



**RESOURCE CONSENT**  
 Water Permit (use of water)

*[Note that each applicant will hold their own individualised water use consent consistent with the following. They will be individually responsible for meeting the conditions specified]*

In accordance with the provisions of the Resource Management Act 1991 (RMA), and subject to the attached conditions, the Hawke's Bay Regional Council (the Council) grants a resource consent for a discretionary activity to:

**[Individual applicant NAME]**  
**[Address]**

to use Tranche 2 groundwater to irrigate **[insert area]** of land for **[insert land use]** and to augment surface water stream flows in the **[Ruataniwha Basin]**

**LOCATION**

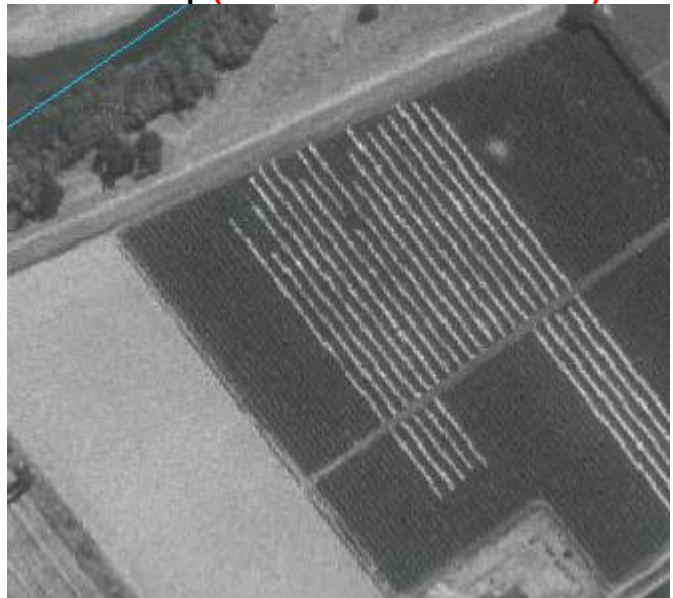
**Address of site**  
 [address]

**Legal description**  
 Site of use: [legal]  
 and as illustrated on the Site Map adjacent

**LAPSING OF CONSENT**  
 This consent shall lapse in accordance with section 125 of the RMA on [date] if it is not given effect to before that date.

**CONSENT DURATION**  
 This consent is granted for a period of 20 years commencing on 1 June [202X], and expiring on [date].

**Site Map (must be entered in Gismo!)**



**Malcolm Miller**  
**Manager Consents**  
 REGULATION GROUP  
 Under authority delegated by Hawke's Bay Regional Council  
 [Date]

**CONDITIONS**

**Authorised volumes and uses**

*[Drafting note, the sum of the volume authorised for use for irrigation and augmentation by the eight individual applications will total ~13.5million m<sup>3</sup>/yr not the 15million m<sup>3</sup>/yr authorised by the collective take consent. The approximately 1.5M m<sup>3</sup>/yr is intended to be reserved for use for other mitigation purposes, which will be further explained in evidence and at the hearing.]*

1. The volume used for irrigation shall not exceed [insert volume] m<sup>3</sup> within a 12-month period (1 October to 30 September in consecutive calendar years)
2. The volume used for augmentation shall not exceed [insert volume] m<sup>3</sup> within a 12-month period (1 November to 31 October in consecutive calendar years)
3. Prior to 1 September each year, the consent holder shall notify Council (Manager Compliance) in writing what percentage of the total consented area has been developed for irrigation with the consented Tranche 2 groundwater, what maximum seasonal volume of consented Tranche 2 groundwater will be used to irrigate the developed area, and what associated augmentation rate will be applied over the next water year (1 October to 30 September). (Prior to the full amount of allocation being used, the augmentation rate required shall be calculated on a pro rata basis as set out in [xxx]).

This condition shall apply until such time as the entire consented area has been developed for irrigation and the maximum seasonal volume of consented Tranche 2 groundwater can be taken to irrigate the total developed area.

