

Renewal guidance

Heretaunga Plains Groundwater Consent



The Tūtaekuri, Ahuriri, Ngaruroro and Karamū (TANK) Plan Change decision was released in September 2022 and introduces new provisions to manage water allocation from this area.

This decision establishes that the Heretaunga Plains Aquifer is to be managed as an over-allocated resource.

To reduce this overallocation, when assessing applications to replace existing water take consents, the Hawke's Bay Regional Council must now consider Actual and Reasonable Use.

In practice, this approach seeks to 'claw back' water that has previously been allocated to consent holders, but which has not been used within any water year during the reference period of May 2010 to May 2020. This will mean that many consent holders will not be re-allocated the same volume of water they have been previously allocated.

HBRC sent out provisional estimates of each applicant's Actual and Reasonable Use (ARU) in December 2023. Many of the applicants who have responded to these letters have let us know they do not accept these estimates. Applicants commonly seek more water than ARU based on there being insufficient water meter data and/or increased water demands during development phases and crop rotation.

This guidance document has been developed to clarify the consenting pathways to consent holders for water allocation under the TANK Plan Change rules.

***Find out more go to
hbrc.govt.co.nz search#hpwatertake***

Consenting pathways

The TANK Plan Change sets out two pathways for replacement consent applications for the taking and use of groundwater in the Heretaunga Plains Groundwater Area:

- 1.** Where the amount of water sought is considered to meet ARU, TANK Rule 8 applies.

The application will be assessed as a Restricted Discretionary Activity, and notification is precluded.

Some adjustment for insufficient data and crop rotation/development phases can be provided for where appropriate, which is discussed below.
- 2.** Where the amount of water sought is considered more than what is considered to be ARU, TANK Rule 10 applies.

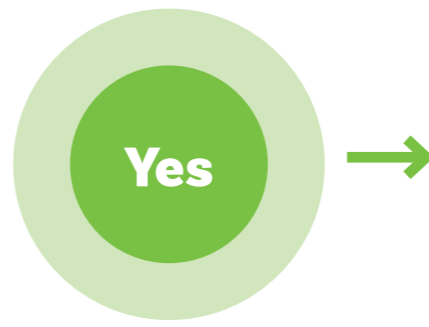
The application will be assessed as a Discretionary Activity, and therefore the matters set out in TANK Policy 34 become relevant and set out when allocation beyond ARU may be acceptable.

Any allocation of water beyond ARU is considered to exacerbate the overallocation of the Heretaunga Plains Aquifer and may be more difficult to gain consent for.



I have now received the provisional estimate of my actual and reasonable water use, what do I do...

Do you accept this volume?



Because...

Let us know that you accept this volume and your consent will continue to be processed under TANK Rule 8

New consents will be processed on a non-notified basis and are likely to be granted for a duration of up to 10 years. Consents issued before any appeals to the TANK Plan Change are decided, will give more certainty of the volume of water allocated for the duration of the new consent. Conditions of consent will be included that:

- Set limits on the rate of take (L/s), 7 or 28 day volumes and an annual volume
- Specify a crop type and irrigation area
- Require installation of a water meter and telemetry of the take, where the rate of take exceed 5 L/s
- Require well security and back flow prevention, over the life of the consent
- Require efficient irrigation in line with industry good practice, and periodic auditing of irrigation system efficiency or make investments and undertake developments after the reference period date of 2 May 2020, which are dependent on using more water than is provided for by the ARU allocation.

Insufficient Data

I used more water than the proposed annual volume during the water years 2010 to 2020.

Provide us with evidence of the water use you have recorded for the irrigation of a crop that was grown between 2010-2020 and your consent may continue to be processed under TANK Rule 8.

Water Sharing

I used more water than was recorded to irrigate on my property, but it was from a different well than what is on my consent.

Provide us evidence of the water sharing agreement and the water use recorded from another well for the irrigation of a crop that was grown between 2010-2020 on your property and your consent may continue to be processed under TANK Rule 8.

Crop Rotation

I did not use more water for irrigation than ARU in the years 2010-2020, but I did grow a crop during this period that could have used more had I grown it in a drier year (ie my highest use year could have been higher, based on a crop I grew during the reference period 2010-2020).

For annual/arable crops, the Plan defines crop rotation as being the systematic planting of different crops in sequence over multiple years within the same growing space or across changing land parcels, and often including a pasture phase.

Provide us evidence of a higher water use crop that was grown within 2010-2020 (including crop type and area irrigated) and the potential water demand of that crop (as provided by IRRICALC) that demonstrates that water use would likely have been above the highest recorded use and your consent may continue to be processed under TANK Rule 8.

Water Ban

I did not use more irrigation water than ARU in the years 2010-2020. I irrigated during this period but in some years, I would have used more irrigation water had there not been a low flow water ban for my take.

Provide evidence of the crop grown and when, as well as the potential water demand (as provided by IRRICALC) for the minimum flow affected periods above the recorded use and your consent may continue to be processed under TANK Rule 8.

Programmed / stage development and investment

I did not use more irrigation water than ARU in the years 2010-2020, nor did I grow a crop in this time that was likely to use more than this. But I have made existing investments prior to 2 May 2020 which are dependent on more water than what is proposed under the ARU allocation.

Provide evidence of investment or a contract for the rootstock to be planted for this expansion made prior to 2 May 2020 and your consent may continue to be processed under TANK Rule 10 and the matters set out in TANK Policy 34.

Increased demand beyond 2 May 2020

I did not use more irrigation water than ARU in the years 2010-2020, nor did I grow a crop that was likely to use more than this. I plan to make investments and undertake developments after the reference period date of 2 May 2020, which are dependent on using more water than is provided for by the ARU allocation.

If a commitment to the new rootstock was not made prior to 2020 it may be difficult to achieve additional water being allocated above ARU. Likewise, additional allocation of water to meet increased water demand occurring after 2020 may be more difficult to achieve. This would need to be considered under Rule TANK 10 and the matters specified under POL TANK 34.

The allocation of water beyond ARU is likely to have an impact on the overallocation of the Heretaunga Plains Aquifer and have a more than minor effect on the environment.

To find out more or to submit more information via an online form, scan the QR code or go to hbrc.govt.nz. search: **hpwatertake**
For further queries email waterpermits@hbrc.govt.nz

