

# CHAPTER 31: RULES FOR WATER TAKE, DIVERSION, USE OR DAMMING

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## 31.1 WATER TAKE, DIVERSION, USE OR DAMMING FROM FRESH OR COASTAL WATER

*Refer to Policy sets 27.3.3, 27.5.3, 30.1.3, 30.2.3, 30.3.3.  
Refer to Rule sections 16.12, 28.2, 28.5, 30.1, 31.2, 36.2, 36.4.*

### 31.1.1 Scope of Section

This section deals with:

- (a) the taking, diversion and use of water;
- (b) diversion of water by structures;
- (c) damming of fresh water;
- (d) damming and diversion of floodwater;
- (e) diversion and take of water from wetlands, including the drainage of wetlands, and the diversion of water by infilling;
- (f) site-to-site transfer of water takes

and includes inshore coastal water.

The water management zones and the soil and surface water yield protection areas are shown on the planning maps. Chapter 28 in Part IV regulates dam structures in the bed of rivers or lakes, Chapter 32 details information required with resource consent applications, and Chapter 36 in Part VI addresses the diversion of stormwater.

C26 2/10  
Op 3/14

The provisions of Section 124 A – C of the Act do not apply to the allocation of water subject to rules 31.1.2.1, 31.1.2.2, 31.1.2.3, 31.1.2.3A, 31.1.2.4 and 31.1.2.5.

C47 4/13  
Op 9/15

#### Advice Notes:

NES-FW (ca)  
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1. The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.
2. Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020 apply to water takes. The regulations may impose additional standards and requirements. Please ensure you have met any requirements in the regulations in addition to those in this plan.

### 31.1.2 Water Take, Diversion and Use

#### 31.1.2.1 Permitted Activities (Take, Diversion or Use from Fresh or Inshore Coastal Water)

The taking, diversion or use of water, including freshwater, coastal water or water stored in a dam, for any purpose, including for domestic water supply, is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

RCP  
Op 10/11

- (a) Except as provided for in condition (n), the amount taken and used for stock drinking water is not limited. C36 3/12  
Op 4/13
- (b) The amount of inshore coastal water taken for ballast is not limited. RCP Op 10/11
- (c) Where water is taken and used for any domestic water supply within any water management zone during periods of water rationing in that zone, there is no watering of lawns or other decorative plants.

- (d) Except as provided for in conditions (a), (b), (e), (f) and (n), the amount of water taken or diverted and used per property is in accordance with Figure 31.1A. C36 3/12  
Op 4/13
- (e) There is no new take occurring after 3 November 2001 from:
- (i) the coastal margin of the Delta Zone;
  - (ii) the coastal margin of the Hau Plains Zone;
  - (iii) the coastal margin of the Marahau Zone.
  - (iv) occurring after 27 April 2013 in the coastal margin of the Lower Confined Aquifer Zone. C47 4/13  
Op 9/15

**Figure 31.1A: Maximum Permitted Water Takes or Diversions in All Zones and of Inshore Coastal Water**

| WATER MANAGEMENT ZONE   | MAXIMUM PERMITTED QUANTITY OF WATER PER DAY PER POINT OF TAKE PER SITE (ONE TAKE PER SITE) (Cubic Metres per Day) | C23 7/08<br>Op 8/14 |
|---|---|---------------------|
| <b>Waimea Zones</b>   |   |                     |
| All zones [except as provided in (e)(i)]  | 5   |                     |
| <b>Motueka/Riwaka Plains Zones<br/>Middle Motueka/Upper Motueka Zones</b>   |   |                     |
| All zones [except as provided in (e)(ii)]   | 10  |                     |
| <b>Moutere Zones</b>  |   |                     |
| All Zones   | 5   |                     |
| <b>Abel Tasman Zones</b>  |   |                     |
| All zones [except as provided in (e)(iii)]  | 5   |                     |
| <b>Takaka Zone</b>  |   |                     |
| All   | 5   |                     |
| <b>Aorere/West Coast and Upper Buller Zones</b>   |   |                     |
| All   | 20  |                     |
| <b>All Zones</b>  |   |                     |
| Any take lawfully existing before 3 November 2001   | 10  |                     |
| <b>Inshore Coastal Water (except where taken from a bore)</b>   |   |                     |
| For marine mammal rescue and the normal operation of ships or offshore installations  | unlimited   | RCP<br>Op 10/11     |
| For all other purposes  | 1000  |                     |
| <b>Note:</b> New bores in the Marahau Coastal Margins Zone and in the coastal margins of the Delta and Hau Plains zones are also not permitted. |   |                     |

- (f) Except as provided for in conditions (a), (b), (e) and (n), the amount of water taken is in accordance with Figure 31.1B. C36 3/12  
Op 4/13

**Figure 31.1B: Maximum Permitted Water Takes or Diversions for Specified Purposes**

|   | MAXIMUM PERMITTED QUANTITY OF WATER PER PROPERTY   |
|---|--|
| (i) Drilling for resource investigations. | 350 cubic metres per week at rates no more than 50 cubic metres per day for no more than seven consecutive days. |
| (ii) Pump testing                         | Pumping shall be for no more than seven consecutive days.  |

|  | MAXIMUM PERMITTED QUANTITY OF WATER PER PROPERTY                                  |
|--|---|
| (iii) Hydro-electric power generation, provided: <ul style="list-style-type: none"> <li>♦ Any person taking water for this purpose gives prior written notice to the Environment and Planning Manager of the Tasman District Council; and</li> <li>♦ Any structure does not impede or block fish or eel passage or waterway capacity; and</li> <li>♦ Entrainment of fish and eels is prevented; and</li> <li>♦ Water taken is discharged in compliance with rule 36.2.2.8</li> </ul> | 20 litres per second and no more than 25 percent of the total instantaneous flow. |
| <b>Note:</b> Resource consents may be needed for construction of dams, weirs or other structures in the river.   |   |

- (g) The taking or diversion of water does not cause any stream or river flow to cease.
- (h) Fish and eels are prevented from entering the reticulation system.
- (i) The taking or diversion of water does not prevent any other individual from taking water for their domestic or stock drinking water supply needs.
- (j) For any groundwater take from the Moutere Eastern, Western, Southern or Coastal Groundwater zones occurring:
- (i) before 3 November 2001, a water meter is installed before 3 November 2004; or
  - (ii) after 3 November 2001, a water meter is installed;
- and information about the amount of water taken is provided to the Council on request.
- (k) Coastal water is taken at a rate less than 12 litres per second. RCP Op 10/11
- (l) The taking, using or diversion of water does not cause erosion of land or the bed or banks of any river.
- (m) The diversion is not a diversion of groundwater or surface water for land drainage. C26 2/10  
Op 3/14  
(Refer to rule 36.4.2.1).
- (n) The taking and use of water from a dam impoundment or a pond or reservoir is not limited, provided: C36 3/12  
Op 4/13
- (i) the take is from a constructed dam impoundment, pond or reservoir, but not including a take from an impoundment created by a weir;
  - (ii) fish and eels are prevented from entering the reticulation system;
  - (iii) water to a depth of 1 metre is retained over 5 percent of the impoundment area to provide for eel survival.
  - (iv) the dam impoundment, pond or reservoir was existing as at 31 March 2012.
  - (v) the take and use of the water is for irrigation, and information is provided to Council on request to show the area irrigated, and that the application rate is appropriate for the soil type being irrigated including as specified in Figure 31.1D in rule 31.1.2.2.
  - (vi) the person taking and using the water is the legal owner of the dam impoundment, pond or reservoir or has a legal access easement.
  - (vii) where a take from the dam exceeds the quantities specified in Figure 31.1A, there is an applicable permit either to take and use, or to dam the water.

**Notes:**RCP  
Op 10/111. Resource Consents

Resource consents may be needed for coastal structures and discharge of coastal water, under other Plan rules.

2. Means of Compliance to Prevent Fish and Eels Entering a Reticulation System

Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted.

### 31.1.2.2 Controlled Activities (Take, Diversion or Use from Fresh or Inshore Coastal Water subject to Existing Permit due for Renewal)

Except as provided by rule 31.1.2.3A, the taking, diversion or use of water from surface water, aquifers and inshore coastal water that does not comply with the conditions of rule 31.1.2.1 is a controlled activity, if it complies with the following conditions: RCP Op 10/11  
C47 4/13 Op 9/15

- (a) The applicant for the water taking and use is the holder of a water permit that is due for renewal and section 124 applies, except: C23 7/08  
Op 8/14
- (i) where the permit has been transferred for a limited period from another point of take in the same management zone under the provisions of rule 31.1.7.1 or 31.1.7.2; or
  - (ii) the permit has been issued for taking and use of water that has been reserved for the purposes set out in Schedule 31D under the provisions of Policy 30.2.3.6.
- (b) Except as provided in condition (c), for any rationing of consumptive water uses required to maintain minimum water flows or levels specified in Schedule 31C, reduction in usage comprises a series of cuts in authorised usage from the maximum weekly authorised, as shown in Figure 31.1C.

**Figure 31.1C: Rationing Steps**

| WATER MANAGEMENT ZONE   | RATIONING STEPS  |
|---|--|
| All water management zones except for the Riwaka  | Step 1 – Allocation less 20% = (quantity) m <sup>3</sup> per week<br>Step 2 – Allocation less 35% = (quantity) m <sup>3</sup> per week<br>Step 3 – Allocation less 50% = (quantity) m <sup>3</sup> per week  |
| Riwaka  | Step 1 – Allocation less 10% = (quantity) m <sup>3</sup> per week<br>Step 2 – Allocation less 25% = (quantity) m <sup>3</sup> per week<br>Step 3 – Allocation less 40% = (quantity) m <sup>3</sup> per week<br>Rationing in the Riwaka Zone will be through rostering implemented by the water user committee according to the staged reductions specified in Schedule 31C.  |
| Reservoir, Waimea West, Golden Hills, Delta, Hope, Eastern Hills, Upper Catchments and Upper and Lower Confined Aquifer | Where there is no Waimea Community Dam or until the Waimea Community Dam commences operation for permits not affiliated to the Waimea Community Dam:<br>In addition to Steps 1 to 3:<br>Step 4 – Allocation less 70% = (quantity) m <sup>3</sup> per week<br>After the Waimea Community Dam commences operation for permits not affiliated to the Waimea Community Dam:<br>Step 1 – Allocation less 20% = (quantity) m <sup>3</sup> per week<br>Step 2 – Allocation less 50% = (quantity) m <sup>3</sup> per week<br>Step 3 – Cease Take |

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Op 6/19

| WATER MANAGEMENT ZONE  | RATIONING STEPS   |
|--|---|
| Wai-iti  | Rationing in the Wai-iti Dam Service Zone will be through rostering implemented by the Wai-iti Zone Water User Committee in accordance with the trigger and low flow specified in Schedule 31C. |
| <b>Notes:</b>  |   |
| (1) If minimum water flows or levels given in Schedule 31C decrease beyond the provisions of these rationing steps, the Council may issue water shortage directions in accordance with Policy 30.2.3.1.  |   |
| (2) Where there is no Waimea Community Dam or until the Waimea Community Dam commences operation for permits not affiliated to the Waimea Community Dam, progression from steps 1 to 4 including cease take may be at the discretion of the Council during times of low water flows or levels, in consultation with current water user committees or as specified in a water permit. Step 1 rationing may be introduced once the specified trigger for rationing (see Schedule 31C) is reached. The need for steps 2, 3 and 4 will be subject to the extent and duration of the low flow period. |   |
| (3) Where there is no Waimea Community Dam or until the Waimea Community Dam commences operation for permits not affiliated to the Waimea Community Dam, rationing beyond Step 4 will be imposed through water shortage directions by Council where it is necessary to avoid saltwater intrusion, or to protect minimum water levels or flows as specified in Schedule 31C and according to the priorities specified in policy 30.2.3.1.   |   |

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### Community Water Supply Rationing

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- (c) For any taking and use of water for community water supply, any rationing required to maintain minimum water flows or levels specified in Schedule 31C, comprises the following series of cuts in authorised usage except for that required to provide for maintenance of human health and animal welfare from the maximum weekly authorised:

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- (i) Either as listed in Figure 31.1C, but not including any step 4:

or

- (ii) As follows:

Step 1: Reduce usage by 10 percent compared with the usage of the equivalent week averaged over the previous eight years.

Step 2: Reduce actual usage after implementing Step 1 by a further 7.5 percent.

Step 3: Reduce actual usage after implementing Step 2 by a further 7.5 percent.

Whichever of (i) or (ii) is the greater reduction in actual water use, provided that after Step 3, water shortage directions as described in policy 30.2.3.1 and as shown in Schedule 31C may further limit amount of water abstracted.

- (d) Except as provided for in (e) or (f), the amount taken and used for irrigation of field crops is the least of:

- (i) the relevant rate of irrigation for the land that has the soil series in the relevant irrigation rate class as given in Figure 31.1D and as shown on the planning maps; or

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- (ii) any lesser rate applied for; or

- (iii) the level of bona fide use; or

- (iv) the sustainable yield of the bore; or

- (v) the quantity specified on the permit being renewed.

**Figure 31.1D: Irrigation Rates**

| SOIL SERIES IN IRRIGATION RATE CLASS                   | RATE (cubic metres/ha/week) | RATE (millimetres/week) |
|--|-----------------------------|-------------------------|
| Mapua, Motukarara and Rosedale soils                   | 190                         | 19                      |
| Appleby, Braeburn, Brightwater, Lee and Mahana soils   | 250                         | 25                      |
| Cotterell, Richmond and Wakatu soils                   | 270                         | 27                      |
| Barnicoat, Dovedale, Riwaka, Sherry and Waimea soils   | 300                         | 30                      |
| Eve, Hau, Motupiko, Ranzau, Redwood and Wantwood soils | 350                         | 35                      |

- (e) The amount taken in the Wai-iti Dam Service Zone following commencement of the discharge from the Wai-iti Community Water Augmentation Scheme, and provided the scheme continues to be in operation, is:
- (i) no more than the quantity able to be yielded from the bore where the take is from groundwater; and
  - (ii) no more than the quantity specified on the permit being renewed; or
  - (iii) any lesser rate applied for.
- (f) For the taking and using of water where there is no Water Supply Agreement in the Delta, Golden Hills, Waimea West, Redwood, Reservoir, Hope, Eastern Hills, Upper Catchments and Upper and Lower Confined Aquifer Zones:
- (i) the amount taken and used for irrigation is bona fide use calculated as the least of the maximum weekly water use in any one week within the 10 years preceding 27 April 2013 which will be further reduced according to:
    - (a) the area for which there is an actual record of irrigation during the 10-year period;
    - (b) irrigation equipment for that area continuing to be available;
    - (c) the soil type as specified in Figure 31.1D;
    - (d) crop type as specified in Figure 31.1DA for any irrigation existing at the time of application, while also taking into account crop rotations within the 10-year period;
  - (ii) the amount taken and used for other uses except for community water supply is the least of:
    - (a) the maximum weekly water use in any one week within the 10 years preceding 27 April 2013; or
    - (b) any lesser rate applied for; or
    - (c) the sustainable yield of the bore; or
    - (d) the quantity specified on the permit being renewed;
    - (e) where the use also utilises water supplied from an urban or rural water supply scheme, the combination of the least or (a) to (d) plus the quantity of water supplied by the scheme
  - (iii) the amount taken and used for community water supply is:
    - (a) the sustainable yield of the bore; or
    - (b) the quantity specified on the permit being renewed; or
    - (c) any lesser rate applied for.

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**Figure 31.1DA: Irrigation Rates by Crop Type**

| CROP TYPES  | RATE<br>(cubic metres/ha/week) | RATE<br>(millimetres/week) |
|---|--------------------------------|----------------------------|
| Apples, Pears, Nashi, Hazelnuts   | 350                            | 35                         |
| Grapes, Olives  | 140                            | 14                         |
| Kiwifruit, Feijoa, Chestnut, Plant Nurseries                              | 350                            | 35                         |
| Berryfruit, Tobacco, Hemp, Hops, Peonies, Essential oil crops             | 290                            | 29                         |
| Stonefruit, Almonds, Walnuts  | 290                            | 29                         |
| Gardening, cool and warm season vegetable growing, protected floriculture | 350                            | 35                         |
| Pasture   | 350                            | 35                         |
| Any other irrigated land use  | 300                            | 30                         |

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- (g) Except within the water management zones listed in condition (f), for any taking and use of water for community water supply, the amount taken is the least of:
- (i) the level of bona fide use; or
  - (ii) any lesser rate applied for; or
  - (iii) the sustainable yield of the bore; or
  - (iv) the amount specified on the permit being renewed;
- or if an increase in the amount specified on the permit being renewed is sought then it is:
- (v) provided for in Schedule 31D and subject to provisions of any waiting list; and
  - (vi) is no more than the amount needed to satisfy the likely water demand for the duration sought for the consent.
- (h) For uses other than those provided for in (d) to (g), the amount taken and used is the least of:
- (i) the level of bona fide use; or
  - (ii) any lesser rate applied for; or
  - (iii) the sustainable yield of the bore; or
  - (iv) the amount specified on the permit being renewed.
- (i) Pursuant to Section 68(7) of the Act, conditions (b) – (i) will affect the exercise of existing permits (including those that are deemed permits under Section 386 such as existing permits without expiry dates and existing notices of existing use) to the extent that any such permit may be subject to a review by Council under Sections 129 and 130 of any condition relating to the rate of use of water, including rationing (including the case where there is no such condition) at any date after the operative date of rule 31.1.2.2.
- (j) A water meter for consumptive takes is installed as specified in Schedule 31B, including telemetered meter readings for takes of 2000 cubic metres per week or greater for permits not affiliated to the Waimea Community Dam.

