge being available at all reasonable times, as of right, for use by the Power Board, the three Territorial Local Authorities, the property owners on the left bank of the Patea River between the northern boundary of the land contained in Certificate of Title FZ/761 and the southern boundary of the land contained in Certificate of Title C1/1340, and the Administering Board under the Reserves Act, if one is constituted, and such other persons as the Board, the three Councils or the Administering Board under the Reserves Act, shall think fit. The barge shall be maintained by the Board as long as any of the Councils or the Reserves Board, if constituted, think fit.

The barge referred to above shall be constructed and maintained in accordance with the Shipping and Seamens Act 1955. The Board shall provide suitable docking and loading facilities for the barge.

2. The Board shall provide such access across the dam as is reasonable having regard to the operation of the Board's Hydro-electrical scheme and its security. Initially, it is realised that access would be by permit but it is the hope that in the future as much unrestricted access as possible may be granted by the Board.
3. The Board shall install in its scheme such monitoring devices as shall be necessary to enable warning of any release of water through the breach of the dam at least two hours prior to the water so released reaching the Patea railway bridge, to be given to the Patea Borough and County Councils.
4. That Mr D G Larcom, his wife and issue, so long as he, or they, or any of them are the owners of the adjoining land, be granted exclusive rights to use 250 metres of the lake side reserve to be located down river from the Kuraiti Stream. The right shall expire after a period of fifty years from the date hereof, and upon Mr Larcom, his wife or issue, to erect any structures on the lake side reserve. The decision as to whether any structures may be erected will be decided by the Controlling Authority.

The Board shall, at its own expense, reinstate Mr Larcom's whare and yards at a site to be agreed upon by Mr Larcom and the Board.

5. In lieu of the following land lost by inundation:

Kaihiki Maori Reserve Section 7 Block I Opaku SD  
Section 8 Block II Opaku SD  
Part Rotorangi Block III Opaku SD

If agreement can be reached with the Crown, the Board shall provide an equivalent area of land within Section 7 Block II Opaku SD, or such other area agreed between the respective parties, the siting to be approved by the Patea County Council.



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6. Notwithstanding anything hereinbefore contained, the Board will compensate the owners of any land inundated and not specifically referred to above. The amount of such compensation shall be determined under the Public Works Act. Nothing in this decision shall prejudice in any way matters relating to compensation payable by the Board. All terms and conditions in this decision to be undertaken or fulfilled by the Board shall be subject in all respect to the present powers of the Board.