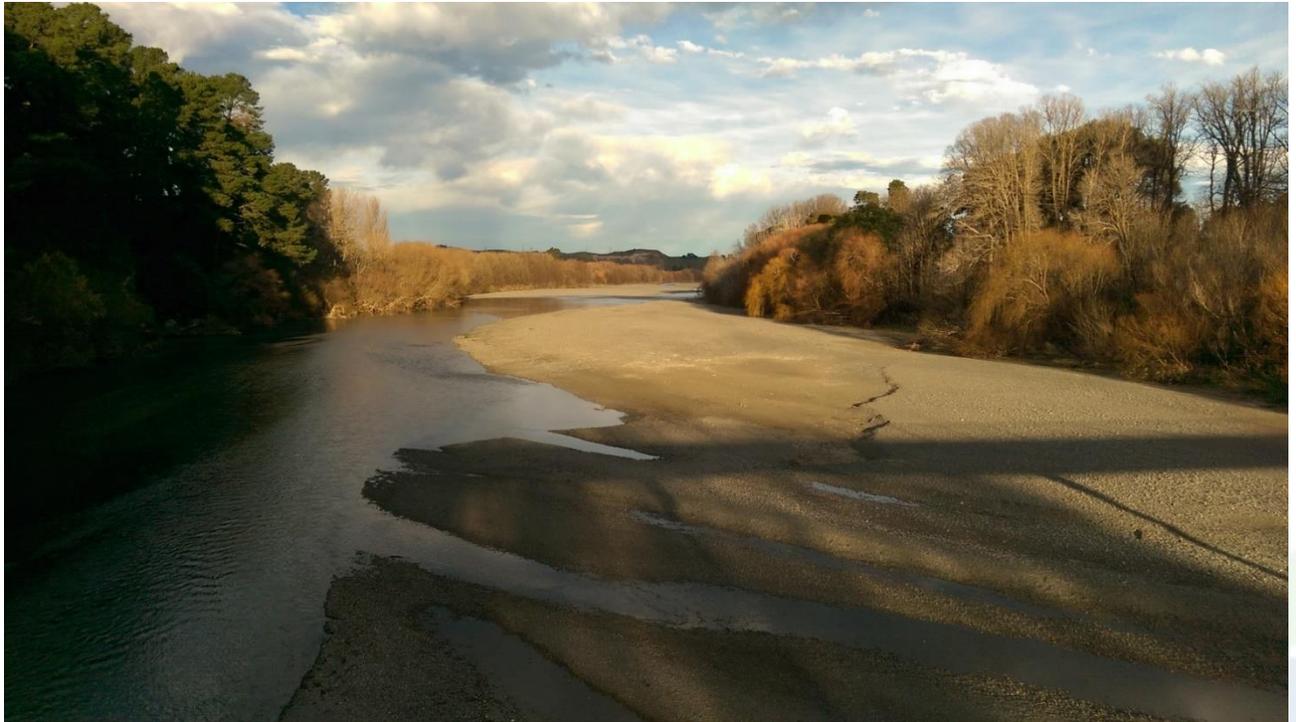


Proposed Plan Change 9
Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments

Strategic Development Group

ISSN 2324-4186 (PRINT)
ISSN 2324-4194 (ONLINE)





Publication Number: 5456

Notification date: 2 May 2020

Prepared by:

Mary-Anne Baker: Senior Planner

Ceri Edmonds: Manager Policy and Planning

Reviewed by:

Ceri Edmonds: Manager Policy and Planning

Tom Skerman: Group Manager Strategic Planning

Contents

Background	1
TANK Issues	2
Amendments Proposed in Plan Change 9	5
Proposed Plan Change PC9 to the Hawke's Bay Regional Resource Management Plan – TANK Catchments...	6
5.10 Introduction	6
5.10.1 TANK Objectives	8
5.10.2 Policies: Surface Water and Groundwater Quality Management.....	13
Priority Management Approach	13
Protection of Source Water.....	14
Managing point source discharges	15
Riparian Land Management.....	16
Wetland and Lake Management.....	16
Phormidium Management	17
5.10.3 Policies: Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges) ...	18
Adaptive Approach to Nutrient and Contaminant Management	18
Sediment Management	18
Land Use Change and Nutrient Losses.....	19
Stock Exclusion.....	19
Industry Programmes and Catchment Management.....	19
Management and compliance.	20
Timeframes; Water and Ecosystem Quality.....	21
5.10.4 Policies: Stormwater Management.....	22
Urban Infrastructure.....	22
Source Control	22
Dealing with the Legacy	23
Consistency and Collaboration; Integration of city, district and regional council rules and processes.	23
Ahuriri Catchment.....	23
5.10.5 Policies: Monitoring and Review	24
5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	25
Heretaunga Plains Aquifer Management.....	25
Flow maintenance	26
Groundwater management review.....	27
5.10.7 Policies: Surface Water Low Flow Management.....	28
Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamū	28
Paritua/Karewarewa Streams	28
General Water Allocation Policies	29

Water Use and Allocation – Efficiency	29
Water Use Change/Transfer	30
Water Allocation - Permit Duration.....	30
Water Allocation - Priority	31
Over-Allocation.....	31
Frost Protection.....	32
5.10.8 Policies: High Flow Allocation.....	33
Adverse Effects - Water Damming	33
Adverse Effects - Water Take and Storage	33
Benefits of Water Storage and Augmentation	34
High Flow Reservation	34
Chapter 6 New Regional Rules.....	36
6.10.1 Use of Production Land.....	37
6.10.2 Water – Take and Use	43
6.10.3 Stormwater	52
Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6)	59
SCHEDULES 86	
Schedule 26: Freshwater Quality Objectives.....	86
Schedule 27: Freshwater Quality Objectives.....	97
Schedule 28: Priority Catchments	96
Schedule 29: Land Use Change.....	97
Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan	98
Section A: Industry Groups and Catchment Collectives	98
Section B: Catchment Collective Requirements	99
Section C: Farm Environment Plans	102
Schedule 31: Flows, Levels and Allocation Limits.....	104
Schedule 32: High Flow Allocation	106
Schedule 33: Water Permit Expiry Dates	107
Schedule 34: Urban Site Specific Stormwater Management Plan	108
Schedule 35: Source Protection for Drinking Water Supplies.....	109
Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat Enhancement Scheme	112
Section A: Plan Development	112
Section B: Plan Requirements	112
Section C: Requirements for Water User Collective Plan.....	113
Chapter 9 Glossary of Terms Used	115

Consequential Amendments to Chapters 5 and 6 of the Regional Resource Management Plan.....	118
5.4 Surface Water Quality	119
5.5 Surface Water Quantity.....	120
5.6 Groundwater Quality.....	104
5.7 Groundwater Quantity	106

Background

The Hawke's Bay Regional Council (HBRC) has resolved to change the Regional Resource Management Plan (RRMP) and has prepared Proposed Plan Change 9. HBRC has prepared this Plan Change to include new provisions in the RRMP that establish the objectives for managing water quality and quantity for the Tūtaekurī, Ahuriri, Ngaruroro and Karamū (TANK) catchments and to identify policies and methods needed to achieve the objectives.