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Op 9/16

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Op 9/16

- (k) Fish and eels are prevented from entering the reticulation system. C47 4/13  
Op 9/15
- Note:** Means of Compliance to Prevent Fish and Eels Entering a Reticulation System  
Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted.
- A resource consent is required**, and may include conditions on the following matters over which Council has reserved control:
- (1) The quantity, rate and timing of the take not otherwise specified above, including rates of take, rostering or rationing steps required to implement conditions (b), (c) and (d) and (f), and any other requirements to maintain any minimum flow or level given in Schedule 31C. C47 4/13  
Op 9/15
- (2) For applications to take and use for community water supply: C67 7/18  
Op 6/19
- (i) provisions for demand reduction to reasonable and justifiable levels during rationing in drought periods through physical restriction or pricing, or end-use efficiencies via management or technology; and
- (ii) provisions to ensure that restrictions necessary to comply with water shortage directions under policy 30.2.3.1 can be met, or to give effect to clause (b) of policy 30.2.3.13 in respect of the exercise of resource consents for community water supply where under policy 30.2.3.13A there is not substantial progress made towards giving effect to the relevant resource consents for construction of the Waimea Community Dam.
- (3) Requirements for nutrient management as specified in Schedule 31E, and review of conditions to implement requirements for nutrient management plans when Schedule 31E is completed. C47 4/13  
Op 9/15
- (4) The location of the point of take or yield of any bore, including taking into account required spacing between bores (*see Figure 16.12A*) and aquifer characteristics such as depth, permeability, yields required, and yields available in existing adjacent bores.
- (5) The effects of the take on other uses or values of the water body or coastal water, including those given in Schedule 30A.
- (5A) Provision for root stock survival water and glasshouse crop survival water as provided for in policy 30.2.3.12D. C56 9/15  
Op 9/16
- (6) The effects of any water take and use for frost fighting on the natural flow regime of the river. C24 12/08  
Op 8/14
- (7) In relation to water taken for irrigation or frost protection, the method of application necessary to achieve efficient use of the water and avoid adverse effects through ponding and runoff.
- (8) The effects of the take on other water users.

- |      |   |   |
|------|---|---|
| (9)  | The need for backflow prevention.   | C56 9/15 Op 9/16                            |
| (10) | The effects of the take either by itself or in combination with other existing takes on aquatic and riparian ecosystems, including fish and eel habitat and flows in rivers or coastal streams affected by takes from groundwater.  |   |
| (11) | Except in relation to any take in the Wai-iti Dam Service Zone, a reduction in allocation where a bona fide review shows that water use is less than the amount of water allocated.   |   |
| (12) | The annual allocation for water takes from the relevant Moutere Groundwater Zone, calculated on the basis of the sustainable 100-day step test pumping rate determined for irrigation uses from a drawdown pumping test (or equivalent), and for other water uses, extended to 181 days of pumping.   | C23 7/08<br>Op 8/14                         |
| (13) | Provision for water measuring for non-consumptive takes as provided for in policy 30.2.3.17.  | C36 3/12<br>Op 4/13                         |
| (14) | Information to be supplied and monitoring requirements, including for takes not affiliated to the Waimea Community Dam, provisions for real time compliance with rationing and cease take triggers, monitoring and reporting.   | C56 9/15<br>Op 9/16                         |
| (15) | Measures to achieve efficient water use or water conservation, including sealing of artesian bores, preparation of property management plans, and measures to monitor water use, particularly in zones where there are Māori perpetual lease lands, a Council-established waiting list, full allocation within a zone, or a zone nearing full allocation. | C47 4/13<br>Op 9/15<br>C24 12/08<br>Op 8/14 |
| (16) | The extent to which the need for water has been demonstrated, including an assessment of the alternative water supply or augmentation options for that property, particularly in zones where there are Māori perpetual lease lands, a Council established waiting list, full allocation within a zone, or a zone nearing full allocation.                 | C23 7/08<br>Op 8/14                         |
| (17) | The duration of the consent (Section 123 of the Act) as provided for in Schedule 31A, timing of reviews and purposes of reviews (Section 128 of the Act).   | C24 12/08<br>Op 8/14                        |
| (18) | Lapsing of the consent (Section 125(1)).  | C23 12/08 Op 8/14                           |
| (19) | Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).   |   |

### Notes

1. This rule does not apply in situations where a resource consent application is made after a permit has expired.
2. The exception given in matter (11) applies only as long as the Wai-iti Community Water Augmentation Scheme is in operation.

**31.1.2.3 Controlled Activities (Take, Diversion or Use within Allocation Limits)**

Except as provided by rule 31.1.2.3A, the taking, diversion or use of water that does not comply with the conditions of rule 31.1.2.1 or 31.1.2.2 is a controlled activity, if it complies with the following conditions:

C47 4/13  
Op 9/15

- (a) The water is taken or diverted in a water management zone with an allocation limit specified in Figure 31.1E or target specified in Figure 31.1EA. C47 4/13 Op 9/15  
C67 7/18 Op 6/19
- (b) Subject to condition (c), the amount of water taken or diverted on its own or in combination with other authorised takes does not exceed the relevant allocation limit or target specified in Figure 31.1E or Figure 31.1EA. C47 4/13  
Op 9/15
- (c) Where the water was being taken or diverted and used for farm dairy wash-down and milk cooling purposes before 3 November 2001 in any water management zone, the relevant allocation limit specified in Figure 31.1E does not apply.

**Figure 31.1E: Allocation Limits for Freshwater Takes**

| WATER MANAGEMENT ZONE   | ALLOCATION LIMIT<br>(litres per second)    | ALLOCATION LIMIT<br>(m <sup>3</sup> per year) |
|---|--|---|
| <b>Wai-iti Zones</b>  |  |   |
| Wai-iti Dam Service Zone following commencement of the discharge from the Wai-iti Community Water Augmentation Scheme, provided the scheme is in operation. | 515 l/sec                                  |   |
| Wai-iti Zone (not including the Wai-iti Dam Service Zone)   | <i>Subject to condition 31.1.2.3(d)</i>    |   |
| <b>Motueka/Riwaka Plains Zones</b>  |  |   |
| Central Plains Zone   | 795  |   |
| Te Matu Zone  | 344  |   |
| King Edwards  | 135  |   |
| Umukuri – Groundwater   | 133  |   |
| – Brooklyn River  | 62   |   |
| Swamp – Groundwater   | 73   |   |
| – Little Sydney River   | 31   |   |
| Hau Plains  | 228  |   |
|   | <i>Subject to condition 31.1.2.3(d)(i)</i> |   |
| Riwaka – Groundwater  | 30   |   |
| – Surface Water   | 170  |   |
| <b>Moutere Zones</b>  |  |   |
| Moutere Coastal Groundwater   | 41   | 448,822                                       |
| Moutere Eastern Groundwater   | 116  | 1,269,838                                     |
| Moutere Southern Groundwater  | 48   | 525,450                                       |
| Moutere Western Groundwater   | 52   | 569,238                                       |
| <b>Upper Motueka Zones</b>  |  |   |
| Baton   | 54   |   |
| Stanley Brook   | 1.05                                       |   |
| Dovedale - Groundwater (to 8 metres)  | 13.2                                       |   |
| - Surface water   | 26.8                                       |   |
| Middle Motueka Zone   | 550  |   |
| Wangapeka   | 265  |   |
| Motupiko  | 85   |   |
| Rainy Zone  | 25   |   |

C24 12/08  
Op 8/14C23 7/08  
Op 8/14C24 12/08  
Op 8/14C52 1/15  
Op 7/17

| WATER MANAGEMENT ZONE  | ALLOCATION LIMIT<br>(litres per second) | ALLOCATION LIMIT<br>(m <sup>3</sup> per year) |
|--|---|---|
| Tadmor (total augmented flow)  | 56                                      |   |
| Tapawera   | 314                                     |   |
| Glen Rae   | 300                                     |   |
| <b>Abel Tasman Zones</b>   |   |   |
| Marahau Plains   | 43                                      |   |
| Marahau Coastal  | 1.6                                     |   |
| Otuwhero   | 29                                      |   |
| Holyoake   | 21                                      |   |
| <b>Notes:</b>  |   |   |
| (1) For any zone or water body within a zone not listed here, rule 31.1.2.5 applies.   |   |   |
| (2) Allocation limits in litres per second for takes for consumption use are for the period November to April. They are calculated as the sum of weekly permit allocations, and refer to surface water or groundwater takes, but do not include takes from storage (see rule 31.1.2.4). Annual allocation limits have also been established for the Moutere Groundwater Zones and both limits must be complied with. |   |   |
| (3) The Tadmor limit includes the 50 litres per second allocated to the Tadmor Valley Irrigation Society from the combined Tadmor/Hope diversion flow.   |   |   |
| (4) The allocation limits do not apply to takes subject to condition (c).  |   |   |

C52 1/15  
Op 7/17

C24 12/08  
Op 8/14

**Figure 31.1EA: Allocation Targets for Freshwater Takes (Waimea Zones) where there is no Waimea Community Dam**

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Op 6/19

| WATER MANAGEMENT ZONE  | ALLOCATION TARGETS<br>(litres per second) |
|--|---|
| <b>Waimea Zones</b>  |   |
| Upper Catchments   | 0   |
| Upper Confined Aquifer   | 107                                       |
| Lower Confined Aquifer   | 205                                       |
| Delta  | 420                                       |
| Golden Hills   | 67  |
| Waimea West  | 100                                       |
| Reservoir  | 400                                       |
| Hope and Eastern Hills   | 70  |
| Redwood  | 13  |
| <b>Notes:</b>  |   |
| (1) The targets in Figure 31.1EA will become limits when at some time in the future the total sum of consented abstractions is equal to or less than the listed quantities (l/s) for each water management zone. |   |
| (2) These zones are shown on the planning map applying where there is no Waimea Community Dam (Map 232A).  |   |

(d) The water is not taken during November to April (inclusive) from:

- (i) the coastal margin of the Hau Plains Zone;
- (ii) the coastal margin of the Delta Zone;
- (iii) the Wai-iti Zone;
- (iv) the coastal margin of the Lower Confined Aquifer Zone.

C47 4/13 Op 9/15

(e) The amount of water taken on its own or in combination with other authorised takes is available after the quantities specified in column (c) of both Tables 1 and 2 of Schedule 31D remain available for allocation or have been allocated for the purposes specified. This requirement does not apply where the owners of the Māori perpetual lease lands, within the zone to which the application relates, agree in writing to the application.

C23/C24  
Op 8/12

**31.1.2.3 Controlled Activities (Take, Diversion or Use within Allocation Limits)**

- (f) Conditions (b), (c), (d) [other than (d)(iii)], (e) and (g) in rule 31.1.2.2.
- (g) In any water management zone where Council maintains a waiting list, the taking or use of water is by a person who is on the waiting list and who has been informed by Council that they have priority to make an application, in the order of registrations on that waiting list. C23 7/08  
Op 8/14
- (h) In any water management zone where Council maintains a waiting list, the taking or use of water is by a person who does not have priority under condition (g), but the person wishing to take and use the water has the prior written approval of all other persons with prior registrations on the waiting list.
- (i) Where the water is to be taken and used for the purposes specified in Schedule 31D, the amount of water taken on its own or in combination with other takes reserved for that purpose does not exceed the relevant limit specified in that Schedule. C24 12/08  
Op 8/14
- (j) A water meter for consumptive takes is installed as specified in Schedule 31B, including telemetered meter readings for takes of 2000 cubic metres per week or greater for permits not affiliated to the Waimea Community Dam. C36 3/12  
Op 4/13  
C56 9/15  
Op 9/16
- (k) Fish and eels are prevented from entering the reticulation system. C47 4/13  
Op 9/15  
**Note:** Means of Compliance to Prevent Fish and Eels Entering a Reticulation System  
 Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted.
- (l) Where the water is to be taken from the Motueka Catchment and used for the Motueka Coastal Tasman Reticulation as provided in Table 2 of Schedule 31D, the amount to be used for non-residential activities serviced by that supply does not exceed 15 percent of the total consented amount. C23/C24  
Op 8/14
- (m) Where the water is to be taken for a community water supply from a water management zone and used in another management zone, the appropriate kawa and tikanga determined in consultation with manawhenua. C23/C24  
Op 8/14
- (n) Any new water take first occurring after 31 January 2015 must be at a location that, in the: C52 1/15  
Op 7/17
- (i) Tapawera and Glen Rae zones, is set back at least 100 metres from the top of the bank of the Motueka River and 50 metres from the Hinetai Stream;
- (ii) Motupiko and Rainy zones, is set back at least 50 metres from the top of the bank of the Motupiko and Rainy rivers.

**A resource consent is required**, and may include conditions on the following matters over which Council has reserved control:

- (1) The quantity, rate and timing of the take not otherwise specified above including rates of take, rostering or rationing steps required to implement condition (f) and any other requirements to maintain any minimum flow given in Schedule 31C.

- |      |   |                      |
|------|---|----------------------|
| (2)  | For applications to take and use for community water supply:  | C67 7/18<br>Op 6/19  |
|      | (i) provisions for demand reduction to reasonable and justifiable levels during rationing in drought periods, through physical restriction or pricing, or end-use efficiencies via management or technology; and  |                      |
|      | (ii) provisions to ensure that restrictions necessary to comply with water shortage directions under policies 30.2.3.1 and 30.2.3.2 can be met, or to give effect to clause (b) of policy 30.2.3.13 in respect of the exercise of resource consents for community water supply where, under policy 30.2.3.13A, there is not substantial progress made towards giving effect to the relevant resource consents for construction of the Waimea Community Dam. |                      |
| (3)  | Requirements for nutrient management as specified in Schedule 31E, and review of conditions to implement requirements for nutrient management plans when Schedule 31E is completed.   | C47 4/13<br>Op 9/15  |
| (4)  | The location of the point of take or yield of any bore, including taking into account required spacing between bores ( <i>see Figure 16.12A</i> ) and aquifer characteristics such as depth, permeability, yields required, and yields available in existing adjacent bores.  |                      |
| (5)  | The effects of the take on other uses or values of the water body, including those given in Schedule 30A.   |                      |
| (5A) | Provision for root stock survival water and glasshouse crop survival water as provided for in policy 30.2.3.12D.  | C56 9/15<br>Op 9/16  |
| (6)  | The effects of any water take and use for frost fighting on the natural flow regime of the river.   | C24 12/08<br>Op 8/14 |
| (7)  | The effects of the takes on other water users.  |                      |
| (8)  | The effects of the take, damming, or diversion on allocation limits and rationing provisions.   |                      |
| (9)  | The need for backflow prevention for any take from groundwater.   |                      |
| (10) | The effects of the take either by itself or in combination with other existing takes on aquatic and riparian ecosystems including fish and eel habitat and flows in rivers or coastal streams affected by takes from groundwater.   |                      |
| (11) | Except in relation to any take in the Wai-iti Dam Service Zone, a reduction in allocation where a bona fide review shows that water use is less than the amount of water allocated.   |                      |
| (12) | The annual allocation for water takes from the relevant Moutere Groundwater Zone, calculated on the basis of the sustainable 100-day step test pumping rate determined for irrigation uses from a drawdown pumping test (or equivalent), and for other water uses, extended to 181 days of pumping.   | C23 7/08<br>Op 8/14  |
| (13) | Provision for water measuring for non-consumptive takes as provided for in policy 30.2.3.17.  | C36 3/12<br>Op 4/13  |

- (14) Information to be supplied and monitoring requirements.
- (15) Measures to achieve efficient water use or water conservation, including sealing of artesian bores, preparation of property management plans, and measures to monitor water use, particularly in zones where there are Māori perpetual lease lands, a Council-established waiting list, full allocation within a zone, or a zone nearing full allocation. C47 4/13  
Op 9/15  
C23 7/08  
Op 8/14
- (16) The extent to which the need for water has been demonstrated, including an assessment of the alternative water supply or augmentation options for that property, particularly in zones where there are Māori perpetual lease lands, a Council-established waiting list, full allocation within a zone, or a zone nearing full allocation. C23 7/08  
Op 8/14
- (17) The duration of the consent as provided for in Schedule 31A (Section 123 of the Act), timing of reviews and the purposes of reviews (Section 128 of the Act).
- (18) Lapsing of the consent (Section 125(1)). C23 7/08  
Op 8/14
- (19) Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).