*[Drafting note: Condition 3 will not apply to Tuki Tuki Awa].*

4. The consent holder shall commence the discharge of augmentation water (sourced from Tranche 2 groundwater taken in accordance with this consent) when the Council provides notification that the low flow rate at any of the following river sites is triggered:

River	Low Flow Rate (L/s)
Waipawa River at RDS/State Highway 2	2,725
Tukituki River at Tapairu Road	2,360
Tukipo River at State Highway 50	155
Tukipo River at Ashcott	1,085
Mangaonuku River at Upstream of the Waipawa River Confluence	1,295

Augmentation shall be undertaken regardless of whether the consent holder is irrigating at the time, using Tranche 2 groundwater authorised by this consent.

5. Augmentation required under Condition 4 shall be discharged at [insert location] at the minimum rate of [insert discharge rate]:

6. The consent holder shall cease augmentation when either:
  - a) the flow rates at all river sites exceeds the low flow rates identified under Condition 4; and/or
  - b) the volume of augmentation has reached the maximum volume of take for augmentation for the relevant 12-month period allowed under Condition 2.

*[Drafting note: This condition will not apply to Tuki Tuki Awa].*

7. Subject to the low flow rate at any of the river sites specified in condition 4 being triggered, the consent holder shall discharge augmentation water (sourced from Tranche 2 groundwater authorised by separate consent) at the location specified in condition 5 when, and for the duration that, it is using Tranche 2 groundwater for irrigation authorised by this consent. Augmentation shall cease on the earlier of either the use of Tranche 2 water ceasing or all of the river sites specified in condition 4 increasing above the flows specified.

*[Drafting note: condition 7 shall only apply to Tuki Tuki Awa only]*

***Take and use monitoring and reporting conditions***

8. A water meter with a data logger and telemetry unit(s) compatible with the Council's telemetry system shall be installed on each well used for irrigation and/or augmentation prior to the use of the well for those purposes, and be operated and maintained to measure the volume of water taken to an accuracy of +/- 5%.
9. The device(s) required by Condition 8 shall be installed and maintained in accordance with the Council's *"Technical Specifications and Installation Requirements for Flow Meters"* (February 2010) (See Advice Note I).
10. Water take and use data supplied to the Council in accordance with conditions of this consent shall be collected by a water measuring device or system that has been verified by a suitably qualified person to be accurate to within +/-5% at that point of take within the following time periods:
  - a) For existing devices or systems: within the previous 5 water years (water year is 1 October - 30th September); or,
  - b) For new devices or systems: before the end of the first water year (ending 30 September) for that water permit.
11. All water measuring devices or systems shall be re-verified by a suitably qualified person as accurate to within +/-5% within a maximum of 5 years from the date of the previous verification.
12. Where a portable pump is used to take water as authorised by this consent, both the water meter and telemetry devices must be installed, operated and maintained in accordance with the Council's Technical Publication "HBRCs Requirements for the use of Portable pumps used to report water use" (February 2013) (see Advice Note I).
13. The telemetry unit(s) shall record the rate and volume of take every 15 minutes. Each 15 minute interval of data shall be date and time stamped with the New Zealand Standard Time at the end of the 15 minute interval.
14. Data shall be transmitted to the Council's telemetry system at least once per day.

15. The telemetry unit(s) shall be installed so as to provide an accurate record of the flow meter data by a suitably qualified person. A record of installation shall be provided to the Council (Manager Compliance) in writing using the Council's "Telemetry Installation Form" within one week of installation of the new or reinstated unit(s) having occurred (see Advice Note I).
16. A manual water meter reading shall be taken during the month of September each year. The water meter reading and the date and time the reading was taken shall be provided in writing to the Council (Manager Compliance) prior to 10 October each year.

**Advice note:** It is recommended that a photograph of the meter, with the meter reading clearly visible, is also provided at the same time as the reading required by condition 15.

