

Completing the application to take and use water?

Please provide more information about your proposed water take.

Please provide an appropriate level of information relative to the scale of your activity. If your proposed take is small, i.e. 500 m³ per week, in an area without any allocation issues and with no other users of the surface waterbody, your description might fit on Form B - you can probably do it yourself.

However, if you're seeking consent to take a large volume of surface water, or from a surface water body that is close to, or fully allocated, you will need to engage a technical consultant to help you¹. Writing 'Not Applicable' is not enough. You need to add some comment, such as: 'My proposed water complies with Policy 42 because in determining the amount of water I have applied for, I have taken into account actual crop water requirements, rainfall, evapotranspiration rates, and the soil type on my property'.

Only particularly relevant parts of policies and objectives are shown here. Full text, relevant objectives and policies are available at: <http://www.hbrc.govt.nz/our-council/policies-plans-strategies/rrmp/>

1. Sustainable management (RMA, Part 2)

The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources. Your proposed activity must use natural and physical resources in a way or at a rate, to enable people and communities to provide for their social, economic, and cultural well-being, and for their health and safety. Your proposed activity must also:

- sustain the potential of natural and physical resources to meet the needs of future generations; and
- safeguard the life-supporting capacity of air, water, soil, and ecosystems; and
- avoid, remedy or mitigate any adverse effects of activities on the environment.

Please explain why you think your proposed surface water take is sustainable

2. Relevant legislation (Section 104(1)(b))

Regional Policy Statement (RPS)

Objective 25: the water quantity of rivers and lakes must be maintained so that it's suitable to sustain aquatic ecosystems in catchments as a whole and ensure resource availability for a variety of purposes across the region, recognising the impact caused by climate fluctuations in Hawke's Bay.

Objective 26: any significant adverse effects of water takes, uses, damming or diversion on lawfully established activities in surface water bodies must be avoided.

Policy 37(a): takes from certain rivers must be managed to the minimum flows and allocatable volumes outlined in the Plan (Policy 74 of the RRMP - outlined below).

¹ Refer to www.hbrc.govt.nz, keyword search: #consents - for more info on who could assist you

Policy 38: the effects of new takes from surface water must be avoided, mitigated or remedied to prevent adverse effects on existing users.

Policy 39: outlines the approach to be taken to allocate water from rivers. Particularly relevant to your application is:

- a) Water allocation is based on reasonable needs and the efficiency of end use. Applicants must determine how much water is required for their activity.
- b) Where, from a new consent application to take water, the demand for water from a stream is greater than the allocatable volume available, a consent will not be issued except where it can be considered under (d).
- d) Water may be allocated over and above the allocatable volume, subject to a substantially higher cut-off (minimum flow) level than specified in Table 9, as long as any additional allocations will not have any adverse effect on other lawfully established activities or any other significant adverse environmental effect. Applicants seeking water over and above allocatable volumes must provide a comprehensive assessment of environmental effects to demonstrate that no such effects will occur, including the justification for any other minimum flow that may be proposed as a mitigation measure.

Policy 42: not more than the crop water requirements for a one in five year drought can be allocated for irrigation takes. The allocation assessment will consider information on crop type, rainfall, potential evapotranspiration rates, and best irrigation management practices. The allocation assessment may also consider soil type and moisture holding capacity.

Objectives 34-37 and policies 64-66 in the RPS give a framework that recognises matters of significance to iwi/ hapū and the actions to take concerning resource consent applications. This includes avoiding significant adverse effects on waahi tapu (sacred places), tauranga waka (landings for waka), taonga raranga (plants used for weaving and resources used for traditional crafts), mahinga kai (food cultivation areas) and the policy requires recognition of the importance of the relationship of Māori with coastal, lake, wetland and river environments.

Regional Resource Management Plan

Objective 41: the water quantity of specific rivers must be maintained so that existing aquatic species and natural character are sustained, while providing for resource availability for a variety of purposes, including groundwater recharge.

Policy 73: sets out the environmental guidelines for management of surface water quantity:

- On rivers (or water management zones) where minimum flows have been established, all takes for which a resource consent is required will be required to cease when the river is flowing at or below the minimum flow (except that where the taking has, as a primary purpose, the provision of drinking water to people or animals, taking could be restricted to the level necessary to maintain human or animal welfare).
- To provide a known level of risk to resource users by ensuring that, for rivers with an established minimum flow, the total allocation authorised through the resource consent process does not result in authorised takes being apportioned, restricted or suspended for more than 5% of the time on average during November-April.