**Note:** The exception given in matter (9) applies only as long as the Wai-iti Community Water Augmentation Scheme is in operation.

**31.1.2.3A Controlled Activities (Take, Diversion or Use if there is a Waimea Community Dam)**

C47 4/13  
Op 9/15  
C56 9/15  
Op 9/16

The taking, diversion or use of water that does not comply with the conditions of rule 31.1.2.1 is a controlled activity, if it complies with the following conditions:

- (a) The permit granted under this rule is affiliated to the Waimea Community Dam. C56 9/15  
Op 9/16
- (aa) The permit granted under this rule is affiliated to the Waimea Community Dam and the applicant for the taking and use is the holder of a water permit in the Waimea Plains Zones that is due for renewal and section 124 applies.
- (b) The amount of water allocated is no more than the equivalent amount which on its own or in combination with other authorised takes would not exceed the sustainable yield of the bore (where it is a take from groundwater) and:
  - (i) does not exceed the relevant allocation limit specified in Figure 31.1FA, Table 2; and
  - (ii) subject to (iii), is used at no more than the relevant rate given in Figure 31.1D, for irrigation use; and C67 7/18  
Op 6/19
  - (iii) until the dam is operational, water use is an amount authorised in an applicable water permit as at 27 April 2013 provided that:
    - (a) the amount of water used does not increase above the maximum amount taken in any one week between 2003 and 2013; and C47 4/13  
Op 9/15  
C56 9/15  
Op 9/16
    - (b) any rationing imposed applies to the amount of water allocated in that permit.
- (c) The taking, diversion, and use of water for irrigation is the subject of an irrigation management plan that is prepared and maintained by the permit holder, and made available upon request to the Council.
- (d) The amount of water allocated is no more than the equivalent amount described in any relevant water supply agreement or other applicable agreement.



**31.1.2.3A Controlled Activities (Take, Diversion or Use if there is a Waimea Community Dam)**

|  |  |                     |
|--|--|---------------------|
| (e)  | Any water taken and used in the coastal margin of the Lower Confined Aquifer or Delta Zones is not first occurring after 27 April 2013.  | C47 4/13<br>Op 9/15 |
| (f)  | A water meter is installed as specified in Schedule 31B.   |                     |
| (g)  | Fish and eels are prevented from entering the reticulation system.<br><b>Note:</b> <u>Means of Compliance to Prevent Fish and Eels Entering a Reticulation System</u><br>Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted.   | C47 4/13<br>Op 9/15 |
| <b>A resource consent is required</b> , and may include conditions on the following matters over which Council has reserved control: |  |                     |
| (1A)   | Affiliation to the Waimea Community Dam and exercise of the permit in relation to the operation of the Waimea Community Dam and release of water from the dam to maintain flows as specified in Schedule 31C Table 1A.   | C56 9/15<br>Op 9/16 |
| (1)  | The quantity, rate and timing of the take not otherwise specified above including rates of take, rostering or rationing steps required to maintain any minimum flow or Waimea Community Dam reservoir storage given in Schedule 31C or to avoid localised depletion of the water resource, including any transitional provisions for water use and rationing that apply until the dam is operational.  | C56 9/15<br>Op 9/16 |
| (1B)   | For applications to take and use for community water supply:<br>(i) provisions for demand reduction to reasonable and justifiable levels during rationing in drought periods through physical restriction or pricing, or end-use efficiencies via management or technology; and<br>(ii) provisions to ensure that restrictions necessary to comply with water shortage directions under policies 30.2.3.1 and 30.2.3.2 can be met, or to give effect to clause (b) of policy 30.2.3.13 in respect of the exercise of resource consents for community water supply where under policy 30.2.3.13A there is not substantial progress made towards giving effect to the relevant resource consents for construction of the Waimea Community Dam. | C67 7/18<br>Op 6/19 |
| (2)  | The provision of an Irrigation Management Plan as specified in Schedule 31E.   | C47 4/13<br>Op 9/15 |
| (3)  | Requirements for nutrient management as specified in Schedule 31E, and review of conditions to implement requirements for nutrient management plans when Schedule 31E is completed.  |                     |
| (4)  | The location of the point of take or yield of any bore, including taking into account required spacing between bores (see Figure 16.12A) and aquifer characteristics such as depth, permeability, yields required, and yields available in existing adjacent bores.  |                     |
| (5)  | The effects of the take on other uses or values of the water body, including those given in Schedule 30A.  |                     |

**31.1.2.4 Controlled Activities (Take from Storage)**

- |      |   |                     |
|------|---|---------------------|
| (5A) | Provision for root stock survival water and glasshouse crop survival water as provided for in policy 30.2.3.12D.  | C56 9/15<br>Op 9/16 |
| (6)  | The effects of any water take and use for frost fighting on the natural flow regime of the river.   | C47 4/13<br>Op 9/15 |
| (7)  | The effects of the takes on other water users.  |                     |
| (8)  | The need for backflow prevention.   |                     |
| (9)  | The effects of the take either by itself or in combination with other existing takes on aquatic and riparian ecosystems including fish and eel habitat and flows in rivers or coastal streams affected by takes from groundwater. |                     |
| (10) | Installation of water meters as provided for in Schedule 31B or in policy 30.2.3.17.  |                     |
| (11) | General or particular requirements in relation to any irrigation management plan.   |                     |
| (12) | Information to be supplied and monitoring requirements.   |                     |
| (13) | The duration of the consent as provided for in Schedule 31A (Section 123 of the Act), timing of reviews and the purposes of reviews (Section 128 of the Act).   |                     |
| (14) | Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).   |                     |

**31.1.2.4 Controlled Activities (Take from Storage)**C36 3/12  
Op 4/13

The taking of water from dam impoundments, ponds or reservoirs that does not comply with the conditions of rule 31.1.2.1 is a controlled activity, if it complies with the following conditions:

- |     |  |                     |
|-----|--|---------------------|
| (a) | The take is from a constructed pond, reservoir, or dam existing as at 31 March 2012.   |                     |
| (b) | Where the water is being taken and used by a person other than the owner of the dam impoundment, pond or reservoir:<br>either:<br>(i) written consent has been obtained from the owner;<br>or:<br>(ii) there is a legal access agreement.  |                     |
| (c) | Fish and eels are prevented from entering the reticulation system.   | C47 4/13<br>Op 9/15 |
|     | <b>Note:</b> <u>Means of Compliance to Prevent Fish and Eels Entering a Reticulation System</u><br>Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted. | C47 4/13<br>Op 9/15 |

A resource consent is required, and may include conditions on the following matters over which Council has reserved control:

C36 3/12  
Op 4/13

- (1) Effects of the take on aquatic and riparian ecosystems, including in the impoundment, and upstream and downstream of the dam.
- (2) Effects of the take on other uses and values, including those given in Schedule 30A of the water body and those of connected water bodies such as groundwater, springs or wetlands.
- (3) Effects on other water users including security of supply for existing water users, and impacts on existing downstream storage.
- (4) Measures to ensure efficient use of stored water, including soil based application rates.
- (5) Effects on fish and eels, including entrainment in pipes.
- (6) Information to be supplied and monitoring, including water meters required.
- (7) The quantity, rate and timing of the take.
- (8) Efficient use of water, including application rates for irrigation appropriate to the soil type.
- (9) The duration of the consent as provided for in Schedule 31A (Section 123 of the Act), timing of reviews, and the purposes of reviews (Section 128 of the Act).
- (10) Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).

### **31.1.2.5 Restricted Discretionary Activities (Take, Diversion or Use from Fresh or Inshore Coastal Water, or Storage)**

The taking, diversion or use of water that does not comply with the conditions of rule 31.1.2.1, 31.1.2.2, 31.1.2.3, 31.1.2.3A, or 31.1.2.4, is a restricted discretionary activity, if it complies with the following conditions:

RCP  
Op 10/11

- (a) The total amount taken, either by itself or in combination with other authorised water takes in the relevant water management zone does not exceed the total allocation limit for the relevant zone as shown in Figure 31.1F or in Figure 31.1FA.

C47 4/13  
Op 9/15

C47 4/13  
Op 9/15

**Figure 31.1F: Allocation Limits for Coastal Water and Freshwater Takes**

| WATER MANAGEMENT ZONE   | ALLOCATION LIMIT<br>(litres per second) | ALLOCATION LIMIT<br>(m <sup>3</sup> per year) |
|---|---|---|
| <b>Wai-iti Zones</b>  |   |   |
| Wai-iti Dam Service Zone following commencement of the discharge from the Wai-iti Community Water Augmentation Scheme, provided the scheme is in operation. | 515 l/sec                               |   |
| Wai-iti Zone (not including the Wai-iti Dam Service Zone.)  | <i>Subject to condition 31.1.2.5(c)</i> |   |
| <b>Motueka/Riwaka Plains Zones</b>  |   |   |
| Central Plains Zone   | 795                                     |   |
| Te Matu Zone  | 344                                     |   |
| King Edward   | 135                                     |   |
| Umukuri – Groundwater   | 133                                     |   |

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| <b>WATER MANAGEMENT ZONE</b>   | <b>ALLOCATION LIMIT<br/>(litres per second)</b>          | <b>ALLOCATION LIMIT<br/>(m<sup>3</sup> per year)</b> |   |
|--|--|--|---|
| – Brooklyn River   | 62   |  |   |
| Swamp – Groundwater  | 73   |  |   |
| – Little Sydney River  | 31   |  |   |
| Hau Plains   | 228<br><i>Subject to condition<br/>31.1.2.5(c)(ii)</i>   |  |   |
| Riwaka – Groundwater   | 30   |  |   |
| – Surface Water  | 170  |  |   |
| <b>Moutere Zones</b>   |  |  | <b>C23 7/08<br/>Op 8/14</b>               |
| Moutere Coastal Groundwater  | 41   | 448,822  |   |
| Moutere Eastern Groundwater  | 116  | 1,269,838  |   |
| Moutere Southern Groundwater   | 48   | 525,450  |   |
| Moutere Western Groundwater  | 52   | 569,238  |   |
| <b>Upper Motueka Zones</b>   |  |  | <b>C24 12/08<br/>Op 8/14</b>              |
| Baton  | 54   |  |   |
| Stanley Brook  | 1.05   |  |   |
| Dovedale - Groundwater (to 8 metres)   | 13.2   |  |   |
| - Surface water  | 26.8   |  |   |
| Middle Motueka Zone  | 550  |  |   |
| Wangapeka  | 265  |  |   |
| Motupiko   | 85   |  | <b>C24 12/08<br/>Op 8/14</b>              |
| Rainy Zone   | 25   |  |   |
| Tadmor (total augmented flow)  | 56   |  | <b>C52 1/15<br/>Op 7/17</b>               |
| Tapawera   | 314  |  |   |
| Glen Rae   | 300  |  |   |
| <b>Abel Tasman Zones</b>   |  |  | <b>C24 12/08<br/>Op 8/14</b>              |
| Marahau Plains   | 43   |  |   |
| Marahau Coastal  | 1.6  |  |   |
| Otuwhero   | 29   |  |   |
| Holyoake   | 21   |  |   |
| <b>All Other Zones</b>   | No limit but refer to policies<br>30.1.3.12 to 30.1.3.16 |  |   |
| <b>Inshore Coastal Water</b>   | No limit   |  | <b>RCP<br/>Op 10/11</b>                   |
| <b>Notes:</b>  |  |  | <b>C23 7/08<br/>C24 12/08<br/>Op 8/14</b> |
| (1) Allocation limits in litres per second for consumptive use are for the period November to April. They are calculated as the sum of weekly permit allocations, and refer to surface water or groundwater takes, but do not include takes from storage (see rule 31.1.2.4). Annual allocation limits have also been established for the Moutere Groundwater Zones and both limits must be complied with. |  |  |   |
| (2) The Tadmor limit includes the 50 litres per second allocated to the Tadmor Valley Irrigation Society from the combined Tadmor/Hope diversion flow.   |  |  |   |
| (3) The allocation limits do not apply to any diversion, including any associated with the generation of hydro-electric power.   |  |  |   |

**Figure 31.1FA: Allocation Targets and Limits for Freshwater Takes (Waimea Zones)**

| Table 1   |  |
|---|--|
| WATER MANAGEMENT ZONE   | ALLOCATION LIMIT OR TARGET <sup>(1)</sup><br>(litres per second) |
| <b>EITHER Table 1:</b><br><b>Waimea Plains Zones limits or targets applying where the permit granted under this rule is not affiliated to the Waimea Community Dam</b>  |  |
| Upper Catchments  | 0 <i>See Note (6)</i>  |
| Upper Confined Aquifer  | 107  |
| Lower Confined Aquifer  | 205  |
| Delta   | 420  |
| Golden Hills  | 67   |
| Waimea West   | 100  |
| Reservoir   | 400  |
| Hope and Eastern Hills  | 70   |
| Table 2   |  |
| WATER MANAGEMENT ZONE   | ALLOCATION LIMIT <sup>(1)</sup><br>(litres per second)           |
| <b>OR Table 2:</b><br><b>Waimea Plains Zones limits applying where the permit granted under this rule is affiliated to the Waimea Community Dam</b>   |  |
| Appleby Gravel  | 3320   |
| Lower Confined Aquifer  | 250  |
| Upper Confined Aquifer  | 200  |
| Hope  | 82   |
| Upper Catchments  | <i>See Note (4) and (6)</i>                                      |
| Eastern Hill  | 0  |
| <b>Notes (for both tables):</b>   |  |
| (1) Allocation targets and limits in litres per second for consumptive use are for the period November to April. They are calculated as the sum of weekly permit allocations and refer to surface water or groundwater takes. |  |
| (2) The zones in Table 1 are shown on the planning map applying where there is the Waimea Community Dam and to permits not affiliated and to affiliated permits before the dam commences operation (Map 232A).                |  |
| (3) The zones in Table 2 are shown on the planning map applying where there is the Waimea Community Dam and to affiliated permits after the dam commences operation (Map 232B).   |  |
| (4) Allocations for permits granted in the Upper Catchments zone will be subtracted from the total available in the Appleby Gravels Zone.   |  |
| (5) The targets in Table 1 of this figure will become limits when at some time in the future the total sum of consented abstractions is equal to or less than the listed quantities (l/s) for each water management zone.     |  |
| (6) The target or limit for the Upper Catchments Zone does not apply to any application for water associated with the construction of the Waimea Community Dam.   |  |

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(b) The amount of water taken on its own or in combination with other authorised takes is available after the quantities specified in column (c) of Table 1 of Schedule 31D has been allocated for the purposes specified.