17. Where the telemetry equipment fails, the consent holder shall notify the Council (Manager Compliance) of the failure within 3 working days, shall read the water meter at daily intervals and shall provide the Council with a record of the following:
  - a) The meter reading (in cubic metres); and,
  - b) The daily volume of water taken (in cubic metres); and,
  - c) The date and time of each reading.

This information shall be supplied no later than 7 days after the end of each calendar month. Where the telemetry equipment is returned to full operation, the information shall instead be supplied within 7 days of this return to full operation occurring.

### ***Ecological enhancement***

18. The consent holder shall exclude stock from, and plant appropriate plant species within, the riparian margins of streams that are within the consent holder's landholding to a total stream length that is the lesser of 20% of the total stream length on the consent holder's land holding or 750 linear metres. For the purpose of this condition:
  - a. The 'riparian margins of streams' refers to both sides of the stream unless the centre line of the stream forms the boundary of the landholding in which case the riparian margin that must be planted is the margin on the consent holder's landholding.
  - b. Each metre of riparian planting that is on one side of a stream only shall account for 0.5 of a linear metre for the purpose of meeting the requirements of this condition.
  - c. The width of planting shall be a minimum of 3 metres landward of the edge of the bed unless the stream is already permanently fenced to exclude stock in which case the width of planting shall be the width between the edge of the bed and the existing fencing.
  - d. 'Appropriate plant species' means native species found naturally in the riparian margins of streams in the Ruataniwha Basin and [include native grasses like karetu, as well as harakeke, toitoi, aruhe (bracken fern)]
  - e. The density of planting shall be no less than 45 plants per 100m<sup>2</sup>
  - f. A 'stream' includes any permanently flowing stream with a bed wider than 1m and any intermittent streams that have a bed that is and predominantly devoid of terrestrial vegetation and comprises sand, gravel boulders or similar material or aquatic vegetation that has a bed wider than 1m.

- g. The 'consent holder's landholding' does not include land that is leased from another party.
19. The consent holder shall include the riparian planting required in accordance with condition 18 in their FEMP and lodge that updated FEMP with the Council within [24] months of the date this consent is granted. The updated FEMP shall:
- a. Map, or show on an aerial photograph, the area to be planted; and
  - b. Describe the maintenance programme to ensure the survival and, if necessary replacement, of plants within a 5 year establishment period
  - c. Set out the timeframe within which the planting will occur. This shall commence no later than six months after the day on which Tranche 2 water is used for irrigation by the consent holder and shall be completed within [3] years of commencement.

### ***Other conditions***

20. No use of Tranche 2 groundwater shall occur except in accordance with the conditions set out in a land use consent and associated farm environment management plan authorising the use of land in conjunction with irrigation of Tranche 2 groundwater.

*[Drafting note: this condition may have implications for some applicants whose current land use consent applications do not anticipate the use of T2 water. Variations of existing land use consent applications may be required by some.]*

21. All works and structures relating to this resource consent shall be designed and constructed to conform to best engineering practices and at all times maintained to a safe and serviceable standard.
22. The consent holder shall undertake all operations in accordance with any drawings, specifications, statements of intent and other information supplied as part of the application for this resource consent. In the event that there is conflict between the information supplied with the application and any consent condition(s), the condition(s) shall prevail.
23. Where spray filling and/or fertigation or injection of agrichemicals into the irrigation system (chemigation) is to occur, the consent holder shall ensure that the irrigation system is designed, constructed and maintained in accordance with the Irrigation New Zealand "New Zealand Guideline for the Safe Management of Irrigation Systems with Effluent, Fertiliser and/or Agrichemical Injection" (28/02/14) (see Advice Note VI) and to prevent the movement of contaminants into groundwater or surface water. The consent holder shall provide the details and specifications of the back flow prevention device/system at the request of the Council (Manager Compliance).
24. If an event occurs on-site that may lead to contamination of groundwater or surface water the Consent Holder shall notify the <insert name of registered drinking water supply> and the Hawke's Bay Regional Council (Manager Compliance) of the event as soon as reasonably practicable after the event occurs.