This Plan Change provides a framework for decision making about resource consent applications in conjunction with existing provisions in the RRMP in the TANK catchments. The Plan Change also introduces a range of new methods aimed at achieving the stated objectives for aquatic ecosystems that have been developed through the TANK plan change process. These new methods and management approaches reflect the collaborative nature of the process and build on the more integrated and community approach to managing freshwater.

The Plan Change introduces new provisions that are applicable to the TANK catchments. However, some activities that are carried out in the TANK catchments as well as across the region may be subject to future regional plan changes to allow for a consistent approach for activities with similar effects.

The Plan Change meets the requirements of the Resource Management Act (1991) (RMA) and also enables the progressive implementation of the National Policy Statement for Freshwater Management 2014 (Amended 2017) (NPSFM) and gives effect to the Council's Regional Policy Statement.

The process used by HBRC to prepare this Plan Change has been a community based collaborative approach dependent on considerable input by the TANK Group members. This has involved consensus decision making by local representatives of a variety of interest and stakeholder groups and the significant influence of tangata whenua to develop the recommendations leading to this Plan Change.

Tangata whenua have been involved in and contributed to the collaborative process in a way that has enabled better community decision making. This is because being part of the collaborative process has ensured the wider TANK group better understood and accounted for tangata whenua aspirations and values during this process. HBRC's Treaty obligations are also accounted for by not only ensuring Treaty parties were invited to be part of the TANK collaborative process, but also through the legal decision making framework provided by the Regional Planning Committee.

The process has meant that the freshwater management provisions take into account all of the values which people and communities hold for water bodies and their water, including the range and significance of culture and tikanga Māori, historic, economic, recreational and spiritual aspects that water has for people generally. It has also enabled an integrated and holistic approach to water body management incorporating the concept of Te Mana o te Wai that builds on the more fundamental requirements of the National Policy Statement for Freshwater Management and the Regional Policy Statement for limit setting and accounting for the measured state of the water body.

Managing freshwater resources is complex and many issues are interconnected. The current environment has been modified by both past and current activities, many of which cannot be easily changed without significant costs to people and communities. HBRC and the TANK Group recognised that there is no 'quick fix' to solve existing issues and that a range of responses are required.

Water Management Overview

This Plan Change uses a values based approach to identifying objectives for water management in the TANK catchments. This approach, also reflected in the NPSFM2014, requires that the community identify the values for which the water is to be managed, adopt objectives in relation to those values and establish methods, including limits to ensure those objectives will be met.

The process requires that attributes applicable to each value are identified and that attribute states are defined. This produces several readily measured and monitored water quality and quantity parameters. Most of these already form the basis of HBRC's State of the Environment Monitoring programme. This plan change process has also identified gaps in the information databases that could be developed to better inform future decision making including those focussing specifically on Mātauranga Māori and local scale monitoring at a sub-catchment scale as part of a collective approach to meeting water

quality objectives. The TANK Plan Change gives effect to the National Policy Statement for Freshwater Management 2017 and gives effect to the Council's Regional Policy Statement including in relation to protection of the values of outstanding water bodies. It has further incorporated Māori values for which all waterbodies in the TANK catchment area are to be managed. The RPS policies have been supplemented by both a 'mountains to the sea' Ki Uta ki Tai approach, and by the more spiritual relationships and kaitiakitanga responsibilities of local tangata whenua encompassed in the Te Iho Matua to Te Aho Matua, Mana Atua *heavens to the earth* organisation of tangata whenua values. These values are described in the reports for the Ngaruroro, Tūtaekurī and Ahuriri catchments and which have informed the values identification and objective setting for this plan change.

TANK Issues

This section provides a brief overview of the issues being addressed in this plan change.

Issue 1; Valuing Water: He Wai he Taonga

Water, whether in a river or groundwater, has its own mana and intrinsic value. Maintaining mauri encompasses spiritual health of the water, of ecosystems, and of communities connected to and dependent on these elements, now and in the future.

Water is viewed as a taonga by Māori; a treasure where mauri and ecosystem health are protected and provided for. This is consistent with the requirements of the NPSFM for the protection of ecosystem health and the desire of the wider community to manage water sustainably for current and future generations.

The Plan also addresses the need to provide for the practical needs of the community for water of sufficient quality and quantity for the health and well-being of people as well as to meet their social and economic needs related to the abstraction of water. Instream and other values including flood and drainage values and those depending on abstraction are all recognised by this plan change.

Some existing land and water use practices can affect the mauri or ecosystem health. Some of the effects also arise from activities and events that occurred decades in the past, including through vegetation clearance, floods and flood protection, river diversions, wetland drainage and earthquakes. Changes to landscape, its waterbodies and vegetation have had enduring adverse effects on tangata whenua cultural practices and their kaitiakitanga role.

The Plan focuses on the values for which water is to be managed by the setting of objectives, limits and other management measures and which are illustrated in Figure 1 below. It also acknowledges the wider Māori perspectives of kawa, kaupapa and tikanga that support Māori values for water and its management and ensures the outcomes that are being sought are consistent with those cultural principles and approaches. The relationship between values for which water is to be managed and the Māori culture and traditions in relation to freshwater management are expressed in the Figure 2 below.

There are several at risk and threatened or endangered indigenous plant and animal species dependant on healthy aquatic ecosystems, including wetland and riparian margins. Freshwater ecosystem management for indigenous species includes protection of fish spawning habitat and provision for fish passage. These indigenous species contribute to the region's biodiversity and land use and freshwater provisions for their habitat, including water quality and quantity will complement the Hawkes Bay Biodiversity Strategy.