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(c) The water is not taken during November to April (inclusive) from:

- (i) the Moutere Surface Water Zone;
- (ii) the coastal margin of the Hau Plains Zone;
- (iii) the coastal margin of the Marahau Zone;

|      |  |  |
|------|--|--|
| (iv) | the Wai-iti Zone;  |  |
| (v)  | the coastal margin of the Lower Confined Aquifer Zone;   | C47 4/13<br>Op 9/15                        |
| (vi) | the coastal margin of the Delta Zone.  |  |
| (d)  | Any water permit application in the Waimea Plains Zones where the permit granted under this rule is not affiliated to the Waimea Community Dam is subject to condition (b) of rule 31.1.2.2 (rationing).   | C56 9/15<br>Op 9/16                        |
| (da) | Where Figure 31.1FA Table 2 applies, the permit granted under this rule is affiliated to the Waimea Community Dam and condition (d) of rule 31.1.2.3A also applies.  |  |
| (e)  | In any water management zone where Council maintains a waiting list, the taking or use of water is by a person who is on the waiting list and who has been informed by Council that they have priority to make an application, in the order of registrations on that waiting list.   | C23 7/08<br>Op 8/14                        |
| (f)  | In any water management zone where Council maintains a waiting list, the taking or use of water is by a person who does not have priority under condition (e), but the person wishing to take and use the water has the prior written approval of all other persons with prior registrations on the waiting list.  |  |
| (g)  | Any water diversion, including for hydro-electric-power generation, that returns water to the same water body, does not affect the security of supply of existing water takes subject to allocation limits and rationing provisions within a water management zone.  |  |
| (h)  | A water meter for consumptive takes is installed as specified in Schedule 31B including telemetered meter readings for takes of 2000 cubic metres per week or greater for permits not affiliated to the Waimea Community Dam.  | C36 3/12<br>Op 4/13<br>C56 9/15<br>Op 9/16 |
| (i)  | If the take and use of water is from a dam impoundment, pond, or reservoir, a legal easement exists or written consent has been obtained from the owner of the dam impoundment, pond, or reservoir.  | C36 3/12<br>Op 4/13                        |
| (j)  | Fish and eels are prevented from entering the reticulation system.   | C47 4/13 Op 9/15                           |
|      | <b>Note:</b> <u>Means of Compliance to Prevent Fish and Eels Entering a Reticulation System</u><br>Installing a screen or screens on the river intake that has a screen mesh size not greater than 5 millimetres and is constructed so that the intake velocity at the screen's outer surface is less than 0.3 metres per second and is maintained in good working order at all times. Other measures to prevent fish entering reticulation systems may also be adopted. | C47 4/13<br>Op 9/15                        |
| (k)  | Where the water is to be taken for a community water supply from a water management zone and used in another management zone, the appropriate kawa and tikanga determined in consultation with manawhenua.   | C23/C24<br>Op 8/14                         |
| (l)  | For an application to take water reserved in Table 2 of Schedule 31D for a purpose other than community water supply, the amount does not exceed the amount specified in Table 2 on its own or in combination with other takes.  | C23/C24<br>Op 8/14                         |

- |     |   |                     |
|-----|---|---------------------|
| (m) | Any new water take first occurring after 31 January 2015 must be at a location that, in the:  | C52 1/15<br>Op 7/17 |
|     | (i) Tapawera and Glen Rae zones, is set back at least 100 metres from the top of the bank of the Motueka River and 50 metres from the Hinetai Stream; |                     |
|     | (ii) Motupiko and Rainy zones, is set back at least 50 metres from the top of the bank of the Motupiko and Rainy rivers.                              |                     |

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

- |      |  |                      |
|------|--|----------------------|
| (1)  | The quantity, rate and timing of the take not otherwise specified above, including rates of take, rostering or rationing steps and any other requirements to maintain any minimum flow given in Schedule 31C.  | C56 9/15<br>Op 9/16  |
| (2)  | For applications to take and use for community water supply:   | C47 4/13<br>Op 9/15  |
|      | (i) provisions for demand reduction to reasonable and justifiable levels during rationing in drought periods, through physical restriction or pricing, or end-use efficiencies via management or technology; and   | C56 9/15<br>Op 9/16  |
|      | (ii) provisions to ensure that restrictions necessary to comply with water shortage directions under policy 30.2.3.1 can be met, or to give effect to clause (b) of policy 30.2.3.13 in respect of the exercise of resource consents for community water supply where under policy 30.2.3.13A there is not substantial progress made towards giving effect to the relevant resource consents for construction of the Waimea Community Dam. | C67 7/18<br>Op 6/19  |
| (3)  | Requirements for nutrient management as specified in Schedule 31E, and review of conditions to implement requirements for nutrient management plans when Schedule 31E is completed.  | C47 4/13<br>Op 9/15  |
| (3A) | Affiliation to the Waimea Community Dam and exercise of the permit in relation to the operation of the Waimea Community Dam and release of water from the dam to maintain flows as specified in Schedule 31C, including any transitional provisions for water use and rationing that apply until the dam is operational.   | C56 9/15<br>Op 9/16  |
| (4)  | The location of the point of take or yield of any bore, including taking into account required spacing between bores ( <i>see Figure 16.12A</i> ) and aquifer characteristics such as depth, permeability, yields required, and yields available in existing adjacent bores.   |                      |
| (5)  | The effects of the take, use or diversion on other uses or values of the water body or coastal water, including those given in Schedule 30A.   | RCP<br>Op 10/11      |
| (5A) | Provision for root stock survival water and glasshouse crop survival water as provided for in policy 30.2.3.12D.   | C56 9/15<br>Op 9/16  |
| (6)  | The effects of any water take and use for frost fighting on the natural flow regime of the river.  | C24 12/08<br>Op 8/14 |
| (7)  | The need for backflow prevention.  | C56 9/15 Op 9/16     |
| (8)  | Effects on other water users.  |                      |
| (9)  | The effects of the take, use, or diversion, including takes from groundwater, either by itself or in combination with other existing takes, on aquatic and riparian ecosystems, fish and eel passage, and flows in rivers, coastal streams or coastal water, including in estuaries.   | RCP<br>Op 10/11      |

|      |   |  |
|------|---|--|
| (10) | Except in relation to any take in the Wai-iti Dam Service Zone or takes authorised by permits affiliated to the Waimea Community Dam, a reduction in allocation where a bona fide review shows that water use is less than the amount of water allocated.   | C47 4/13<br>Op 9/15<br>C56 9/15<br>Op 9/16 |
| (11) | The annual allocation for water takes from the relevant Moutere Groundwater Zone, calculated on the basis of the sustainable 100-day step test pumping rate for irrigation and, for other uses, extended to 181 days of pumping.  | C23 7/08<br>Op 8/14                        |
| (12) | Provision for water measuring for non-consumptive takes as provided for in policy 30.2.3.17.  | C36 3/12<br>Op 4/13                        |
| (13) | Information to be supplied and monitoring requirements, including for takes not affiliated to the Waimea Community Dam, provisions for real time compliance with rationing and cease take triggers, monitoring and reporting.   | C56 9/15<br>Op 9/16                        |
| (14) | Measures to achieve efficient water use or water conservation, including sealing of artesian bores, preparation of property management plans, and measures to monitor water use, particularly in zones where there are Māori perpetual lease lands, a Council-established waiting list, full allocation within a zone, or a zone nearing full allocation. | C47 4/13<br>Op 9/15<br>C23 7/08<br>Op 8/14 |
| (15) | The extent to which the need for water has been demonstrated, including an assessment of the alternative water supply or augmentation options for that property, particularly in zones where there are Māori perpetual lease lands, a Council-established waiting list, full allocation within a zone, or a zone nearing full allocation.                 | C23 7/08<br>Op 8/14                        |
| (16) | For water takes that are not for consumptive use, the extent to which water is returned to the water body, including rate, timing and location.   | C24 12/08<br>Op 8/14                       |
| (17) | The duration of the consent as provided for in Schedule 31A (Section 123 of the Act), timing of reviews, and the purposes of reviews (Section 128 of the Act).  |  |
| (18) | Lapsing of the consent (Section 125(1)).  | C23 7/08 Op 8/14                           |
| (19) | Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).   |  |
| (20) | Any effects of coastal water take, use or diversion on water quality, the life-supporting capacity of ecosystems and their intrinsic values, and general sustainability issues relating to natural resources, including fisheries resources.  | RCP<br>Op 10/11                            |
| (21) | The nature, scale and distribution of beneficial effects resulting from the proposed water take, use or diversion.  |  |
| (22) | The application rate, rate of take or use of the water, taking into account the soil type, crop type where applicable, sustainable bore yield, efficient water use, crop rotation, existing investment, level of investment into augmented water supplies and the significance of any augmentation infrastructure.  | C47 4/13<br>Op 9/15                        |



**31.1.2.6 Non-Complying Activities (Take, Diversion or Use from Fresh or Inshore Coastal Water, or Storage)**

- |      |  |  |
|------|--|--|
| (23) | Rationing of consumptive water uses required to maintain minimum water flows or levels specified in Schedule 31C, including as appropriate, reduction in usage as shown in Figure 31.1C of rule 31.1.2.2 or as necessary to maintain Waimea Community Dam reservoir storage. | C47 4/13<br>Op 9/15<br>C56 9/15<br>Op 9/16 |
| (24) | For applications to take water reserved in Table 2 of Schedule 31D for a purpose other than community water supply, the quantity and duration of the permit is subject to the nature and timing of likely future demand for the water for the reserved purpose.              | C23/C24<br>Op 8/14                         |

**Note:** The exception given in matter (10) applies only as long as the Wai-iti Community Water Augmentation Scheme is in operation.

**31.1.2.6 Non-Complying Activities (Take, Diversion or Use from Fresh or Inshore Coastal Water, or Storage)**

Except as provided in rule 31.1.2.7, the taking, diversion or use of water that does not comply with the conditions of rule 31.1.2.5 is a non-complying activity.

RCP  
Op 10/11

**A resource consent is required.** Consent may be refused or conditions imposed.

C56 9/15  
Op 9/16

**31.1.2.7 Prohibited Activities (Waiting Lists, Waimea Community Dam)**

- |    |   |  |
|----|---|--|
| 1. | In any Water Management Zone where the Council maintains a waiting list, the taking and use of water by any person in priority to any other person with a prior registration on the waiting list made under the provisions of method 30.2.20.1(d) is a prohibited activity for which no consent can be granted except that this rule does not apply to the following: <ul style="list-style-type: none"> <li>(a) Applications made under rule 31.1.2.2 (applications to take water where the applicant for the take is the holder of a permit due for renewal).</li> <li>(b) Applications to which condition 31.1.2.3(h) and condition 31.1.2.5(f) apply.</li> <li>(c) Applications for non-consumptive takes.</li> </ul> | C23 7/08<br>Op 8/14<br>C56 9/15<br>Op 9/16 |
| 2. | In the Waimea Plains Zones any application that does not comply with condition (a) (in respect of Table 1 of Figure 31.1FA), condition (d) or condition (da) of rule 31.1.2.5 is a prohibited activity for which no consent can be granted.   |  |

### 31.1.3 Diversion of Water by Structures

#### 31.1.3.1 Permitted Activities (Diversion of Water by Structures)

The diversion of water by a structure lawfully existing in or on the bed of a river and the diversion of water required for the maintenance, repair, extension or removal of any structure lawfully existing in or on the bed of a river is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) Except for diversion by lawfully existing structures, there is no diversion in a permanently flowing watercourse during the fish spawning period of 1 April to 31 July.
- (b) The diversion does not reduce the capacity for fish and eels to migrate past any structure for periods exceeding five days per any 20-day period.
- (c) All material used in the construction of the diversion that are not part of the structure are removed from the bed of the river.

#### 31.1.3.2 Discretionary Activities (Diversion of Water by Structures)

The diversion of water by a structure that does not comply with the conditions of rule 31.1.3.1 is a discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed.

### 31.1.4 Damming of Fresh Water

#### 31.1.4.1 Permitted Activities (Damming of Fresh Water)

The damming of fresh water is a permitted activity and may be undertaken without a resource consent, if it complies with the following conditions:

- (a) The area of the catchment contributing to the dam is less than 20 hectares.
- (b) For any dam constructed after 28 February 2004, no part of the dam structure or area of impounded water occupies any neighbouring property.
- (c) Either the taking of water on its own or cumulatively with other takes from the dam impoundment, pond or reservoir (but not including a take from an impoundment created by a weir):
  - (i) does not exceed the quantity specified in Figure 31.1A;
  - or
  - (ii) is authorised by a water permit to take water.

C36 3/12  
Op 4/13

**Notes (not part of the rule):**

1. The construction of dams greater than 3 metres may also need a Building Consent. Dams smaller than this are exempt from the Building Act provisions. For rules relating to the construction and maintenance of dams, refer to section 28.2 (Dams and Weirs) in Part IV (Rivers and Lakes).
2. Refer also to rule 36.2.2.8, which allows for the discharge of water from a dam back into the downstream water body.
3. Easements may be required where impounded water may cover neighbouring property.
4. The requirements of the Freshwater Fisheries Regulations 1983 for the provision of fish passage may also apply. These regulations are administered by the Department of Conservation.

### 31.1.4.2 Controlled Activities (Damming of Fresh Water)

The damming of fresh water that does not comply with the conditions of rule 31.1.4.1 is a controlled activity, if it complies with the following conditions:

- (a) The water damming is authorised by a water permit that is due for renewal.

**A resource consent is required** and may include conditions on the following matters over which Council has reserved control:

- |      |   |                     |
|------|---|---------------------|
| (1)  | The rate, manner and timing of the discharge of water from the dam, including provision of a residual flow or any steps necessary to maintain any flow specified in Schedule 31C. |                     |
| (2)  | Effects on aquatic and riparian ecosystems, including of the impoundment, and upstream and downstream of the dam.   | C36 3/12<br>Op 4/13 |
| (3)  | Maintenance of aquatic habitat within the impoundment, including management of pest plant and animal species.   |                     |
| (4)  | Effects on other uses and values of the water body and those of connected water bodies such as groundwater, springs or wetlands, including those given in Schedule 30A.           |                     |
| (5)  | Effects on other water users, downstream landowners and landowners affected by the dam structure or impounded water.  |                     |
| (6)  | Information to be supplied and monitoring, including water meters required.   |                     |
| (7)  | Monitoring the effects of the damming.  |                     |
| (8)  | Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).                                     |                     |
| (9)  | Effects on other water users, including security of supply for existing water users and impacts on existing downstream storage.   | C36 3/12<br>Op 4/13 |
| (10) | Measures to ensure maintenance of downstream flows, especially where downstream users' security of supply or rates of supply to existing dams may be affected.                    |                     |
| (11) | The management of variable flows, including flows that simulate freshes.  | C47 4/13<br>Op 9/15 |
| (12) | Relevant conditions on the applicable water permit to dam.  |                     |

**Notes** (not part of the rule):

1. The construction of dams greater than 3 metres may also need a Building Consent. Dams smaller than this are exempt from the Building Act provisions. For rules relating to the construction and maintenance of dams, refer to section 28.2 (Dams and Weirs) in Part IV (Rivers and Lakes).
2. Refer also to rule 36.2.2.8, which allows for the discharge of water from a dam back into the downstream water body.
3. Easements may be required where impounded water may cover neighbouring property.
4. The requirements of the Freshwater Fisheries Regulations 1983 for the provision of fish passage may also apply. These regulations are administered by the Department of Conservation.
5. Where appropriate, the duration of a consent to dam water will normally be granted for a period of 10 years. Consents to renew applications to dam water will generally be granted for a term of 20 years.

**31.1.4.3 Restricted Discretionary Activities (Damming of Fresh Water)**

Except as provided by rule 31.1.4.4, the damming of fresh water that does not comply with the conditions of rule 31.1.4.1 or the conditions of rule 31.1.4.2 is a restricted discretionary activity. C47 4/13  
Op 9/15

**A resource consent is required.** Consent may be refused or conditions imposed only in respect of the following matters to which Council has restricted its discretion:

- (1) The rate, manner and timing of the discharge of water from the dam, including provision of a residual flow or any steps necessary to maintain any flow specified in Schedule 31C.
- (2) Effects on aquatic and riparian ecosystems, including of the impoundment, and upstream and downstream of the dam. C36 3/12  
Op 4/13
- (3) Maintenance of aquatic habitat within the impoundment, including management of pest plant and animal species.
- (4) Effects on other uses and values of the water body and those of connected water bodies such as groundwater, springs or wetlands, including those given in Schedule 30A.
- (5) Effects on other water users, downstream landowners and landowners affected by the dam structure or impounded water.
- (6) Information to be supplied and monitoring, including water meters required.
- (7) Monitoring the effects of the damming.
- (8) Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).
- (9) Effects on other water users, including security of supply for existing water users and impacts on existing downstream storage. C36 3/12  
Op 4/13
- (10) The management of variable flows including flows that simulate freshes. C47 4/13 Op 9/15

**Notes** (not part of the rule):

1. The construction of dams greater than 3 metres may also need a Building Consent. Dams smaller than this are exempt from the Building Act provisions. For rules relating to the construction and maintenance of dams, refer to section 28.2 (Dams and Weirs) in Part IV (Rivers and Lakes).
2. Refer also to rule 36.2.2.8, which allows for the discharge of water from a dam back into the downstream water body.
3. Easements may be required where impounded water may cover neighbouring property.
4. The requirements of the Freshwater Fisheries Regulations 1983 for the provision of fish passage may also apply. These regulations are administered by the Department of Conservation.
5. Where appropriate, the duration of a consent to dam water will normally be granted for a period of 10 years. Consents to renew applications to dam water will generally be granted for a term of 20 years.

**31.1.4.4 Non-Complying Activities (Damming of Fresh Water)**

The damming of water (other than as a result of any intake or deflection structure) on:

- (i) the main stem of the Wairoa (including the Left or Right Branches) above its confluence with the Lee River;

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- (ii) the Lee River from its confluence with the Wairoa River to the boundary of the Water Augmentation Infrastructure Area (Waimea Community Dam) other than for damming that operates in association with the Waimea Community Dam; and
  - (iii) the Roding River, from its confluence with the Lee River to the District boundary;
- is a non-complying activity unless the applicable resource consents for the Waimea Community Dam lapse.