**Advice Note:** Such an event might include for example a chemical or effluent spill. The <name of registered drinking water supply> can be contacted on <insert phone number>. The Regional Council 24 hour Pollution Hotline should also be contacted on 0800 108 838.

## REVIEW OF CONSENT CONDITIONS BY THE COUNCIL

The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder (unless specified otherwise), in accordance with section 36 of the RMA.

Times of service of notice of any review: During the month of May, in any year.

- Purposes of review:
- To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue;
  - To require that the installation and reading of the water-measuring device or water meter data reporting system is consistent with any policies or rules in a regional plan, a National Environmental Standard;
  - To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate;
  - To ensure that the rate and volume of water authorised by the consent is consistent with actual water needs for an efficient take and is physically able to be taken;
  - To modify or add any condition to ensure that water is allocated in accordance with an operative plan;
  - To modify and/or add conditions of consent in order to ensure that it is consistent with the operative provisions of a regional plan. This shall include (but not be limited to) conditions specifying any maximum or minimum levels, minimum flows and associated implementation timeframes, and/or abstraction rates or volumes (including allocation limits) (see Advice Note)

## REASONS FOR DECISION

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the requirements of any relevant NPS, Regulations, NES regulations and with all relevant plans and policies.

## ADVICE NOTES

### Water Meter Technical Specifications

- I. The following documents are available from the Council's website "*Technical Specifications and Installation Requirements for Flow Meters*" (February 2010) ([www.hbrc.govt.nz/services/water/water-metering/meters/](http://www.hbrc.govt.nz/services/water/water-metering/meters/)) and "*HBRCs Requirements for the use of Portable pumps used to report water use*" (February 2013) ([www.hbrc.govt.nz/assets/Document-Library/Technical-Publications/Technical-Specifications-and-Installation-Requirements-for-portable-pumps-March-2013.pdf](http://www.hbrc.govt.nz/assets/Document-Library/Technical-Publications/Technical-Specifications-and-Installation-Requirements-for-portable-pumps-March-2013.pdf)). The *Telemetry System Installation Form* is provided to telemetry installers by the Council upon request.

### Water Take Records

- II. Where no water is taken over an extended period the Council (Manager Compliance) may authorise that records be provided at intervals exceeding one month

### Notification of Changes to Details

- III. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent change, including any sale / purchase of the property and any change to contact details.

### Spray filling, Fertigation and Chemigation

- IV. The guideline referred to in condition 17 is available from the Irrigation New Zealand website ([www.irrigationnz.co.nz](http://www.irrigationnz.co.nz)). An appropriate backflow prevention mechanism for spray filling might include (but not be limited) the maintenance of an air gap between the inflow pipe and the receiving spray fill tank.

### Water Quality Testing

- V. It is the responsibility of the consent holder to ensure that the water abstracted under this resource consent is of suitable quality for its intended use. Where water is to be used for human consumption, the consent holder should have the water tested prior to use and should discuss these requirements with a representative of the Ministry of Health and should consider the following Drinking Water Standards (see link below): <https://www.health.govt.nz/system/files/documents/publications/drinking-water-standards-2008-jun14.pdf>

## MONITORING NOTE

### Routine monitoring

Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of any routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

### Non-routine monitoring

“Non routine” monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA shown below.

Section 17(1) of the RMA states:

*Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with*

- a) *any of sections 10, 10A, 10B, and 20A; or*
- b) *a national environmental standard, a rule, a resource consent, or a designation.*

### Consent Impact Monitoring

In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

**DEBT RECOVERY**

It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

**CONSENT HISTORY**

Consent No.	Date	Event	Relevant Rule	Relevant Plan
	Xx/xx/xxx	Consent initially granted	55	Regional Resource Management Plan