Issue 2: Mauri, Ecosystem Health and Contaminant Discharges

Water quality in some places does not uphold or protect mauri nor meet the needs of other cultural, tikanga Māori, recreational or ecosystem health values in freshwater bodies and estuaries at all times. Of particular concern is the protection of water quality for human health and drinking water, especially for community and municipal water supplies.

Water quality is affected by direct discharges of contaminants, including in urban stormwater, and also as a result of non – point source discharges arising from land use activities and cumulatively affecting water quality.

Adverse effects from point source discharges are being reduced through resource consenting processes.

Non-point source discharges, include loss of contaminants including nutrients from rural activities, soil loss from land disturbance activities and stream bank erosion. To date, there has been little regulatory management of non-point source discharges which cumulatively can contribute significant amounts of contaminants to waterbodies.

Land use changes can also result in an increase in the amount of contaminants entering water. New management systems are required to ensure water quality can be maintained or improved over time when these sorts of land use change occur.

In the lowland tributaries, water quality is also affected by excessive macrophyte growth and reduced flows which reduces oxygen levels, and high water temperatures during summer where waterbodies do not have adequate shading.

The impact of contaminant inputs into estuary ecosystems is also a significant issue as the Waitangi and Ahuriri estuaries both show declining trends for ecosystem health with consequential adverse effects on the values held for those aquatic ecosystems.

Issue 3: Mauri, Ecosystem Health, and Water Flows and Levels

Mauri and ecosystem health, as well as the range of community held values including instream and ecosystem values, rely on adequate water levels and flows to be maintained within water bodies.

The community also values water for a range of other uses including domestic and municipal water supply, irrigation for a range of purposes including for food and fibre production and community gardens; mahi māra, food processing, stock watering and industrial and commercial purposes.

There is a need to establish flow management regimes and allocation limits to guide the abstraction of water so that appropriate levels of protection for mauri and ecosystem health are provided while acknowledging and providing for the practical needs of the community for water at reasonable reliability of supply.

For some water bodies, flooding and drainage management activities as well as abstractive uses of water have resulted in significant adverse effects on aquatic ecosystems and instream values in the Heretaunga Plains where surface water flows and water quality, especially in summer, are not sufficient to ensure ecosystem health.

Issue 4: Water Demand and Allocation, Efficient Use of Water

Once allocation limits are specified for abstraction of water from ground and surface water bodies, Council must also manage the allocation and re-allocation of the water available for abstraction in an equitable way between the wide range of water users.

Water allocation regimes should result in appropriate provision for permitted activities and allocation of the allocatable water for the range of existing and potential end uses in an equitable manner that meets the current and future needs of the community. The allocation of water needs to recognise the significant investment that has been made in land and infrastructure that water takes support; and the way these takes provide for the wellbeing of communities.

In some areas where over-allocation has occurred, the resulting management regime will have variable impacts on some landowners and water users, particularly where the introduction of limits mean that new water use is restricted and opportunities for land use change are also reduced.

Issue 5: Water Demand

In some parts of the TANK catchments there is insufficient fresh water to meet all the abstraction demands placed on the resource all of the time, including as a result of population growth, and there may be opportunities for more efficient use, conserving, harvesting, storing and augmenting supplies.

The effects of climate change may also impact on rainfall, water flows and water availability making these opportunities even more relevant.

Issue 6: Balancing Costs and Timeframes

The restoration and protection of water quality to meet the objectives for mauri, ecosystem health and water quality enables the people and communities to continue to provide for their social, economic and cultural and tikanga Māori wellbeing/hauora.

In some places in the TANK catchments a significant investment into mitigation measures may be required to meet those objectives. A staged approach to change the provides sufficient time to make changes and enables people and communities to undertake adaptive management to continue to provide for their social, economic and cultural and tikanga Māori wellbeing/hauora in the short term.

Issue 7: Understanding TANK Freshwater Resources

There are information gaps throughout these TANK catchments, with some arising because of the values-based approach to water management and the wider, more holistic approach that has been taken in relation to environmental management. Some of this results from developing understanding about the complex inter-relationships within freshwater and land systems, both at a local sub-catchment scale and in relation to the wider freshwater - coastal water interface.

In future, technology land and water practices and information availability are likely to change, both increasing understanding of 'state' and impacts and also improving management and mitigation responses. The scale of information collection is also likely to change as more focussed approaches to water management are used at a sub-catchment or marae scale.

Issue 8: Accounting for Predicted Climate Change

Climate is changing, which also has an impact on natural climate variability. The challenge which lies ahead is not knowing the timing and extent to which climate variability will change further and how this may impact on water flows, levels and quality, or the precise timeframes within which these anticipated changes will occur.

HBRC is required to have particular regard to the effects of climate change when managing the use, development, and protection of natural and physical resources.

Amendments Proposed in Plan Change 9

The Proposed Plan Change makes the following amendments to the Regional Resource Management Plan.

Chapter 5.10 Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments

A new chapter 5.10 inserts objectives and policies for the management of land and water in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū (TANK) Catchments.

This Plan Change also makes consequential amendments to parts of Section 5 of the Regional Resource Management Plan.

Chapter 6.9 Regional Rules

A new section 6.10 inserts new rules to manage land and water resources in the TANK catchments.

This Plan Change also makes consequential amendments to existing rules in Chapter 6. These amendments apply only where the activity is carried out in the TANK catchments.

Schedules

New Schedules 26 – 36 are inserted to support policy and rules.

Chapter 9 Glossary

New terms are inserted to support interpretation of the Plan.

Proposed Plan Change PC9 to the Hawke's Bay Regional Resource Management Plan – TANK Catchments

Insert at the end of Chapter 5 the following new chapter;

5.10 Introduction

Freshwater is essential to the region’s economic, environmental, cultural and social well-being. The way in which these well-beings are provided for is informed by how the values for freshwater are understood and identified. Figure 1 provides an illustration of the wider community values for the TANK freshwater bodies expressed across the four well-being domains.

This Plan also recognises Te Mana o te Wai, which puts the mauri of the waterbody and its ability to provide for te hauora o te tangata (the health of the people), te hauora o te taiao (health of the environment) and te hauora o te wai (the health of the waterbody) to the forefront of freshwater management.