## **31.1.5 Damming and Diversion of Flood Waters**

### **31.1.5.1 Permitted Activities (Damming and Diversion of Flood Waters)**

The damming and diversion of flood waters by any structure is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) The structure lawfully existed as at 3 November 2001.
- (b) The structure is located in the Richmond Intensive Development Area and any damming or diversion of flood waters complies with condition (k) of rule 17.1.3.4C. C66 10/17  
Op 12/18

### **31.1.5.2 Restricted Discretionary Activities (Damming and Diversion of Flood Waters)**

The damming and diversion of flood waters by any structure that does not comply with the conditions of rule 31.1.5.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed only in respect of the following matters to which the Council has restricted its discretion.

- (1) The effects of any structure by itself or in combination with other structures on aquatic and riparian ecosystems, plant or animal habitat, flow regime or erosion of the river, and public access to and along the river.
- (2) The effects of any structure by itself or in combination with other structures on other landowners.
- (3) The design, location, construction and maintenance of any structure.
- (4) The severity and probability of the flood hazard.
- (5) The effects on the community, including physical, economic and cumulative effects.
- (6) The duration of the consent (Section 123 of the Act), timing of reviews, and the purposes of reviews (Section 128 of the Act).
- (7) Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).

## **31.1.6 Diversion and Take of Water from Naturally Occurring Wetlands**

### **31.1.6.1 Discretionary Activities (Diversion and Take of Water (including by infilling) from Naturally Occurring Wetlands)**

The diversion and take of water from a naturally occurring wetland including the diversion of water by the infilling of a wetland, is a discretionary activity.

A wetland subject to this rule includes permanently or intermittently wet areas, shallow water and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions, and:

- (a) wetlands which are part of river, stream and lake margins;
- (b) natural ponds, swamps, marshes, fens, bogs, seeps, brackish areas, mountain wetlands, and other naturally wet areas that support vegetation adapted to living in wet conditions, and provide a habitat for wildlife;
- (c) coastal wetlands;

but excludes:

- (d) wet pasture or where water temporarily ponds after rain, or pasture containing patches of rushes (*Juncus* species);
- (e) oxidation ponds;
- (f) artificial wetlands used for wastewater or stormwater treatment;
- (g) artificial farm dams and detention dams;
- (h) land drainage ditches and farm drains;
- (i) reservoirs for firefighting, domestic or community water supply;
- (j) temporarily ponded rainfall.

**Note:** The edge of a wetland (i.e. where a wetland becomes land) is where terrestrial plant species become dominant and where the substrate changes from being permanently or intermittently wet to 'dry land'. Where plants can be used as an indicator, a wetland becomes dry land where the plant species are those typical of terrestrial environments over more than 80 percent of the area.

**A resource consent is required.** Consent may be refused or conditions imposed.

## 31.1.7 Site-to-Site Transfer of Water Take

### 31.1.7.1A Permitted Activities (Site-to-Site Transfer of Water Take – Waimea Community Dam)

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The transfer, including a transfer for a limited period (being a period less than the duration of the water permit in question) to another site of all or part of the interest in any water permit to take or use water that is affiliated to the Waimea Community Dam, is a permitted activity, if it complies with the following conditions:

- (a) The transfer is only in the Appleby Gravel, Lower Confined Aquifer, or Upper Confined Aquifer Zones and
  - (i) the permit being transferred is affiliated to the Waimea Community Dam;
  - (ii) there is no increase in bona fide water use until after the Waimea Community Dam commences operation.
- (b) Both the point of take to be transferred and the new point of take are within the same zone.

- (c) The transfer is either where:
- (i) both points of take are from bores for which there is an applicable:
    - bore land use consent; and
    - irrigation management plan for each point of take;
 or
  - (ii) the transfer is a surface water take to a new point downstream of the original point of take and:
    - there is an applicable irrigation management plan for both points of take;
    - the new take is not in a coastal margin for the zone; and
    - the take is not in the Upper Catchments Zone.
- (d) The sum of any new quantities authorised as a result of the transfer does not exceed the original amount authorised to be taken.
- (e) There is no more than 0.25 metre additional drawdown in groundwater level for any adjacent authorised groundwater take. This requirement need not apply provided the owner of any affected bore agrees in writing to some other drawdown effect.
- (f) The relevant conditions relating to:
- (i) water metering,
  - (ii) rationing and rostering,
  - (iii) water supply agreements,
  - (iv) river flow and ecosystem effects (including fish screening at the intake);
  - (v) irrigation and nutrient management;
- on the original water permit continue to apply.
- (g) The rate of take at the new point of take does not exceed the sustainable yield of the bore.
- (h) The transferred permit is subject to the same duration as the original permit.
- (i) The prescribed form for transferring all or part of a water permit is completed by the holder of the permit jointly with the person to whom the interest in the permit will transfer, and lodged with Council, before commencing to exercise the consent.

### 31.1.7.1 Controlled Activities (Site-to-Site Transfer of Water Take)

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Op 9/16

The transfer, including a transfer for a limited period (being a period less than the duration of the water permit in question) to another site of all or part of the interest in any water permit to take or use water, that does not comply with the conditions of 31.1.7.1A is a controlled activity, if it complies with the following conditions:

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- (a) The transfer is within the Wai-iti Dam Service Zone, Waimea Plains Zones, or in the Tapawera or Glen Rae zones. C47 4/13 Op 9/15  
C56 9/15 Op 9/16
- (aa) Where the permit for the take to be transferred is in the Tapawera or Glen Rae Zone: C52 1/15  
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- (i) it is granted, or replaced by a permit after May 2019;
  - (ii) the relevant points of take are bores for which there are relevant bore land use consents;
  - (iii) there is a relevant irrigation management plan for the use of water from both points of take.

**31.1.7.1 Controlled Activities (Site-to-Site Transfer of Water Take)**

- |     |   |                                      |
|-----|---|--------------------------------------|
| (b) | Both the point of take to be transferred and the new point of take are within the same Zone.  | C47 4/13 Op 9/15<br>C56 9/15 Op 9/16 |
| (c) | The sum of any new quantities authorised as a result of the transfer does not exceed the original amount authorised to be taken.  |                                      |
| (d) | There is no more than 0.25 metre additional drawdown in groundwater level for any adjacent authorised groundwater take. This requirement need not apply provided the owner of any affected bore agrees in writing to some other drawdown effect.  |                                      |
| (e) | For permits not affiliated to the Waimea Community Dam or where there is no Waimea Community Dam, the transfer is where both points of take are from bores and are authorised by consents issued after May 2016 and there is an applicable: <ul style="list-style-type: none"> <li>(i) bore land use consent; and</li> <li>(ii) irrigation management plan for each point of take;</li> </ul> | C56 9/15<br>Op 9/16                  |
| (f) | The relevant conditions relating to: <ul style="list-style-type: none"> <li>(i) water metering,</li> <li>(ii) rationing and rostering,</li> <li>(iii) water supply agreements,</li> <li>(iv) river flow and ecosystem effects (including fish screening at the intake);</li> <li>(v) irrigation and nutrient management;</li> </ul> on the original water permit continue to apply.           | C56 9/15<br>Op 9/16                  |

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

- |     |  |                      |
|-----|--|----------------------|
| (1) | Compliance with relevant rules concerning the setback requirements between bores and the quantity, rate and timing of the take not otherwise specified above, including provisions for rostering, and rationing. |                      |
| (2) | Any relevant conditions on the original permit.  |                      |
| (3) | The effects of the take either by itself or in combination with other existing takes on flows and water body values of the connected rivers and effects on other users.  | C47 4/13<br>Op 9/15  |
| (4) | Installation of water meters.  |                      |
| (5) | Information to be supplied, and monitoring requirements.   |                      |
| (6) | Measures to achieve efficient water use or water conservation, including sealing of artesian bores, preparation of water management plans, and measures to monitor water use.                                    |                      |
| (7) | Limitations on the exercise of all or part of each water permit that is subject to a site-to-site transfer for a limited period of time.   | C23 12/08<br>Op 8/14 |
| (8) | The duration of the consent (Section 123 of the Act), timing of reviews, and the purposes of reviews (Section 128 of the Act).   |                      |
| (9) | Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).  |                      |

**Note:** Rules 16.12.2.1 and 16.12.2.2 apply to construction of any new bores.



### 31.1.7.2 Restricted Discretionary Activities (Site-to-Site Transfer of Water Take)

The transfer, including a transfer for a limited period (being a period less than the duration of the water permit in question) to another site of all or part of the interest in any water permit to take or use water is a restricted discretionary activity, if it complies with the following conditions:

C23 7/08  
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- (a) Where water is to be transferred to an area where rules specify different rates of use, then the different rate will apply to the transfer, provided that the sum of any new quantities authorised does not exceed the original amount authorised to be taken.
- (b) The transfer is not in the Moutere Surface Water Zone, except where the total water use before and after the transfer does not increase.
- (c) The transfer is not out of a water management zone.
- (d) The transfer is not water taken and used to irrigate Maori perpetual lease land that is reserved under Table 1 of Schedule 31D.

C56 9/15  
Op 9/16

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

- (1) Compliance with relevant rules concerning the setback requirements between bores and quantity, rate and timing of the take, including provisions for rostering, rationing and rates of take.
- (2) The need or appropriateness for the transfer, including any changes of use.
- (3) Other water supply options for water users in the affected zones.
- (4) Whether the water body from which the water is to be taken is changed.
- (5) Whether water has been reserved for specified purposes in the zone.
- (6) Any relevant conditions on the original permit.
- (7) The effects of the take on other users or values of the water body.
- (8) The effects of the take either by itself or in combination with other existing takes, on aquatic and riparian ecosystems, including fish and eel habitat, and flows in rivers, wetlands or coastal springs affected by takes from groundwater.
- (9) A reduction in allocation where a bona fide review shows that water use is less than the amount of water allocated.
- (10) Installation of water meters as required in the relevant zone and shown in Schedule 31B.
- (11) Information to be supplied, and monitoring requirements.
- (12) Measures to achieve efficient water use or water conservation, including sealing of artesian bores, preparation of water management plans, and measures to monitor water use.
- (13) Limitations on the exercise of all or part of each water permit that is subject to a site-to-site transfer for a limited period of time.
- (14) The duration of the consent (Section 123 of the Act), timing of reviews, and the purposes of reviews (Section 128 of the Act).

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**31.1.7.3 Non-Complying Activities (Site-to-Site Transfer of Water Take)**

- (15) Financial contributions, bonds and covenants in respect of the performance of conditions and administration charges (Section 108 of the Act).

**31.1.7.3 Non-Complying Activities (Site-to-Site Transfer of Water Take)**

The site-to-site transfer of a water take that does not comply with the conditions of rule 31.1.7.2 is a non-complying activity.

**A resource consent is required.** Consent may be refused or conditions imposed.

**31.1.20 Principal Reasons for Rules****Water Take, Diversion or Use**

The permitted activity rule allows for small abstractions of water from any water body, to be taken for any purpose without the need for a resource consent. The rule also allows for the “reasonable domestic needs of an individual or the reasonable needs of an individual's animals for drinking water” as described by the Act. It is reasonable not to limit the drinking water needs of stock, and the quantities specified describe the reasonable needs of domestic users. Small coastal water takes are also permitted because adverse effects of these takes are not significant. Takes of coastal water from bores and takes of freshwater from bores seaward of mean high water springs will need a consent because of the potential significance of pumping on other water bodies, and seawater contamination of freshwater resources.

RCP  
Op 10/11

The limited quantities able to be taken ensure that adverse effects of such takes, either by themselves or in combination with other takes, can be avoided. In areas such as the Aorere or Upper Buller, more water can be taken without resource consent than in the remainder of the District. Water is also permitted to be taken for some specified activities as the effects of these sorts of takes are unlikely to be significant. Water metering for takes from the deep Moutere aquifers is now required for all new and existing takes, including takes for domestic and stock water. The Moutere aquifers are subject to high demand and it is important that Council monitors these takes and their effect on the aquifer, effects on other users through drawdowns, and the allocation limit. A staged process to enable compliance for existing users has been adopted.

An unlimited take of coastal water is considered appropriate for marine mammal rescue, and the normal operations of ships and offshore installations. (Normal operations are defined in the Resource Management (Marine Pollution) Regulations 1998). For takes of coastal water for other purposes, 1000 cubic metres is an arbitrary but appropriate threshold for requiring assessment of potential adverse effects through the consent process.

RCP  
Op 10/11

Rule 31.1.2.2 recognises that water is often taken for purposes that are ongoing or continuous, including horticultural production systems and industry. There is an expectation that permits to take water will continue to be renewed subject to specified conditions, and provided that Council can review conditions where necessary to ensure compliance with Plan rules or other specified purposes.

RCP  
Op 10/11

The Council recognises in rule 31.1.2.3 that new water takes that are within any established allocation limit will have potentially less significant adverse effects on the environment than other new takes and these takes will now be controlled activities. This is because the allocation limits take into account the water quantity needs of the identified uses and values of the water body, as well as the desirable security of supply for water users. The Council also recognises the contribution by water users in the Wai-iti Dam Service Zone to improving their security of supply and through investment into a more secure water supply through the Wai-iti Community Water Augmentation Scheme.

Water takes from constructed storage ponds, dams or reservoirs are also likely to have less significant adverse effects on the environment and these activities will be controlled activities provided for in rule 31.1.2.4.



All other water takes will be discretionary activities (rule 31.1.2.5) and this allows Council to consider the effects of each take on a case-by-case basis and to ensure that potential adverse effects of the water take can be taken into account. The conditions also ensure that the various water management provisions, such as low flow requirements and allocation limits, are taken into account. Applications to take water in cases where the allocation limit will be exceeded, will become non-complying.

RCP  
Op 10/11

Where relevant, rules have conditions that relate to the reservation of water, requirements for rationing and water meters, expiry dates of the consent, bona fide reviews, and efficient water use.

Water meters are required by national regulations for all consented takes greater than 5 litres per second. The Council will continue to require water meters for consented takes less than 5 litres per second as the effects of taking this amount of water can be significant on its own or in combination with other takes. Exceptions for this are where the water is taken at times of high flow during winter months and stored for use in seasonally dry areas, and for takes from dam impoundments and reservoirs or ponds.

C36 3/12  
Op 4/13

Water meters allow monitoring for compliance and for collection of water use data to assist in decision-making and add to understanding about the water resources of the District and the cumulative impacts of water takes.

Water takes from dam impoundments will be permitted activities, subject to some conditions, to reflect the policy direction to promote water augmentation and to allow dam owners to make decisions about security of supply. Permitting these takes also ensures the water measuring requirements of the national regulations will not apply to takes from an impoundment. This provision does not apply to weirs built to enhance access to water during low-flow periods.

However, in order that the Council can continue to manage residual flows from dams and the cumulative impacts of dams, the permitted activity for damming water is subject to a condition related to the amount of water taken from the impoundment. Adverse effects of dams, including cumulative effects and effects on downstream water users, will be managed through conditions on consents to dam water. Transitional arrangements allow for water permits to take from storage to continue applying without the need to apply for new or amended damming consents.

Taking water from reservoirs or ponds which are filled by pumping from surface water or groundwater sources is also a permitted activity. This reflects that the takes to fill storage are already controlled by water permits to take water and subject to water meter requirements.

Rationing may be imposed through consent conditions and apply once a rationing trigger has been reached. When deciding on whether to impose or continue rationing in the absence of relevant flow triggers or consent conditions, the Council will consult with water user committees and Dry Weather Task Forces. It will take into account the rate at which the river flow or groundwater levels are decreasing, rate of seawater intrusion, flows in coastal springs and climatic conditions, patterns of water use, and soil moisture levels. Progression from Step 1 will generally not exceed two-weekly intervals. After Step 3 or 4 rationing has been imposed, Council may then implement water shortage directions under Section 329 of the Act, taking into account policy 30.2.3.1. In addition, for permits not affiliated to the Waimea Community Dam, rationing and reporting will be based on a 'real time' approach to minimise potential for permits not affiliated to gain advantage from dam flows and this may include provision of water use data through telemetered systems for larger takes while those taking less than 3.3 litres per second may read meters daily and report weekly.

C56 9/15  
Op 9/16

The amount of water allocated in the Waimea Plains Water Management Zones exceeds the amount available to meet flows needed to sustain instream values and uses and to meet the demand by water users at the stated security of supply standard.

Council has now identified the proposed Waimea Community Dam as its preferred solution to managing the existing and potential future demand for water in the Waimea Plains. It has provided a water management regime that takes into account the effect of such an augmentation scheme on available water resources, including transitional provisions that apply until the dam is operational. The construction of this scheme enables the needs of a wide range of water uses and values to be met. In order to protect existing investment into water use, and to maintain a status quo for water use by affiliated permit holders until the dam is operational, the Council is adopting a transitional allocation regime that reallocates water to affiliated permits in a way that avoids additional adverse impact through any reduction in allocation or rationing. A bona fide review will determine the status quo level of water use and this amount will not be further reduced according to crop or soil type as the unaffiliated permits will be.