Policy 74 and Table 9 (on the next page) set out the minimum flows and allocatable volumes for specific rivers.

River name	Minimum Flow Site Name	Minimum Flow (l/s)	Allocatable Volume (m ³ /week)	Map Reference
Awanui Stream	At The Flume	120	0	V21:357613
Awanui Stream	At Paki Paki Culvert	35	0	V21:351608
Esk River	At Shingle Works	1,400	355,018	V20:432945
Esk River	At SH2	1,000		V20:438939
Irongate Stream	At Clarks Weir	100	0	V21:367666
Kahahakuri Stream	At Onga Onga Road Bridge	200	17,250	U22:096357
Karamu River	At Floodgates	1,100	18,023	V21:427708
Karewarewa River	At Turamoe Road	75	-	V21:341622
Louisa Stream	At Te Aute Road	30	0	V21:410625
Maharakeke Stream	At Station Road	140	0	U23:041255
Makaretu Stream	At Watson Reach	170	53,827	U23:924270
Mangateretere Stream	At Napier Road	100	0	V21:438659
Maraekakaho River	At Taits Road	100	5,443	V21:170668
Maraetotara River	At Te Awanga Bridge	220	30,971	W21:520661
Ngaruroro River	At Fernhill Bridge	2,400	956,189	V21:330729
Nuhaka River	At Valley Road	80	41,731	X19:225329
Ongaru Drain	Wenley Road	5	0	V21:234653
Papanui Stream	At Middle Road	45	0	V22:278433
Porangahau Stream	At Oruawharo Road	50	-	U23:977259
Pouhokio Stream	At Allens Bridge	80	-	V22:498441
Poukawa Inflow	Site No. 1 (d/s dam)	10	0	V22:282504
Poukawa Inflow	Site No. 1a (u/s dam)	10	0	V22:285502
Poukawa Inflow	Site No. 6	3	0	V22:266478
Poukawa Stream	At Douglas Road	20	0	V22:298533
Raupare Stream	At Ormond Road	300	83,844	V21:398713
Te Waikaha Stream	At Mutiny Road	25	-	V22:361572
Trib. of Kauhauroa Stream	(Taylors)	5	0	X19:970397
Tukipo Stream	At SH 50	150	0	U22:948324
Tukituki River	At Red Bridge	3,500	1,407,751	V22:466581
Tukituki River	At Tapairu Road	1,900	492,307	V22:183312
Tutaekuri River	At Puketapu	2,000	928,972	V21:357812
Tutaekuri-Waimate	At Goods Bridge	1,200	367,114	V21:384751
Waimaunu Stream	At Duncans	10	15,304	X19:229300
Waipawa River	At Waipawa (SH2)	2,300	342,317	V22:163337

Policy 74A gives effect to the interim provisions of the National Policy Statement for Freshwater Management 2014 (NPSFM). The policy requires the Council to have regard to the extent to which the application would adversely affect safeguarding the life-supporting capacity of fresh water and any associated ecosystem, and the extent to which it is feasible and dependable that any adverse

effect on the life supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided. This includes waterways for which an allocation limit and minimum flow restriction is not yet set in Policy 74.

3. Assessment of Environmental Effects (AEE)

Please try and add a sentence or two about each of these points

- The actual or potential effects of your proposed discharge surface water take on the environment? You can comment on positive effects, as well as possible adverse/negative effects.

Have a think about:

- The surface water body from which you propose to take water. What do you call it? Is it a soft bottomed, stony or grassy stream?
 - What aquatic animal and plants are living in the water body and on the banks of the stream that you want to take from? How will your take impact them?
 - What is the surface waterbody used for, i.e. recreation, food cultivation?
 - Will your proposed take affect the ability of other users of surface water to take water?
 - Will the take impact amenity, social, recreational and cultural values associated with the waterway?
 - Are there any waahi tapu or other significant cultural sites at or near your proposed take point? Will your proposed take impact the values associated with those sites?
- How have you calculated the amount of water you require?
 - What is the distance between your proposed point of take and the closest surface water abstraction? Where is the closest public water supply?
 - Information about anything you intend to do to try and reduce the effect that your proposed take may have on the environment.
 - Details of anyone you have talked to about your proposed take because you think the activity might affect them.

If you have questions about what to provide, or want to arrange a meeting to discuss your application before you formally lodge it with HBRC
- contact the Consents Advisor on 06 833 8090.