Water is viewed as a taonga by Māori; a treasure where mauri and ecosystem health are protected and provided for. Mauri is a spiritual value that is manifested by abundant and healthy water and aquatic resources, including plants and animals that depend on water.

Figure 2 below shows the interrelated nature and cultural connections of the values held by Māori for water. These core values are underpinned by a philosophy of etiquette, customs, harmony and timing.

The two expressions of the values for freshwater complement and build on each other. They enable the directions of the National Policy Statement for Freshwater Management to be given effect to and ensure the Plan provides for all of the community’s values.

Figure 1; community values and attributes for water management

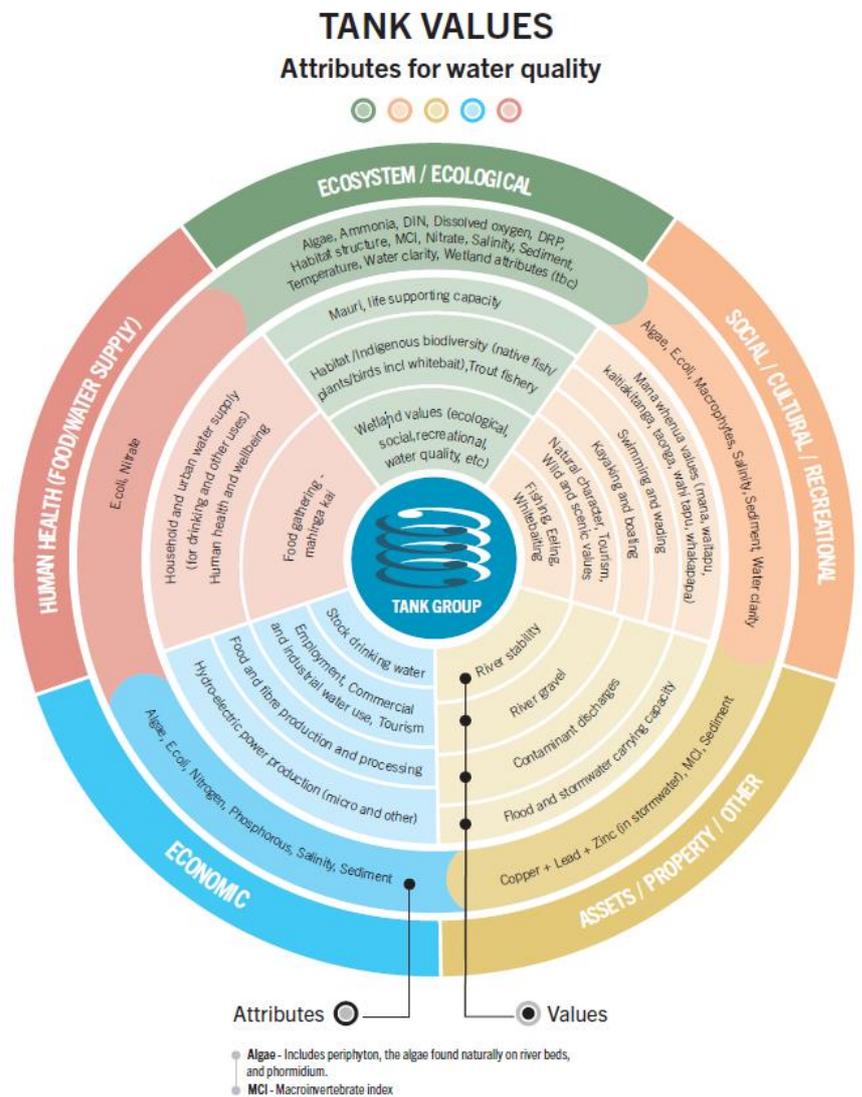
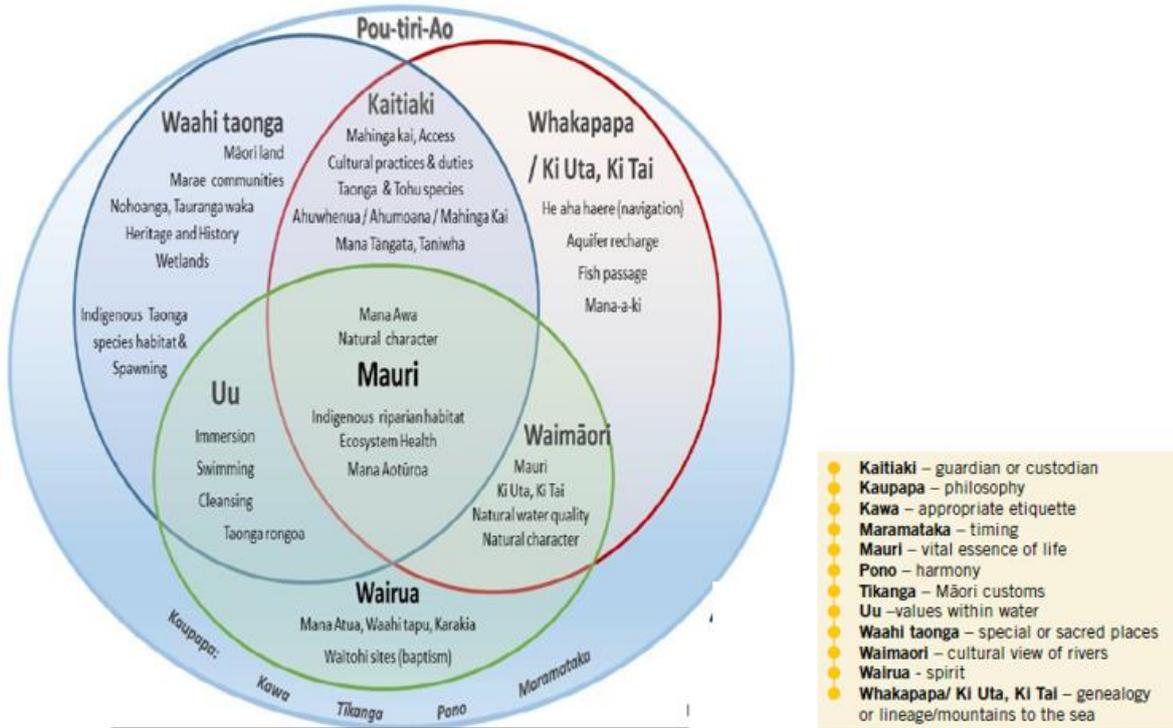


Figure 2; Wāriu (value) groups and aspects for management



This articulation of community and Māori values has enabled decisions to be made about the use and management of waterbodies of the TANK catchments.