Schedule 31C, Table 1A, provides that in the rare event of a severe (more than 24-year return period) drought and low water storage in the dam, the required minimum flow for the Waimea River reduces from 1100 to 800 litres per second. Some form of water restrictions may be implemented by the Council in consultation with the Waimea Community Dam operator in an endeavour to maintain a minimum flow of 800 litres per second in the Waimea River. When total reservoir storage in the Waimea Community Dam falls to 2.7 million cubic metres (equivalent to a 40-year drought), Council will begin consultation with the operator about rationing water. This storage level is the trigger for consultation. The first rationing step for users of the augmented water flows is 2 million cubic metres. A storage volume of 1 million cubic metres is required for residual storage.

Council has also developed a water management regime that it will adopt if the dam is not constructed. It seeks to maintain a minimum flow in the Waimea River that protects in-stream values and the recreational values of the river as well as prevents damage to ecosystems and water supplies through sea water intrusion.

Tables 1B - 1D of Schedule 31C specify the rationing requirements in the absence of the Waimea Community Dam or for permits not affiliated to the Dam. Without water augmentation, significant rationing can be expected in the Waimea basin during an average summer with cease take directions occurring for significant periods in many years.

No new water permits can be granted in the absence of water augmentation until total abstractions are less than the limits in Figure 31.1FA, Table 1.

In zones where amounts allocated are collectively more than the stated allocation limit, ongoing reviews of permits, particularly where actual bore yields are less than the face value on the permit, will help reduce levels of over-allocation. In the Waimea Zones, Council will also reduce allocations to reflect bona fide water use and water will be allocated according to both soil type and crop water needs. In any zones that are fully or over-allocated, further permits to take water will not normally be granted.

### **Sustainable Bore Yield**

The water level in a pumped bore is dependent on the static water level, lowering of the water level in the bore due to pumping, lowering of the surrounding water table due to interference as a result of pumping from the bore itself and neighbouring bores and aquifer recharge. These factors are in turn dependent on bore depth, bore construction and aquifer hydraulic characteristics.

The sustainable bore yield may vary between bores and from aquifer to aquifer. Accounting for acceptable water level lowering so as not to adversely affect pumping rates for other neighbouring bores is an important consideration in determining sustainable bore yields and in establishing the minimum set back distances for bores (in chapter 16.12).

### **Water Quality**

The Council has signalled that it will manage potential adverse effects on water quality arising from intensive land uses enabled by irrigation through consent conditions on water permits to take and use water.

C47 4/13  
Op 9/15

However, the Council and affected landowners and industry groups do not have a good understanding about the range of mitigation measures possible or necessary to meet water quality objectives specified in Schedule 30B. A further plan change that introduces both the water quality limits and the necessary nutrient management measures as part of water take and use consents will be introduced following further investigation into this issue. See also Chapter 33.

New information shows that more water can be sustainably taken from the Central Plains aquifer, although the additional water can only be taken from within a high yield area adjacent to the river. This means maximum advantage can be taken of recharge of the aquifers from the Motueka River. Seawater intrusion in the nearby Hau Plains Zone is still an important trigger for rationing during times of drought. It is possible that seawater intrusion in this zone is a localised effect and takes from the Central Plains Zone may not have a significant effect on this trigger. Further monitoring and investigation will determine the extent to which further water might be made available from the Central Plains Zone without causing seawater intrusion, either along the coast generally or in the Hau Plains Zone in particular.

C24 12/08  
Op 8/14

### Upper Motueka Zones

Allocation limits have been established for Upper Motueka zones — Tadmor, Motupiko, Rainy, Tapawera, Glen Rae, and Wangapeka zones. These limits are consistent with the streamflow depletion limits specified in the Motueka Water Conservation Order (WCO) of 12 percent of the natural flow for the Motueka River at Woodstock and 6 percent for the Wangapeka River at Walter Peak. The allocation limits are also consistent with the security of supply policy (30.2.3.21) and where evidence of flow needs of instream values is lacking, are consistent with overall allocation policies (30.1.3.15 to 30.1.3.16).

C52 1/15  
Op 7/17

Separate allocation limits have been introduced for the Dove and Stanley Brook catchments. They were previously considered part of the Upper Motueka Zone, however only the lower Dove River (granite reach) reliably contributes flow to the Motueka River in summer. Allocation limits for both these zones reflect the summer dry nature of the catchments and the security of supply is likely to be less than the stated objective. Water meter information will help the Council and the water users to understand more about patterns of water use and security of supply.

C24 12/08  
Op 8/14

In the upper Motueka, a precautionary approach to streamflow depletion has been adopted by including all river and groundwater takes in assessing compliance with the allocation limit, until more recent groundwater modelling was completed in conjunction with the Integrated Catchment Management (ICM) research programme. This modelling has now been carried out and results provide more accurate information about the extent to which groundwater takes deplete river flows and the interaction between groundwater and the losses and gains to the Motueka River.

C52 1/15  
Op 7/17

The Tapawera Plains Zone has been amended to create two zones, the upper section is now the Tapawera Zone where the amount of water remains at the current (fully allocated) limit of 314 litres per second. The lower section, called the Glen Rae Zone, has an allocation limit of 300 litres per second. The combined total for these two zones is 90 litres per second more than previously specified for the Tapawera Plains Zone and reflects that the Motueka River is gaining water from groundwater in this lower reach. The additional allocation allows new users, and security of supply will meet the desired standard. The effect of water abstraction in the new zones on the Motueka River will be managed by a new river-flow trigger.

The water resources of the Rainy River are fully allocated and in order to reflect this accurately, the Rainy River catchment is now separately defined as a new zone rather than being included in the Motupiko Zone.

The management of the Motupiko River is improved by specification of rationing triggers that apply to water users in the Motupiko and Rainy Zones.

An allocation limit has now been established for between Woodstock and Woodmans Bend. The allocation limit is set in relation to flows and allocation limits above Woodstock for the Upper Motueka zones and below Woodmans Bend for the Motueka Plains zones. Allocation limits for the Motueka Plains zones, especially the Central Plains Zone, take into account existing and likely future water demand for the irrigation of irrigable land in the Motueka Valley.

C24 12/08  
Op 8/14

Allocation limits have now been included for some of the smaller coastal catchments near the Abel Tasman National Park. Although the Council does not have a good knowledge of the uses and values of those water bodies, it has introduced a provisional water allocation limit to help manage reservation of water for potential future water needs of the community and to provide some guidance for potential water users. These allocation limits are calculated from hydrological flow data at 10 percent of the 5-year, 7-day low flow for the rivers, plus calculated recharge from groundwater where it is relevant. (For the Marahau River, this low flow is 365.8 litres per second and there is 6 litres per second groundwater recharge over 50 hectares of river flats; for the Otuwhero River, 292 litres per second; and for the Holyoake River, 213 litres per second.) None of these rivers are mentioned specifically in Schedule 30A as having significant values, however, values have not been examined or assessed for these rivers in any detail and very little is known about their significance. Each allocation limit reflects a precautionary approach in light of this uncertainty and is based on the possibility that the rivers have significant values. Each is consistent with Policy 30.1.3.12. The allocation limit may be reviewed if there is more information about the significance of uses and values in those water bodies.

C24 12/08  
Op 8/14

Effects of takes from rivers with no allocation limit will be assessed on a case-by-case basis and decisions will be directed by Policy 30.1.3.12.

The waiting list provisions clearly identify the process to be followed in order to establish priority for new water that might become available in a fully allocated zone. It is complemented by a prohibition on any application by anyone not in priority order on a waiting list. There is an exception where an applicant can obtain the written approval of all persons with a prior registration. The method and rule regime protect potential water users' rights to water and provide a transparent and clear approach to the management of waiting lists.

C23 7/08  
Op 8/14

When Council is considering any application for water, and any registration on a waiting list, it will require the applicant to demonstrate that a need for water actually exists. Council will ensure that potential water users, particularly in water short areas, consider actual water need and also adequately account for alternatives. In zones where Council maintains a waiting list, a condition that the consent lapses if it has not been exercised within two years will also be imposed to ensure water available for abstraction is actually used.

The amounts of water reserved for potential future irrigation of Māori Perpetual Lease Land and for future community use are specified in Schedule 31D. The quantities are reserved within any allocation limit for each of the water management zones and, for irrigation uses, are calculated for land that can be sustainably irrigated. Future community water supply needs take into account predicted growth in urban areas.

C23/C24  
Op 8/14

The rules help ensure future access to water for this specified class of iwi land by preventing site-to-site transfer of water away from any Māori Perpetual Lease Land that is currently being irrigated. New applications for water can only continue to be granted if the amounts reserved in the schedule are still available for the reserved purpose.

In considering allocation limits and applications to take water for irrigation, Council will take into account the area of land that is irrigable using soil type, slope, aspect, elevation and rainfall suitability criteria in the Tasman Regional Water Study 2003: Technical Report 44487/1. In calculating the amount to be allocated when a water permit application is made, headlands, areas covered by roads, rivers and tracks, buildings and structures, and the like, will not be included.

In calculating the amount reserved for the irrigation of Māori Perpetual Lease Land, any land meeting both suitable and marginal criteria for soil type, slope and elevation will be considered irrigable. The reservation amounts for the irrigable land will include the total land area of the land title but will exclude land zoned for urban use, titles less than 1 hectare in area, and land within stopbanks or estuary. Māori Perpetual Lease Land for which iwi already hold a water permit will also be excluded from the reservation calculation.

### **Diversion of Water by Structures**

Minor diversions such as those caused by existing structures in the beds of rivers have minor effects and should be permitted. Maintenance and repair of such structures also has limited adverse effect because of the temporary nature of such activities. For other diversions, a range of circumstances exist where water diversions may be required, including alluvial mining operations, hydro-electric power generation and water supply schemes. It is appropriate for the activity to be discretionary, with Council retaining unlimited discretion because of the range of potential diversion activities having a wide range of effects.

### **Damming of Fresh Water**

The damming of small amounts of fresh water behind a small structure is a permitted activity because the adverse effects of such activities are likely to be small and, in most cases, effects are more likely to be beneficial.

Damming that is already occurring and is authorised by a permit will be a controlled activity as there is little scope for the Council to refuse consent, but it can consider conditions to avoid, remedy or mitigate adverse effects from such dams. It also enables Council to review the consent and ensure structural stability of the dam over time.

The impact of large-scale damming on stream hydrology and ecology as well as on other uses and values, including recreation and abstractive uses, can be significant. For this reason, Council will require any consent application for large-scale damming.

These damming activities will be discretionary activities to allow the Council to assess their potential adverse effects and measures to avoid, remedy or mitigate them. The Council recognises that dams will often have beneficial effects, and will have regard to these when seeking to avoid, remedy or mitigate the adverse effects of dams.

### **Damming and Diversion of Flood Waters**

The construction of a stopbank to divert floodwater is generally to protect land or buildings from damage by flooding. However, stopbanks also have considerable potential to adversely affect river hydrology and erosion of the river, and they may affect flood flows on neighbouring properties. The rules allow for diversion of floodwater from existing stopbanks as the effects of these structures are already existing and accounted for. Any diversion of water by a new stopbank will be a discretionary activity because of the potential for significant adverse effects.

There are also land use rules regulating the construction of stopbanks in section 16.10 (Flood Hazards) of the Plan.

### **Diversion and Take of Water from Naturally Occurring Wetlands**

This rule regulates the drainage and infilling of naturally occurring wetlands. It is necessary to recognise and provide for the protection of the high ecological and natural values, and the processes and functions of wetlands. A discretionary activity for wetland drainage or infilling is necessary until the Council has collected sufficient information to establish the extent and significance of naturally occurring wetlands. It provides a precautionary approach and is more consistent with the sustainable management of wetlands. Once information about significance is available, Council has signalled its intent to review these provisions and indicate whether it may be appropriate to permit some drainage or modification of wetlands in some circumstances.



Council has adopted other methods to help ensure that landowners are aware of the importance of these ecosystems and ways of protecting them. Council's range of methods includes advocacy, education and incentives in an effort to recognise landowners' expectations as well as the need to protect such vulnerable ecosystems.

The rule also recognises that landowners may need greater control over constructed wetlands such as dams and reservoirs. The rule does not apply to manmade wetlands.

A consent requirement for the drainage of wetlands will ensure that the Council can consider all the adverse effects of draining any particular wetland on a site-by-site basis.

### Site-to-Site Transfer of Water Takes

Site-to-site transfer of all or part of a permit to take water has the potential to encourage efficient use of water and provide for greater access to water than currently occurs. Council has adopted an approach that allows for and encourages transfer of permits as an alternative to reducing the allocated amount in a permit through bona fide reviews. However, because of uncertainties about the effects of a transferable permit system that permits site-to-site transfer, the Council will continue with a regulatory regime for permit transfer as provided for in the Act.

The rule clearly specifies conditions that will apply to transfers as well as the matters that the Council will take into account when considering applications for transferring permits. The Council has also undertaken to provide information about temporary or permanent transfer of water permits to permit holders who may otherwise lose unused portions of their permit through bona fide reviews.

Transfer of water takes away from land subject to Maori perpetual leases is a non-complying activity to ensure Maori landowners will retain access to water for irrigation in the future when they regain control of their lands.

C24 12/08  
Op 8/14

Site-to-site transfer of water takes in over-allocated zones would normally be a non-complying activity because of the possible increase in total water used through an increase in area irrigated, even if the total quantities authorised on the combined permits does not change. This is usually because a permit holder may have more water allocated than is actually being used and the excess water could be transferred to another site. However, in some circumstances, a site-to-site transfer may enable more efficient use of water during a drought. Site-to-site transfers like this would be considered more favourably because an increase in area irrigated or total water use is not likely.

A controlled activity status for site-to-site transfers will enable better and more flexible management of the allocatable water in fully allocated zones during periods of low flow.

C52 1/15  
Op 7/17

### Community Water Supply

Calculation of the amount of water reserved for community water supply shall be based on a long term planning view that seeks to provide for the foreseeable future water supply needs of communities. Demand calculations shall take into account population growth projections which are updated periodically. This may result in amendments to plan provisions (by change or variation) if significant differences occur between actual and projected growth.

Op 8/14  
(C23/C24)

Community demand shall be based on known water usage where that information is available. Where no existing use information is available, demand shall be calculated in general accordance with the New Zealand Standard for Subdivision NZS4404 and will take into account the security of supply for the relevant water management zone. Water demand for non-residential (schools, hospitals, commercial and industrial) supply will be based on known water use where information exists, rational estimates of expected needs and forecasts of potential future developments.

For larger urban areas, the reserved quantity is for existing and likely future large water uses including industries, schools, camp grounds, hospitals, and rest homes, taking into account relevant population and economic growth and commercial and industrial zoning.

Not all of the reserved water will necessarily be allocated via a water permit for community use at any time. The unallocated water remains available for the identified use in the future and, in the meantime, can be used on a temporary or interim basis by other users.

Op 8/14  
(C23/C24)

Applications to take water for community supplies will be considered on the basis of the relevant projections for population and business growth and the resulting increase in water demand within the term of the permit for the applicable supply area. Water allocation will be staged during the term of the consent so that the amount allocated closely reflects this growth in demand. Applications for water for community supply will need to address measures to ensure efficient use of water within the reticulated area.

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## **31.2 FINANCIAL CONTRIBUTIONS FOR WATER TAKE, DIVERSION, USE OR DAMMING**

*Refer to Policy sets*  
*Refer to Rule sections*

### **31.2.1 Scope of Section**

This section states the circumstances, purposes and manner for requiring financial contributions for water (including inshore coastal water) take, use, diversion and damming that require resource consent.

### **31.2.2 Terms for Taking, Using, Damming or Diverting Water**

The taking, using, damming or diverting of water that requires a resource consent is subject to the following terms:

Council may require a financial contribution:

- (a) in the circumstances; and
- (b) for the purposes; and
- (c) to the level determined in the manner as follows:

#### **31.2.2.1 Circumstances**

- (a) Where any ecosystem, habitat, or plant or animal life is or is likely to be adversely affected by any water take, damming or diversion.
- (b) Where any water take, use, damming or diversion is likely to have any adverse effect on the quantity or quality of water for any use or value.

#### **31.2.2.2 Purposes**

- (a) To attain any positive effect on the environment to offset any adverse effects.
- (b) To offset or otherwise avoid, remedy or mitigate any adverse effect of a water take, use, damming or diversion by providing:
  - (i) a contribution to the cost of works or other actions, including water augmentation, or riparian or wetland land management; or
  - (ii) a contribution to the cost of measures to protect or restore any habitat, plant or animal community, or the condition of any water body or coastal water; or
  - (iii) land in connection with (i) or (ii).

