



RESOURCE CONSENT

Water Permit (water take)

[Note, all applicants will hold this water take consent in common and be jointly and severally liable for meeting conditions]

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 take Tranche 2 groundwater to the persons set out in Schedule 1 (collectively referred to as the “consent holder”):

LOCATION

Address of site

[address]

Legal description

Site of use: [legal]

and as illustrated on the Site Map adjacent

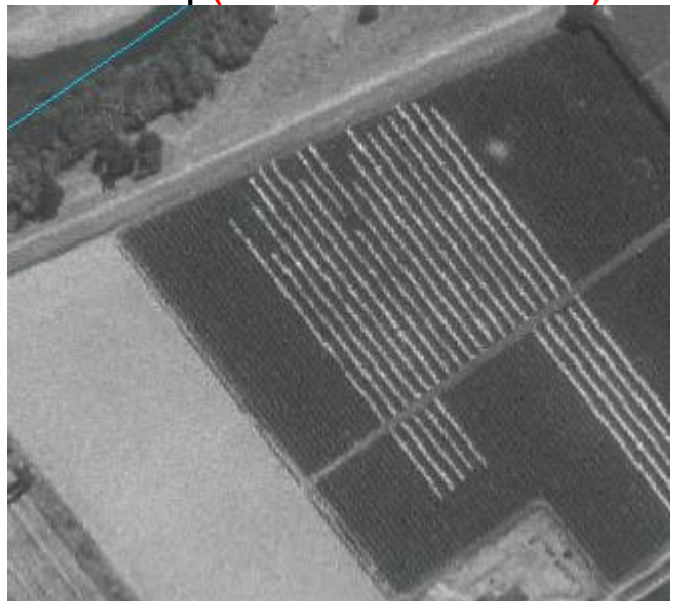
LAPSING OF CONSENT

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

1. The site of the take shall be from Well no [insert] at map reference NZMG [easting / northing] and [legal description of sites] or, if no suitable currently exists, elsewhere on the landholdings described in Schedule 1.

Authorised rate of take and volumes

[Drafting note, the volume authorised for the collective take (15million m³/yr) will exceed the volume authorised for use for irrigation and augmentation by the eight individual applications (~13.5million m³/yr). The difference is to be reserved for use for other mitigation purposes, which will be further explained in evidence and at the hearing.]

2. The volume and rate of take shall not exceed the following limits for each component landholding:

Landholding	Total rate of take (from all wells in combination) (L/s daily average)	Total volume of take from all wells in combination within the 12-month period (1 October to 30 September in consecutive calendar years) (m ³)
Te Awahohonu Forest Trust	529	4,914,920
Papawai Partnership	150	1,475,517
Tuki Tuki Awa	99	952,400
Plantation Road Dairies	383	3,751,225
Springhill Dairies (formerly Ingleton Farms)	123	1,005,213
I & P Farming (formerly Abernethy Partnership)	137	1,200,010
Buchanan Trust No.2	142	1,145,794
Purunui Trust	57	554,921
Total	-	15,000,000

Restrictions on use

3. The consent holder shall not take Tranche 2 groundwater unless, and until, the use of that water is authorised by a resource consent issued by the regional council.
4. The taking of Tranche 2 groundwater for irrigation by Tuki Tuki Awa shall only occur when its existing surface water take (Consent No. WP XXX) is restricted due to low flow bans on the Tukituki River.

Mitigating potential effects on domestic water supply wells

5. The consent holder shall, if requested to do so, pay a sum of [\$5000 (inclusive of GST if any)] to enable the supply and installation of equipment to maintain or improve security of supply to any of the following persons if requested to do so by any of the following persons:
- a. The identified owners of wells with the following HBRC well reference numbers:
 - i. *[list well numbers of ~10 shallow well owners with assessed well interference effects beyond trigger levels.]*
 - b. Up to 10 additional persons that are not the owners of a well listed in a. above provided that any request for payment is accompanied by evidence clearly establishing (to the consent holder's satisfaction) that:
 - i. the person is the owner of a well less than 50m deep that existed on or before 19 August 2021 and is used exclusively for domestic water supply; and
 - ii. the well was not recorded on the HBRC well database as at 30 June 2022; and
 - iii. the existing well is located within the area shown in Appendix 1 of this permit; and
 - iv. the request for payment is made within 5 years of commencement of this consent.
 - c. A record of all payments made under this consent shall be provided to the regional council. For the avoidance of doubt, the consent holder's obligation is limited to the payment of the amount to the identified well owner (with only one payment per well), and there is no obligation for any on-going operational or other costs associated with any equipment installed. There is no obligation on the consent holder to ensure that any money provided is spent for any particular purpose, and only one payment needs to be made to each of the persons identified in (a) above.

Well interference

6. Should at any stage a consent holder intend to drill a new well for the purpose of taking water for irrigation and/or augmentation authorised or required by this consent, having first obtained the necessary bore permit (RRMP Rule 1 or 2) and having subsequently drilled the well the consent holder shall thereafter apply for a change of consent conditions under s127 of the RMA (or its successor) to add the well to Condition X and shall at that time also submit a report from a suitably qualified expert to the Council (Manager Compliance) (or nominee) that includes the following information:
- a) Details of the new well, including its depth, location, screening and static water level;
 - b) An assessment of potential adverse (well interference) effects of take(s) from the well(s) on neighbouring groundwater users within a 2 km radius of each proposed new well; and
 - c) Results of a pump test that demonstrates that the well can sustain the intended rate of take.

- d) The measures to be taken to ensure that the effects on neighbouring groundwater abstractors can be managed to ensure that existing abstractors' security of supply is not unreasonably reduced.
7. If the consent holder uses an existing well to take Tranche 2 water, the requirement under condition 6 for a report from a suitably qualified person to provide certain information shall apply as if the take was from a new well.

Monitoring and reporting

8. The take of water is logged, monitored and reported as specified in the applicable consent to use the Tranche 2 water on the landholding within which the well is located.

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.

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

Schedule 1

Individual persons collectively granted consent and collectively responsible for meeting all consent conditions

Name	Address	Legal description
Te Awahohonu Forest Trust		
Papawai Partnership		
Tuki Tuki Awa		
Plantation Road Dairies		
Springhill Dairies		
I & P Farming		
Buchanan Trust No.2		
Purunui Trust		