The Plan focuses on all the values for which water is to be managed by the setting of objectives, limits and other management measures that enable the needs of those values to be met. It also acknowledges the wider Māori perspectives of kawa, kaupapa and tikanga that support Māori values for water and its management and ensures the outcomes that are being sought are consistent with those cultural principles and approaches.

Key attributes that allow the state of the values to be assessed and monitored have been developed and objectives established for them. Attributes for both water quality and water quantity have been identified and the desired attribute state has been agreed. For some water bodies, the desired state meets the actual state, however, for others, the state is less than desired and the plan provides measures and introduces new rules that will enable the objectives to be met. This includes objectives for water quality attributes as well as limits and flows for managing quantity of water.

5.10.1 TANK Objectives

General Objectives

OBJ TANK 1 The Council, tangata whenua and the urban and rural community work together in a way that recognises the kaitiaki and guardianship roles they each play in freshwater management and;

- a) recognise the importance of monitoring, resource investigations and the use of mātauranga Māori to inform decision making and limit setting for sustainable management;
- b) ensure good land and water management practices are followed and where necessary, mitigation or restoration measures adopted;
- c) support good decision making by resource users including rural and urban communities through marae and hapū initiatives, community or other catchment management programmes and monitoring initiatives, urban stormwater programmes, landowner collectives, farm management plans and industry good practice programmes.

OBJ TANK 2 When setting objectives, limits and targets;

- a) Te Mana o te Wai¹ and integrated mountains to the sea, ki uta ki tai principles are upheld;
- b) A continuous improvement approach to the use and development of natural resources and the protection of indigenous biodiversity is adopted and the collective management of freshwater is enabled;
- c) The kaitiakitanga role of tangata whenua and their whakapapa and cultural connection with water are recognised and provided for;
- d) The responsibilities of people and communities for sustainable resource use and development is recognised and supported; and
- e) The significant values of the outstanding water bodies in Schedule 25 and the values in the plan objectives are appropriately protected and provided for.

Climate change

OBJ TANK 3 The effects of climate change in respect of each of the following are taken into account in making decisions about land and water management within the TANK catchments;

- a) The effects on aquatic ecosystems, including indigenous biodiversity, freshwater bodies, water supply and human health, primary production and infrastructure from the predicted:
 - (i) increases in intensity and frequency of rainfall;
 - (ii) effects of rainfall on erosion and sediment loss;
 - (iii) increases in sea level, and the effects of salt water intrusion;
 - (iv) increasing frequency of water shortages;
 - (v) increasing variability in river flows;
- b) The amount of information available and the scale and probability of adverse effects, particularly irreversible effects, as a consequence of acting or not acting;
- c) The timeframes relevant to the activity;
- d) Opportunities to improve community resilience for changes occurring as a result of (a)(i) to (iv).

¹ From Objective AA and Policy AA in NPSFM 2017

Water Quality General

- OBJ TANK 4** Land and water use, contaminant discharge and nutrient loss activities are carried out so that the quality of the TANK freshwater bodies is maintained where objectives are currently being met, or is improved in degraded waterbodies so that they meet water quality attribute states in Schedule 26 by 2040 provided that:
- For any specific water body where the attribute state is found to be higher than that given in Schedule 26, the higher state is to be maintained; and
 - Maintenance of a state is at the measured state².
- OBJ TANK 5** Te Mana o te Wai, kaitiakitanga and the needs for the values set out in Schedule 26, particularly mauri and ecosystem health are achieved through collectively managing all of the specified attributes.
- OBJ TANK 6** The quality of the TANK freshwater bodies set out in Schedule 27 will be achieved through future plan changes.
- OBJ TANK 7** Land use is carried out in a manner that reduces contaminant loss including soil loss and consequential sedimentation in freshwater bodies, estuaries and coastal environment.
- OBJ TANK 8** Aquatic ecosystem health and mauri of water bodies in the TANK catchment is improved by appropriate management of riparian margins to:
- reduce effects of contaminant loss from land use activities;
 - improve aquatic habitat and protect indigenous species including fish spawning habitat;
 - reduce stream bank erosion;
 - enhance natural character and amenity;
 - improve indigenous biodiversity;
 - reduce water temperature in summer;
 - reduced nuisance macrophyte growth .
- Objective 9** Activities in source protection areas for Registered Drinking Water Supplies are managed to ensure that they do not cause water in these zones to become unsuitable for human consumption, and that risks to the supply of safe drinking water are appropriately managed.

Catchment Objectives

- OBJ TANK 10** In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Ahuriri** freshwater catchments so that the mauri, water quality and water quantity are maintained and enhanced where necessary to enable:
- Ahuriri estuary sediments to be healthy and not accumulate excessively;
 - healthy ecosystems that contribute to the health of the estuary;
 - healthy and diverse indigenous aquatic plant, fish and bird populations;
 - people and communities to safely meet their domestic water needs;
 - primary production water for community social and economic well-being;
- and provide for;
- contribution to the healthy functioning of the Ahuriri estuary ecosystem and enable people to safely carry out a wide range of social, cultural and recreational activities including swimming and the collection of mahinga kai in the estuary.

² The state is as measured according to the method specified for each attribute. It does not allow for decline to a lower state within any band specified in the NPSFM:2014 (as amended 2017);

OBJ TANK 11 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Ngaruroro River catchment** so that the mauri, water quality and water quantity are maintained in the mainstem above the Whanawhana Cableway and in the Taruarau River, and are improved in the tributaries and lower reaches where necessary to enable;

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic plant, animal and bird populations especially whitebait, torrent fish, macroinvertebrate communities, bird habitat on braided river reaches and a healthy trout fishery;
- c) people to safely carry out a wide range of social, cultural and recreational activities especially swimming and cultural practices of Uu and boating, including jet-boating in the braided reaches of the Ngaruroro;
- d) protection of the natural character, instream values and hydrological functioning of the Ngaruroro mainstem and Taruarau and Omahaki tributaries;
- e) collection of mahinga kai to provide for social and cultural well-being;
- f) people and communities to safely meet their domestic water needs;
- g) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- h) contribution to water flows and water quality in the connected Heretaunga Plains Aquifers;
- i) contribution to the healthy functioning of Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 12 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Tūtaekurī River catchment** so that the mauri, water quality and water quantity are maintained in the upper reaches of the mainstem and are improved in the tributaries and lower reaches where necessary to enable:

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic and bird populations especially , whitebait, torrent fish, macroinvertebrate communities and a healthy trout fishery;
- c) people to safely carry out a wide range of social, cultural and recreational activities, especially swimming and cultural practices of Uu and boating;
- d) protection of the natural character, instream values and hydrological functioning of the Tūtaekurī mainstem and Mangatutu tributary;
- e) collection of mahinga kai to provide for social and cultural well-being;
- f) people and communities to safely meet their domestic water needs;
- g) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- h) contribution to the healthy functioning of Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 13 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the **Karamū and Clive Rivers** catchment so that the mauri, water quality and water quantity are improved to enable;

- a) healthy ecosystems;
- b) healthy and diverse indigenous aquatic and bird populations, especially black patiki, tuna and whitebait, and healthy macroinvertebrate communities;
- c) people to safely carry out a wide range of social, recreational, and cultural activities, including swimming and cultural practices of Uu and rowing and waka ama in the Clive/Karamū;
- d) collection of mahinga kai to provide for social and cultural well-being;
- e) people and communities to safely meet their domestic water needs;
- f) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- g) contribution to the healthy functioning of the Waitangi Estuary ecosystem and to enable people to safely carry out a wide range of social, cultural and recreational activities and the collection of mahinga kai in the estuary.

OBJ TANK 14 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking and using of freshwater is carried out so that the mauri, water quality, water quantity and groundwater levels are maintained in the **Groundwater** connected to the Ngaruroro, Tūtaekurī and Karamū rivers and their tributaries to enable;

- a) people and communities to safely meet their domestic water needs and to enable the provision of safe and secure supplies of water for municipal use;
- b) primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;

and provide for;

- c) the maintenance of groundwater levels at an equilibrium that accounts for annual variation in climate and prevents long term decline or seawater intrusion;
- d) contribution to water flows and water quality in connected surface waterbodies.

OBJ TANK 15 In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater connected to the **Wetland and lake waahi taonga** within the TANK catchments is managed so that mauri, water quality and flows, and levels are maintained and improved to enable;

- a) healthy and diverse indigenous fish, bird and plant populations in wetland and lake areas and connected waterways;
- b) improved hydrological functioning in wetland and lakes and in connected waterways;
- c) people to safely carry out a wide range of social and cultural activities;
- d) collection of mahinga kai to provide for social and cultural well-being;
- e) contribution to improved water quality in connected surface waters;
- f) the protection of the outstanding values of the Kaweka Lakes, Lake Poukawa and Pekapeka Swamp and the Ngamatea East Swamp;

And to;

- g) increase the total wetland area by protecting and restoring 200ha hectares of existing wetland and reinstating or creating 100ha of additional wetland by 2040.

Water quantity

- OBJ TANK 16** Subject to limits, targets and flow regimes established to meet the needs of the values for the water body, water quantity allocation management and processes ensure water allocation in the following priority order;
- a) Water for the essential needs of people;
 - b) The allocation and reservation of water for domestic supply including for marae and papakāinga, and for municipal supply so that existing and future demand as described in HPUDS (2017) can be met within the specified limits;
 - c) Primary production on versatile soils;
 - d) Other primary production food processing, industrial and commercial end uses;
 - e) Other non-commercial end uses.
- OBJ TANK 17** The allocation and use of water results in;
- a) the development of Māori economic, cultural and social well-being supported through regulating the use and allocation of the water available at high flows for taking, storage and use;
 - b) Water being available for abstraction at agreed reliability of supply standards;
 - c) Efficient water use;
 - d) Allocation regimes that are flexible and responsive, allowing water users to make efficient use of this finite resource;
- OBJ TANK 18** The current and foreseeable water needs of future generations and for mauri and ecosystem health are secured through;
- a) water conservation, water use efficiency, and innovations in technology and management;
 - b) flexible water allocation and management regimes;
 - c) water reticulation;
 - d) aquifer recharge and flow enhancement;
 - e) Water harvesting and storage.

5.10.2 Policies: Surface Water and Groundwater Quality Management

Priority Management Approach

1. The Council with landowners, local authorities, industry and community groups, mana whenua and other stakeholders will regulate or manage land use activities and surface and groundwater bodies so that water quality attributes are maintained at their current state or where required show an improving trend towards the water quality targets shown in Schedule 26 by focussing on:
 - a) water quality improvement in sub-catchments (as described in Schedule 28) where water quality is not meeting specified freshwater quality targets;
 - b) sediment management as a key contaminant pathway to also address phosphorus and bacteria losses;
 - c) the significant environmental stressors of excessive sedimentation and macrophyte growth in lowland rivers and nutrient loads entering the Ahuriri and Waitangi estuaries;
 - d) the management of riparian margins;
 - e) the management of urban stormwater networks and the reduction of contaminants in urban stormwater;
 - f) the protection of water quality for domestic and municipal water supply.

2. In the **Clive/Karamū Rivers** and their tributaries, in addition to Policy 1 the Council will work with mana whenua, landowners and the Hastings District Council to:
 - a) reduce water temperature and increase the level of dissolved oxygen by;
 - (i) the establishment of riparian vegetation to shade the water and reduce macrophyte growth while accounting for flooding and drainage objectives ;
 - (ii) reducing excessive macrophyte growth by physical removal of aquatic plants in the short term;
 - b) adopt flow management regimes to remedy or mitigate the effects of surface and ground water abstraction;
 - c) reduce the amount of sediment and nutrients entering the freshwater from adjacent land;
 - d) improve stormwater and drainage water quality and the ecosystem health of urban waterways and reduce contamination of stormwater associated with poor site management practices, spills and accidents in urban areas (refer also to Policies 28 -31).

3. In **lakes and wetlands** in the TANK Catchments, in addition to Policy 1 the Council will work at a catchment scale with land owners in the wetland or lake catchments (refer to Policies 23 to 25) to:
 - a) reduce sediment and nutrient inputs into the waterbody;
 - b) improve water quality by increasing macrophyte plant growth in shallow lakes;
 - c) improve ecosystem health and water quality by excluding stock and improving riparian management;
 - d) meet water quality objectives in Schedule 26 for water bodies downstream of the lake or wetland;
 - e) support and assist landowners to protect, increase or restore existing wetlands or create new wetlands including for the management of urban stormwater.