#### **31.2.2.3 Manner for Determining Level of Contribution**

- (a) Council will assess, firstly, the effects management measures to be undertaken by the consent holder, as incorporated in the particular application or imposed by other conditions of consent. Council will then assess whether it needs to undertake any residual measures to achieve the environmental outcomes required by the consent, and whether the consent holder should contribute to the cost of those measures.
- (b) In determining the level of any financial contribution, Council may take into account:
  - (i) the effectiveness of a financial contribution to offset adverse effects, particularly cumulative effects;

- (ii) effectiveness of a financial contribution to offset adverse effects on other water users, or uses and values of a water body or coastal water;
- (iii) the need for a direct relationship between the size and significance of any adverse effect of the take, use, damming or diversion, and the level of any financial contribution.



**SCHEDULES****Schedule 31A: Duration of Resource Consents**

*Refer to Rules 31.1.2.2, 31.1.2.3, 31.1.2.4 and 31.1.2.5.*

The Council will consider the following schedule when determining the duration of any permit to take or divert water. Where appropriate, the duration of the consent will be consistent with the next common expiry date for the relevant water management as shown in this schedule.

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| EXPIRY DATES   |                         |
|--|-------------------------|
| Water Management Zones   | Expiry Dates            |
| <b>Motueka/Riwaka Plains</b>   |                         |
| Central Plains   | 31 May 2015 31 May 2033 |
| King Edward  | 31 May 2015 31 May 2030 |
| Hau Plains   | 31 May 2015 31 May 2030 |
| Riwaka   | 31 May 2014 31 May 2029 |
| Swamp/Umukuri  | 31 May 2014 31 May 2029 |
| <b>Moutere</b>   |                         |
| Moutere Coastal, Eastern, Southern and Western Groundwater   | 31 May 2013 31 May 2027 |
| Moutere Surface Water  | 31 May 2013 31 May 2028 |
| <b>EITHER</b>  |                         |
| <b>(i) Waimea Plains</b>   |                         |
| These dates apply to any permit not affiliated to the Waimea Community Dam or to any permit where there is no Waimea Community Dam |                         |
| Upper Catchments (Wairoa, Lee and Roding rivers)   | 30 November 2039        |
| Hope and Eastern Hills   | 30 November 2039        |
| Lower Confined Aquifer   | 30 November 2039        |
| Delta and Redwood  | 30 November 2039        |
| Golden Hills   | 30 November 2039        |
| Waimea West  | 30 November 2039        |
| Upper Confined Aquifer   | 30 November 2039        |
| Reservoir  | 30 November 2039        |
| <b>EXPIRY DATES</b>  |                         |
| Water Management Zones   | Expiry Dates            |
| <b>OR</b>  |                         |
| <b>(ii) Waimea Plains</b>  |                         |
| These provisions apply to any permit affiliated to the Waimea Community Dam  |                         |
| Appleby Gravels  | Refer Schedule 31AA(3)  |
| Lower Confined Aquifer   |                         |
| Upper Confined Aquifer   |                         |
| Hope   |                         |
| Eastern Hills  |                         |
| Redwood  |                         |
| Upper Catchments   |                         |

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| EXPIRY DATES                     |                        |             |
|----------------------------------|------------------------|-------------|
| Water Management Zones           | Expiry Dates           |             |
| <b>Wai-iti</b>                   |                        |             |
| Wai-iti Dam Service              | Refer Schedule 31AA(3) |             |
| Wai-iti                          | 31 May 2016            | 31 May 2031 |
| <b>Marahau/Abel Tasman</b>       | 31 May 2015            | 31 May 2033 |
| <b>Takaka/Aorere/West Coast</b>  | 31 May 2019            | 31 May 2034 |
| <b>Middle Motueka</b>            | 31 May 2018            | 31 May 2033 |
| <b>Upper Motueka (all zones)</b> | 31 May 2019            | 31 May 2034 |
| <b>Upper Buller</b>              | 31 May 2020            | 31 May 2035 |
| <b>Hope Aquifer</b>              | 31 May 2011            | 31 May 2028 |

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If an application is made up to three years before the next due date for the relevant zone, the Council may issue the permit for the following expiry date.

**Note:**

Where no expiry date is specified, the duration of the consent will be a matter for Council's discretion.

**Schedule 31AA: Duration of Resource Consents – Assessment Matters**

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*Refer to rules 31.1.2.2, 31.1.2.3, 31.1.2.3A, 31.1.2.4, 31.1.2.5, 31.1.2.6, 31.1.3.2, 31.1.4.2, 31.1.4.3, 31.1.5.2, 31.1.6.1, 31.1.7.1, 31.1.7.2, 31.1.7.3.*

The duration for water permits to take water is given in Schedule 31A.

Where Schedule 31A is not applicable, the period for which a resource consent to carry out an activity regulated by Part V is granted is the period (not exceeding 35 years from the date of granting) specified in the consent, and if no such period is specified, is five years from the date of commencement of the consent under the Act.

The list of matters in this Schedule provides guidance in determining the appropriate duration of any resource consent to be granted. It does not restrict the consent authority's discretion in each case to grant a resource consent for a duration based on the particulars of the individual consent applications. If after consideration of the matters, no significant concerns are identified then Council may apply a 35-year duration. However, if significant concerns are identified, then Council may restrict the duration of the resource consent to a shorter duration.

The matters will also be relevant in determining any review conditions that may be imposed with the consent. When considering the duration of any resource consent to be granted, the Council will grant the resource consent for as long as is consistent with sustainable resource management, having particular regard to the following matters:

- (1) The nature and sensitivity of the affected environment, including:
  - (a) the risk of unforeseen adverse effects arising from the consented activity;
  - (b) the level of knowledge about the affected environment.
  
- (2) The nature of the activity, including:
  - (a) the degree to which the methods used to control, avoid, remedy, or mitigate the adverse effects of the consented activity are of a temporary nature or inconsistent with the requirements of the Act and the time that is practicable for the consent holder to implement other options;
  - (b) the level of compliance monitoring, environmental impact monitoring, reporting and action required by the conditions on the resource consent;
  - (c) the significance of the activity relative to the existing situation and the capacity of the affected environment;
  - (d) the duration of consent sought by the applicant;
  - (e) the rate of change in technology that may mitigate adverse effects resulting from the activity;
  - (f) the permanence and economic life of the activity;
  - (g) the costs and benefits of the activity to the community;
  - (h) the consent holder's capital investment in a pre-existing activity;
  - (i) any documented and proven history of non-compliance with the requirements of the Act, and the response to that non-compliance by the consent authority and those undertaking the activity;
  - (j) guidance from resource management case law;
  - (k) any resource management work committed to by the consent holder which will have positive or beneficial environmental effects and is dependent on consent duration.

- 
- (3) For applications to take, use or divert water made available as a result of a significant, large scale augmentation scheme that increases the natural flows or levels of ground and surface water, the duration may:
- (a) be consistent with and dependent on the duration of consents associated with the construction and operation of the augmentation scheme, in particular, consents for damming and discharge of water from dams;
  - (b) take into account the level of dependence on the operation of the scheme and the permanence and economic life of the augmentation scheme; C63 9/16  
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  - (c) be consistent with the duration of consents that are not affiliated to the Waimea Community Dam, in the event of the Waimea Community Dam.
- (4) Any other relevant matters. C47 4/13  
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**Schedule 31B: Water Meter Requirements**

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*Refer to Rules 31.1.2.2, 31.1.2.3, and 31.1.2.5.*

The Council will impose conditions for water meters on water permits to take and use water as follows:

| RATE OF TAKE FOR CONSUMPTIVE USE IN LITRES PER SECOND (ALL ZONES)   | ZONES WHERE WATER METERS ARE REQUIRED   |
|---|---|
| >20   | 10 November 2012  |
| 10 - 20   | 10 November 2014  |
| 5 - 10  | 10 November 2016  |
| <5  | 10 November 2018<br><br><b>Exceptions:</b><br>(a) Water meters may not be required where the take is during times of high flow during winter months to augment water supplies in seasonally water short areas.<br>(b) Any take from a dam impoundment, pond or reservoir authorised by a water take permit. |
| <b>Notes:</b><br>(1) Water meters on takes at a rate less than 5 litres per second may not be required to install pulse output capability.<br>(2) Where water meters already exist, these dates specify the date by which verification must be completed.<br>(3) For takes from storage authorised by a water permit, the regulations will apply, however the permit can be relinquished if there is compliance with rule 31.1.2.1. This provides a transitional arrangement where a take from storage consent currently applies.<br>(4) Takes from surface water in the Moutere Surface Water Zone will be required to install water meters before regulation dates apply. |   |

**Schedule 31C: Triggers for Rationing and Minimum Flows***Refer to rules 31.1.2.2, 31.1.2.3, 31.1.2.3A, 31.1.2.5, 31.1.4.2, 31.1.4.3.*

The Council will apply the following schedule when determining conditions on resource consents for rationing and rostering.

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| <b>Table 1<br/>MINIMUM FLOWS AND TRIGGERS FOR RATIONING</b> |  |                                     |   |   |
|---|--|-------------------------------------|---|---|
| <b>Water Management Zone</b>                                | <b>Location</b>  | <b>Minimum Flow (l/sec)</b>         | <b>Trigger for First Rationing Step (l/sec)</b>           | <b>Trigger for Consultation (l/sec)</b> |
| <b>Wai-iti Zones</b>  |  |                                     |   |   |
| Wai-iti and Wai-iti Dam Service                             | At Livingstone Road  | None (Nov – Apr)<br>400 (May – Oct) | 100 l/sec   |   |
| <i>[Triggers for Waimea zones deleted]</i>                  |  |                                     |   |   |
| <b>Motueka/Riwaka Plains Zones</b>                          |  |                                     |   |   |
| Te Matu   | Coastal monitoring bores WWD 2510 E2512203 N6010300 and WWD 2629 E2510407 N6014058 |                                     |   | 0.4 millisiemens per centimetre         |
|   | Motueka River flow at Woodmans Bend  |                                     |   | 5650                                    |
| Riwaka  | Hickmotts  | 615 (May – Oct)<br>400 (Nov – Apr)  | 615   | 1015                                    |
| Umukuri (Brooklyn River takes only)                         | Andersons Bridge   | 30                                  | 120   | 120                                     |
| Swamp (Little Sydney River takes only)                      | SH 60 bridge north of Riwaka   | 15                                  | 60  | 60                                      |
| Hau Plains  | Any used bore in the zone  |                                     | 0.4 millisiemens per centimetre in any used bore          |   |
| <b>Middle Motueka Zone</b>                                  |  |                                     |   |   |
| Between Woodmans Bend and Woodstock                         | Woodmans Bend  | Subject to WCO                      |   |   |
| <b>Upper Motueka Zone</b>                                   |  |                                     |   |   |
| Motupiko, Rainy, Tapawera, Glen Rae, Baton, Wangapeka       | Woodstock  | Subject to WCO                      | 7000  | 7500                                    |
| Tadmor River  | Mudstone Weir  | Subject to WCO                      | 128   |   |
| Hope River  | Downstream of diversion weir   | 20                                  | None  |   |
| Rainy   | Christies  | 203                                 | 250   | 400                                     |
| Motupiko  | Christies  |                                     | 250   | 400                                     |
| Tapawera, Glen Rae  | Motueka River, above the Wangapeka Confluence                                      |                                     | 1400  |   |
| <b>Moutere Zones</b>  |  |                                     |   |   |
| Moutere Surface Water                                       | None   | A visible residual flow             | -   |   |
| Moutere Coastal Groundwater                                 | Bore No. WWD 8110 Weka Rd, E2512161.92 N6002268.77                                 | N/A                                 | 12 metres above mean sea level (NVD55)                    |   |
| Moutere Eastern Groundwater                                 | None   | N/A                                 | None  |   |
| Moutere Southern Groundwater                                | Bore No. WWD 8109 Stringer Rd, E2516096.79 N5992128.65                             | N/A                                 | 10 metres above mean sea level (NVD55)                    |   |
| Moutere Western Groundwater                                 | Palmers Bore No. WWD 8435  | -                                   | Groundwater level - 0 metres above mean sea level (NVD55) |   |
| Powley Creek  | Map ref N27:0680-0633  | 2                                   | 2   |   |

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**Notes on Table 1:**

- (1) Water user committees will be consulted when rationing triggers are reached. Committees may adopt rostering or other measures to maintain minimum river flows in order to avoid rationing, particularly for the Little Sydney, Riuwaka, Brooklyn and Tadmor rivers.
- (2) The saltwater intrusion trigger for rationing in the Hau Plains Zone is any used domestic bore where there is no alternative water supply provided.
- (3) The minimum flows for Middle and Upper Motueka zones will be consistent with the Water Conservation Order for the Motueka River.
- (4) Rationing triggers for the Eastern Groundwater Zone are to be reviewed within three years.
- (5) The Council will implement rationing to comply with the Motueka WCO flow extraction limits of 12% above Woodstock, and 6% for Wangapeka above Walter Peak. It will also implement rationing to protect river flows in contributing tributaries.
- (6) In the Rainy and Motupiko zones, Step 2 rationing will commence at 200 litres per second and Step 3 at 180 litres per second.
- (7) If water flows or levels decrease below the minimum flows or levels specified in this schedule and the provisions of the rationing steps given in Figure 31.1C are exceeded, the Council may issue water shortage directions in accordance with Policy 30.2.3.1.
- (8) The May to October minimum flow for the Riuwaka River only applies to the management of water takes for frost protection.

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Flows specified in all tables in this schedule refer to unmodified flows except for the Tadmor River at Mudstone, the Wai-iti River at Livingston Rd in Table 1 and the Waimea River in Table 1A.

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| Table 1A   |  |  |   |   |
|--|--|--|---|---|
| MINIMUM FLOWS AND TRIGGERS FOR RATIONING: WAIMEA PLAINS ZONES – WAIMEA COMMUNITY DAM AFFILIATED PERMITS AFTER DAM COMMENCES OPERATION  |  |  |   |   |
| This rationing and flow regime applies to any water permits affiliated to the Waimea Community Dam from the time that the Dam commences operation  |  |  |   |   |
| Zone   | Location   | Trigger Flow (litres per second)                               |   |   |
|  |  | Minimum Flow   | Trigger for First Rationing Step                      | Trigger for Consultation (l/sec)                        |
| Lee River  | Below dam at Meads bridge<br>NZMS 260:N27<br>NZTM 1613293, 5415954 | 510  |   |   |
| Roding River   | NZMS 260:N27<br>NZTM 1619901, 5419952                              | 100  |   |   |
| Appleby Gravel<br>Lower Confined<br>Upper Confined<br>Hope and Eastern Hills<br>Upper Catchments   | Waimea River anywhere  | 1100<br>Or 800 if a drought exceeds 1-in-40 year return period | Reservoir storage is less than 2 million cubic metres | Reservoir storage is less than 2.7 million cubic metres |
| <b>Note:</b>   |  |  |   |   |
| (1) Flows from the dam to augment Waimea River flows are managed by resource consent conditions on the water and discharge permits for the Waimea Community Dam. However, rationing use of water during extreme droughts (beyond a 40-year drought) will enable more efficient use of the stored water over a longer period. |  |  |   |   |

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| Table 1B   |              |  |                                       |
|--|--------------|--|---------------------------------------|
| MINIMUM FLOWS AND TRIGGERS FOR RATIONING: WAIMEA PLAINS ZONES – AFFILIATED PERMITS UNTIL OPERATION OF THE WAIMEA COMMUNITY DAM COMMENCES   |              |  |                                       |
| This rationing and flow regime applies to any water permits affiliated to the Waimea Community Dam before the Waimea Community Dam commences operation   |              |  |                                       |
| Zone   | Minimum Flow | Trigger for First Rationing Step   | Trigger for Consultation              |
| Delta  | None         | 1.0 millisiemens per centimetre<br>In WWD50<br>(E1611825N5427949NZTM)<br>2500 l/sec in Wairoa River at Irvines | 2800 l/sec in Wairoa River at Irvines |
| Reservoir<br>Upper Catchments<br>Waimea West<br>Upper Confined Aquifer (UCA)<br>Golden Hills   |              |  | 2800 l/sec in Wairoa River at Irvines |
| Lower Confined Aquifer (LCA)<br>Hope and Eastern Hills   |              | Step 1 rationing introduced when Step 2 introduced for Reservoir Zone  |                                       |
| <b>Notes:</b>  |              |  |                                       |
| (1) The values for all triggers are derived from the flow record of the Wairoa River at the Irvines site that is corrected to remove any modification of those flows by the influence of the Waimea Community Dam on Lee and Wairoa River flows. Following operation of the Waimea Community Dam, all effects on flows and timing of storage and releasing from the Dam are computed and smoothed to represent the flow record at Irvines as unmodified or as if the Dam did not exist. All other influences on flows at Irvines such as the Roding dam are disregarded. |              |  |                                       |
| (2) All triggers are based on the unmodified flow of the Wairoa River at Irvines.  |              |  |                                       |

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| <b>Table 1C</b><br><b>MINIMUM FLOWS AND TRIGGERS FOR RATIONING: WAIMEA PLAINS ZONES –</b><br><b>NO WAIMEA COMMUNITY DAM OR UNAFFILIATED PERMITS UNTIL OPERATION OF THE WAIMEA</b><br><b>COMMUNITY DAM COMMENCES</b>  |   |              |   |   |                                       |
|--|---|--------------|---|---|---------------------------------------|
| This rationing and flow regime applies if there is no Waimea Community Dam or if substantial progress towards giving effect to the applicable resource consents for construction of the Waimea Community Dam has not been made by 1 November 2020 or if the Waimea Community Dam has not commenced operation by 1 November 2023 and also applies to permits not affiliated until the dam commences operation   |   |              |   |   |                                       |
| Zone   | Trigger Flow (litres per second)                          |              |   |   |                                       |
|  | Step 4 Rationing Trigger                                  | Minimum Flow | Trigger for Third Rationing Step                                      | Trigger for First Rationing Step  | Trigger for Consultation              |
| Delta Reservoir<br>Upper Catchments<br>Waimea West<br>Upper Confined Aquifer (UCA)<br>Golden Hills   | 800 l/sec in the Waimea River at the TDC Nursery recorder | 800          | 2300 l/sec in Wairoa at Irvines                                       | 1.0 millisiemens per centimetre in any used bore<br>2750 l/sec in Wairoa River at Irvines | 3000 l/sec in Wairoa River at Irvines |
| Lower Confined Aquifer (LCA)<br>Hope and Eastern Hills   |   |              | Step 2 rationing introduced when Step 3 introduced for Reservoir Zone | Step 1 rationing introduced when Step 2 introduced for Reservoir Zone                     |                                       |
| <b>Notes:</b>  |   |              |   |   |                                       |
| (1) The 800 litres per second minimum flow measurements are carried out within 500m of the TDC Nursery Site depending on the river morphology at that time.  |   |              |   |   |                                       |
| (2) The values for all triggers are derived from the flow record of the Wairoa River at the Irvines site that is corrected to remove any modification of those flows by the influence of the Waimea Community Dam on Lee and Wairoa River flows. Following operation of the Waimea Community Dam, all effects on flows and timing of storage and releasing from the Dam are computed and smoothed to represent the flow record at Irvines as unmodified or as if the Dam did not exist. All other influences on flows at Irvines such as the Roding dam are disregarded. |   |              |   |   |                                       |
| (3) All triggers are based on the unmodified flow of the Wairoa River at Irvines.  |   |              |   |   |                                       |
| (4) Lower Confined Aquifer and Hope and Eastern Hills progress from Step 2 to Step 4 when all other zones are at Step 4.   |   |              |   |   |                                       |

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| <b>Table 1D</b><br><b>MINIMUM FLOWS AND TRIGGERS FOR RATIONING: WAIMEA PLAINS ZONES –</b><br><b>NO AFFILIATION TO THE WAIMEA COMMUNITY DAM AFTER DAM COMMENCES</b>  |  |                                   |   |                                       |   |
|---|--|-----------------------------------|---|---------------------------------------|---|
| This rationing and flow regime applies to water permits not affiliated to the Waimea Community Dam and will apply once operation of the Waimea Community Dam commences  |  |                                   |   |                                       |   |
| Zone  | Trigger Flow (litres per second)                                   |                                   |   |                                       |   |
|   | Step 3 Cease Take Flow Trigger                                     | Trigger for Second Rationing Step | Trigger for First Rationing Step  | Trigger for Consultation              | Trigger for resuming abstraction after any rationing imposed  |
| Delta Reservoir<br>Upper Catchments<br>Waimea West<br>Upper Confined Aquifer (UCA)<br>Golden Hills with Waimea Community Dam  | All zones cease take at 2050 l/sec flow in Wairoa River at Irvines | 2300 l/sec in Wairoa at Irvines   | 1.0 millisiemens per centimetre in WWD50 (E1611825N5427949 NZTM)<br>2750 l/sec in Wairoa River at Irvines | 3000 l/sec in Wairoa River at Irvines | Takes in all zones recommence when 7 day moving mean reaches 6,000 l/sec in Wairoa River at Irvines |
| Lower Confined Aquifer (LCA)<br>Hope and Eastern Hills  |  | No Step 2 applies                 | Step 1 rationing introduced when Step 2 introduced for Reservoir Zone                                     |                                       |   |
| <b>Note:</b> The values for all triggers are derived from the flow record of the Wairoa River at the Irvines site that is corrected to remove any modification of those flows by the influence of the Waimea Community Dam on Lee and Wairoa River flows. Following operation of the Waimea Community Dam, all effects on flows and timing of storage and releasing from the Dam are computed and smoothed to represent the flow record at Irvines as unmodified or as if the Dam did not exist. All other influences on flows at Irvines such as the Roding dam are disregarded. |  |                                   |   |                                       |   |

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| <b>Table 2</b><br><b>RATIONING STEPS (VIA ROSTERING) TO ACHIEVE STAGED REDUCTIONS</b><br><b>FOR THE RIUWAKA RIVER</b> |                                       |  |                             |
|---|---------------------------------------|--|-----------------------------|
| <b>Trigger Flows (l/sec)</b><br><b>(combined flows at North</b><br><b>and South Branch</b><br><b>recorder sites)</b>  | <b>Low Flow</b><br><b>Probability</b> | <b>Total Instantaneous</b><br><b>Extraction Rate</b><br><b>(litres per second)</b> | <b>Percentage Reduction</b> |
| 615   | 1-in-10 year                          | 200  |                             |
| 540   | 1-in-25 year                          | 180  | 10%                         |
| 500   | 1-in-40 year                          | 153  | 15%                         |
| 485   | 1-in-50 year                          | 130  | 15%                         |

**The next page starts on 31/58**





**Schedule 31D: Reservation of Water***Refer to Rules 31.1.2.2, 31.1.2.3, and 31.1.2.5.*

The following tables specify the amount of water reserved for the irrigation of Maori perpetual lease lands, for community water supply and for irrigation in the Central Plains Zone when considering any application to take water. For water reserved for Māori perpetual lease lands, uses other than irrigation may be considered subject to consideration of effects not associated with use for irrigation purposes. These effects are considered at the time the application for a water permit is made.

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Any allocation of water for a reserved purpose is subject to the allocation limit for the relevant zone.

The quantities specified in the tables are to apply until allocations are made by grants of water permits for the reserved purposes, and thereafter the relevant quantities are to be deemed to be reduced accordingly.

Notwithstanding the expiry of any lease over Maori perpetual lease lands, the reservation of water in Table 1 applies to the irrigation of land that is subject to the first application for a water permit by the iwi landowner to take and use water following that expiry.

Once land that was previously subject to a Māori perpetual lease reverts to the freehold owner's control, the reservation of water continues to apply until the owner makes the first water permit application in respect of that land. In the event that the first water permit granted to the owner is for an amount less than the reserved amount, the unallocated balance remains reserved to the block of former Māori perpetual lease land in question. The unallocated balance remains as a reserved amount able to be applied for by the owner up to and including the date of any renewal of the first water permit under rule 31.1.2.2 or rule 31.1.2.3 (as the case may be), provided the duration of the first water permit is for a period of at least 10 years, but thereafter the reservation ceases. Any consequential reductions or deletions of the reserved amounts to give effect to decisions made in granting the first water permit and in granting a renewal of the first water permit will be made without further formality.

| <b>Table 1<br/>RESERVATION OF WATER: MAORI PERPETUAL LEASE LAND</b>  |                                    |  |
|--|------------------------------------|--|
| <b>(A)<br/>Water Management Zone</b>   | <b>(B)<br/>Irrigable Area (ha)</b> | <b>(C)<br/>Amount Reserved (l/sec)</b> |
| <b>Motueka Riwaka Plains Zones</b>   |                                    |  |
| Central Plains Zone (@30mm) incl. 39.46ha (in MWGZ)  | 440.82                             | 223.62                                 |
| Hau Plains Zone (including former Transition Zone) (@35mm)<br>(less 8.38 irrigated from King Edwards Zone) | 29.06                              | 16.53                                  |
| Swamp Zone (@30mm)   | 8.1                                | 4.02                                   |
| Umukuri Zone (@30mm)   | 13.66                              | 6.77                                   |
| Riwaka Zone (@30mm)  | 21.47                              | 10.65                                  |
| King Edward Zone (@35mm) plus 8.3 irrigated in Hau Zone  | 76.45                              | 44.24                                  |
| <b>Motueka Zone</b>  |                                    |  |
| Middle Motueka (@35mm)   | 22.22                              | 12.86                                  |
| <b>Marahau Zone</b>  |                                    |  |
| Marahau Zone (@35mm)   | 27.85                              | 9.43                                   |
| <b>Moutere Zones</b>   |                                    |  |
| Moutere Surface Water Zone (@19mm)   | 11.3                               | 4.6                                    |
| Moutere Coastal Groundwater Zone (@19mm)   | 28                                 | 11.7                                   |
| Moutere Eastern Groundwater Zone (@19mm)   | 11                                 | 4.5                                    |
| Moutere Southern Groundwater Zone  | 0                                  | 0                                      |
| Moutere Western Groundwater Zone (@19mm and 30mm)  | 39                                 | 12                                     |
| [Note deleted]   |                                    |  |

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| <b>Table 2</b>  |                                   |  |                          |                              |                          |
|---|-----------------------------------|--|--------------------------|------------------------------|--------------------------|
| <b>RESERVATION OF WATER: COMMUNITY SUPPLY</b>               |                                   |  |                          |                              |                          |
| <b>Water Reticulation Scheme/Supply</b>                     | <b>(A)</b>                        | <b>(B)</b>                                 |                          | <b>(C)</b>                   |                          |
|   | <b>Amount Currently Allocated</b> | <b>Total Required (Calculated) in 2026</b> |                          | <b>Amount Reserved</b>       |                          |
|   | <b>(l/sec)</b>                    | <b>(l/sec)</b>                             | <b>m<sup>3</sup>/day</b> | <b>(l/sec)</b>               | <b>m<sup>3</sup>/day</b> |
| <b>Central Plains Zones</b>                                 |                                   |  |                          |                              |                          |
| Groundwater – Motueka Recreation Centre                     | 40.5                              | 55.54                                      |                          |                              |                          |
| Groundwater – Fearons Bush, Motueka                         | 11.57                             |  |                          |                              |                          |
| Groundwater – Motueka Memorial Park                         | 3.47                              |  |                          |                              |                          |
| Motueka Coastal Tasman reticulation (from the Te Matu Zone) | 185                               | 231  | 20,000                   | 231                          | 20,000                   |
| Braeburn/Hau Plains/Lower Moutere reticulation              |                                   | 6.25                                       | 540                      | 6.25                         | 540                      |
| <b>Abel Tasman Zone</b>                                     |                                   |  |                          |                              |                          |
| Marahau Plains Zone   | 0                                 | 15   | 1296                     | 15                           | 1296                     |
| <b>Wai-iti Dam Services Zone</b>                            |                                   |  |                          |                              |                          |
| Groundwater – Wakefield reticulation                        | 15                                | 19.3                                       | 1670                     | 4.3                          | 370                      |
| <b>Upper Buller Zones</b>                                   |                                   |  |                          |                              |                          |
| Groundwater – Murchison                                     | 13.3                              | 18.3                                       | 1580                     | 5.0                          | 432                      |
| St Arnaud   |                                   |  |                          | 20                           |                          |
| <b>Middle Motueka Zone</b>                                  |                                   |  |                          |                              |                          |
| Dovedale Rural Reticulation                                 | 12.5<br>(from Humphries Creek)    | 20 (from<br>new take in<br>MMZ)            | 1645                     | 20 (new<br>point of<br>take) | 1645                     |
| <b>Upper Motueka Zone</b>                                   |                                   |  |                          |                              |                          |
| Groundwater – Tapawera                                      | 10.4                              | 15.1                                       | 1205                     | 4.7                          | 406                      |

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| <b>Table 3</b>  |                            |                          |
|---|----------------------------|--------------------------|
| <b>PROPORTION OF TOTAL ALLOCATABLE WATER RESERVED FOR IRRIGATION END USES</b> |                            |                          |
| <b>Zone</b>   | <b>Proportion Reserved</b> | <b>Quantity Reserved</b> |
| <b>Motueka Riwaka Plains Zones</b>  |                            |                          |
| Central Plains Zone   | 35%                        | 278 l/sec.               |

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**Schedule 31E: Requirements for Irrigation and Nutrient Management Plans**

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This schedule is currently incomplete in relation to nutrient management and its likely content is given below.

It will be developed to include the detail under the following subject headings in consultation with landowners and industry groups.

The Plan will be changed to include nutrient management detail in this Schedule 31E and the associated Schedule 31F as the relevant information is developed both in Tasman and elsewhere in NZ and will be applied through conditions on resource consents to take water for irrigation (imposed at the time the consent is granted or implemented through reviews of conditions).

The Plan change to complete these schedules will be made before 1 November 2020.

**Part A: Introduction and Scope of the Plan**

An Irrigation Management Plan developed in accordance with industry best practice and including maps and descriptions identifying:

1. Property information (if not already included with the resource consent):
  - a) Physical address and legal description
  - b) A map showing boundaries of the property
  - c) Ownership and contact details
  - d) Climate information relevant to the area to be irrigated
  - e) Identifying any flowing stream or water body, wetland, protected tree or other relevant feature
  - f) Slope, aspect and elevation
  - g) Area to be irrigated (excluding non-irrigable land, such as stock raceways, stock-excluded (fenced) areas, headlands, land immediately adjacent to flowing streams, roads, any sheds and houses, wetlands, etc).
2. Soil types being irrigated:
  - a) Nature and scale of soil variability over the area to be irrigated
  - b) Soil type, depth of soil, stoniness, etc
  - c) Soil's water-holding capacity
3. Land use or crop types to be irrigated:
  - a) Rooting depth and cover
4. Application rates:
  - a) Describe the proposed irrigation rotation and application rates that account for the soil type(s) and their individual water-holding capacities
  - b) Maximum quantities required per hour, day and week.
5. Type of application system detailing:
  - a) The pipe configuration, irrigation equipment, paddock shifting points, rotation and application rates
  - b) Photographs (digital format) of features including, but not limited to, the intake location, intake screen(s), the data-logger and water meter, staff gauge, pump

shed and pump

6. Measures used to avoid subsurface drainage to below the pasture crop rooting zone or surface ponding or any surface run-off to protect water quality.
7. Measures taken to ensure efficient use or conservation of water including:
  - a) Soil moisture monitoring
  - b) Metering of usage
  - c) Leak detection programmes
  - d) Repairs and maintenance
8. Method used to measure and record abstraction and application rates:
  - a) Including accuracy levels and calibration of equipment or evidence showing compliance with verification requirements for water meters.

### **Part B: Nutrient Management Plan**

Nutrient management plans are currently not required for consents but will likely be required in the future following Plan changes for water quality. In anticipation of this, landowners are required to keep annual records on which a nutrient budget could be based and the information used in nutrient models.

#### **Property Information**

- Identification of land area of the property
- Description of farming/horticultural operation

#### **Farm Management**

- Farm composition, paddock history
- Stock management – number and type of stock, winter management, effluent management
- Supplementary feed – quantity, feed type, nutrient content
- Crop management – crops sown and dates of sowing/planting, rotation, harvest – dates, record of quantity/yield
- Fertiliser – fertiliser recommendations, quantities, composition, rates of application, locations, and dates of application
- Irrigation – areas irrigated, rates and timing, and depth of application
- Having an Overseer Nutrient budget would meet these requirements.

### **Part C: Auditing**

Auditing requirements. These will include quality and effectiveness of the Irrigation and Nutrient Plan, who can audit and frequency of auditing. (Council will consider industry auditing programmes that provide independent auditing.)

**Schedule 31F: Nutrient Allowances**

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Council will develop this schedule in consultation with industry groups and landowners to include the nutrient allowances for land use activities based on industry good practice that will allow water quality objectives and limits to be met.

It requires further information about good agricultural practices that mitigate leaching of nutrients and the likely leaching rates under good practice for the range of land use activities and soil types in the district.

The Plan will be changed to establish this Schedule 31F and the associated Schedule 31E as the relevant information is developed both in Tasman and elsewhere in NZ.

This Schedule will not apply until completed by further Plan changes.