4. In the **lower Ngaruroro and Tūtaekurī Rivers** and their tributaries, in addition to Policy 1 the Council will work with landowners to:
 - a) improve water clarity and reduce deposited sediment by reducing the amount of sediment being lost from land;
 - b) reduce risk of proliferation of algae by reducing nutrient losses from land, including by reducing phosphorous loss associated with sediment;
 - c) improve ecosystem health and water quality by excluding stock from surface water bodies and improving riparian management.

5. In the tributaries of the **Ahuriri Estuary**, in addition to Policy 1 the Council will work with mana whenua, landowners and the Napier City Council to:
 - a) improve water clarity and reduce deposited sediment by reduce the amount of sediment being lost from land and river banks;
 - b) reduce risk of proliferation of algae by reducing nutrient losses from land, including through management of phosphorous loss associated with sediment;
 - c) improve stormwater and drainage water quality and the ecosystem health of urban waterways and reduce contamination of stormwater associated with poor site management practices, spills and accident in urban areas;
 - d) carry out further investigations to understand the estuary hydrology, functioning and environmental stressors.

Protection of Source Water

6. The quality of **groundwater of the Heretaunga Plains and surface waters used as source water** for Registered Drinking Water Supplies will be protected, in addition to Policy 1, by the Council:
 - a) identifying a source protection extent for small scale drinking water supplies or Source Protection Zones for large scale drinking water supplies by methods defined in Schedule 35; and
 - b) regulating activities within Source Protection Zones that may actually or potentially affect the quality of the source water or present a risk to the supply of safe drinking water because of:
 - (i) direct or indirect discharge of a contaminant to the source water including by overland flow or percolation to groundwater;
 - (ii) an increased risk to the safety of the water supply as a result of a non-routine event :
 - (iii) potentially impacting on the level or type of treatment required to maintain the safety of the water supply;
 - (iv) shortening or quickening the connection between contaminants and the source water, including damage to a confining layer;
 - (v) in the case of groundwater abstraction, the rate or volume of abstractions causing a change in groundwater flow direction or speed and/ or a change in hydrostatic pressure that is more than minor.
7. When considering applications to take water for a Registered Drinking Water Supply, the Council will:
 - a) provide for the replacement or amendment of a source protection extent or Source Protection Zone which reflects the level of protection required for that supply, according to a method specified in Schedule 35;
 - b) provide for the amendment of a Source Protection Zone where new information changes the outputs from the method specified in Schedule 35;
 - c) require applications to include an assessment of the Source Protection Zone required, taking into account the factors set out in Schedule 35;
 - d) have regard to:
 - (i) the extent to which the application reflects the factors and methodology in Schedule 35 when establishing the Source Protection Zone; and
 - (ii) the impacts, including any costs and benefits, of any additional restrictions in the Source Protection Zone;
 - (iii) the level of consultation with land owners in the Source Protection Zone.
8. The Council will, when considering applications to discharge contaminants or carry out land or water use activities within:
 - a) the source protection extent for Registered Drinking Water Supplies, take into account possible contamination pathways and risks to the quality of the source water for the water supply,
 - b) A Source Protection Zone, avoid or mitigate risk of contamination from the activity of the source water for the water supply by taking into account criteria including but not limited to;
 - (i) the amount, concentration and type of contaminants likely to be present as a result of the activity or in any discharge;

- (ii) the potential pathways for those contaminants, including any likely or potential preferred pathways;
 - (iii) the mobility and survival rates of any pathogens likely to be in the discharge or arising as a result of the activity;
 - (iv) any risks the proposed land use or discharge activity has either on its own or in combination with other existing activities, including as a result of non-routine events;
 - (v) ensuring the water supplier is aware of any abstraction of groundwater where abstraction has the potential to have more than a minor impact on flow direction or speed and/ or hydrostatic pressure;
 - (vi) the effectiveness of any mitigation measures to avoid or mitigate risk of contaminants entering the source water and the extent to which the effectiveness of the mitigation measure can be verified;
 - (vii) notification, monitoring or reporting requirements to the Registered Drinking Water Supplier.
9. The Council will work with the agencies which have roles and responsibilities for the provision of safe drinking water, including Napier City Council, Hastings District Council, Hawkes Bay District Health Board and Drinking Water Assessors and through multi-agency collaboration to:
- a) implement a multi-barrier approach to the delivery of safe drinking water for Registered Drinking Water Supplies, through the consideration of source protection measures, water treatment and supply distribution standards;
 - b) understand the nature and extent of the water resources used to supply communities, their connectivity with other waterbodies and their recharge sources;
 - c) understand the nature of the relationship between water age and water quality, the use of water age as an attribute and implications for its management;
 - d) understand risks to the quality of water used for Registered Drinking Water Supplies, including through consultation on any applicable resource applications in Source Protection Zones;
 - e) maintain shared databases of activities, including information in consents for land and water use, that have the potential to adversely affect quality of water used for community supply;
 - f) develop solutions that address risks to water quality including wastewater reticulation solutions in Source Protection Zones;
 - g) implement a multi-barrier approach to the delivery of safe drinking water for Registered Drinking Water Supplies, through the consideration of source protection measures, and water treatment and supply standards.

Managing point source discharges

10. The Council will manage point source discharges (that are not stormwater discharges) so that after reasonable mixing, contaminants discharged either by themselves or in combination with other discharges do not cause the objectives for water quality in Schedule 26 to be exceeded and when considering applications to discharge contaminants will take into account:
- a) measurement uncertainties associated with variables such as location, flows, seasonal variation and climatic events;
 - b) the degree to which a discharge is of a temporary nature, or is associated with necessary maintenance work.
 - c) when it is an existing activity, identification of mitigation measures, where necessary, and timeframes for their adoption that contribute to the meeting of water quality objectives.

Riparian Land Management

11. The Council will promote and support the establishment of riparian vegetation, including in conjunction with stock exclusion and setback regulations, that:
 - a) contributes to the health of aquatic ecosystems especially for indigenous species;
 - b) provides shading to reduce macrophyte growth and water temperature especially in lowland tributaries of the Karamū River;
 - c) reduces contamination of water from land use activities;
 - d) reduces river bank erosion;
 - e) improves local amenity;
 - f) enhances recreational activities;
 - g) improves fish spawning habitat;
 - h) assist in weed control.
12. When making decisions about riparian land management in accordance with Policy 11, the Council will account for management objectives related to land drainage and flood control and where appropriate, support establishment of native plant species in riparian margins to contribute to improving the region's indigenous biodiversity, the collection of mahinga kai, taonga raranga and taonga rongoa and the mauri of the river.
13. The Council will support improvement of riparian management to meet the specified timeframes (Policy 27) to provide for the values in Policies 11 and 12 by;
 - a) working with industry groups and land owner collectives to identify where riparian management is to be improved;
 - b) providing information about appropriate riparian planting that assists in meeting the values;
 - c) regulating cultivation, stock access and indigenous vegetation clearance activities that have a significant adverse effect on functioning of riparian margins in relation to water quality and aquatic ecosystem health in adjacent waterbodies;
 - d) providing funding assistance for riparian vegetation improvements;and
 - e) when making decisions on applications for resource consent to;
 - (i) take into account benefits arising to the values in Policy 11 and 12 as a result of the activity;
 - (ii) consider whether to waive the fees and charges required to process the application where;
 1. there is significant public benefit from the activity or the nature and scale of the activity results in significant ecosystem benefits; and
 2. the activity is not a requirement of any other resource consent.

Wetland and Lake Management

14. The Council will regulate activities in and adjacent to wetlands and lakes and will support and encourage the maintenance and improvement of wetland values, including their value for:
 - a) biodiversity and as a habitat for indigenous flora and fauna species;
 - b) recreation (where appropriate);
 - c) cultural uses including for tikanga Māori and mahinga kai;
 - d) their role in the hydrological cycle, including their effects on both high and low flows;
 - e) enhancement of water quality in connected waterbodies;
 - f) fishery habitat.

15. The Council will support and encourage the restoration and extension of natural wetlands and lakes and the reinstatement or creation of additional wetlands to provide for or improve the values (a) – (f) in Policy 14 by working with mana whenua, industry and community groups, land owners and other stakeholders in alignment with the Regional Biodiversity Strategy to:
- a) identify priority areas where wetland and lake management can be improved
 - b) identify priority areas where wetland extent can be increased
 - c) provide information to landowners about wetland and lake values and their management;
 - d) provide funding assistance for wetland and lake protection and for construction of new wetlands and lakes;
 - e) target resources where multiple objectives can be met;
- and
- f) when making decisions on applications for resource consent to:
 - (i) take into account benefits arising to the values in Policy 14 as a result of the activity;
 - (ii) consider whether to waive the fees and charges required to process the application where:
 - 1. there is significant public benefit from the activity or the nature and scale of the activity result in significant ecosystem benefits; and
 - 2. the activity is not a requirement of any other resource consent.

Phormidium Management

16. The Council will address the risks to human health and dogs from toxic phormidium by;
- a) regular monitoring and reporting on the incidence of algae, including toxic phormidium and nutrient concentrations and ratios of nutrients in freshwater related to phormidium establishment;
 - b) adopting applicable national guidelines for the monitoring and management of toxic algae;
 - c) supporting national investigations into the incidence of toxic phormidium, the reasons for its establishment and measures to reduce the incidence;
 - d) reducing nutrient and sediment inputs in accordance with Policies 17 and 20;
 - e) maintain flushing flow;
 - f) ensuring the public has information about phormidium risk, including as a result the accumulation of toxic algal mats.

5.10.3 Policies: Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges)

Adaptive Approach to Nutrient and Contaminant Management

17. The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 with landowners, industry groups, and other stakeholders and will implement the following measures;
 - a) establish programmes and processes through Farm Environment Plans, Catchment Collectives and Industry Programmes to ensure land managers;
 - (i) adopt industry good practice;
 - (ii) identify critical source areas of contaminants at both property and catchment scale;
 - (iii) adopt effective measures to mitigate or reduce contaminant loss;
 - (iv) prepare nutrient management plans in catchment not meeting targets for dissolved nitrogen.

18. The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 by;
 - a) gathering information to determine sustainable nutrient loads;
 - b) developing nutrient limits and a nutrient allocation regime if the management framework in Policy 17 is not leading to improved attribute states by the time this plan is reviewed;
 - c) regulating land use change where there is a significant risk of increased nitrogen loss;
 - d) gathering and assessing information about environmental state and trends and the impact of land use activities on these;
 - e) working with industry groups, landowners and other stakeholders to undertake research and investigation into;
 - (i) nutrient pathways, concentrations and loads in rivers and coastal receiving environments;
 - (ii) nutrient uptake and loss pathways at a property scale;
 - (iii) measures to reduce nutrient losses at a property as well as catchment scale including those delivered through industry programmes.

19. In catchments that do not meet objectives for dissolved nutrients specified in Schedule 26, the Council will ensure landowners, landowner collectives and industry groups have nutrient management plans according to the priority order in Schedule 28.

Sediment Management

20. The Council will reduce adverse effects on freshwater and coastal aquatic ecosystems from eroded sediment, and from the phosphorus associated with this, by prioritising the following mitigation measures;
 - a) regulating cultivation, stock access and vegetation clearance activities;
 - b) targeting priority areas and activities for sediment loss management where there is high sediment loss risk and working with land managers to identify and manage critical source areas of contaminants at both property and catchment scale;
 - c) informing land managers where land is vulnerable to erosion, using tools such as SedNet and LUC; and providing information about measures that reduce soil loss;
 - d) recognising the benefits provided by tree planting and retirement of land for erosion control as well as for mitigating climate change effects and improving indigenous biodiversity by;
 - (i) targeting resources where multiple objectives can be met;
 - (ii) and supporting landowners to retire land, establish forests where appropriate, and plant trees on land with high actual or potential erosion risk;
 - e) Supporting and encouraging improved riparian management across all TANK catchments.

Land Use Change and Nutrient Losses

21. The Council will remedy or mitigate the potential impact of diffuse discharge of nitrogen on freshwater quality objectives by regulating land and water use changes that modelling indicates are likely to result in increased nitrogen loss (modelled on an annual, whole of property or whole of farm enterprise basis) and in making decisions on resource consent applications, the Council will take into account:
- a) whether freshwater quality objectives or targets are being met in the catchment where the activity is to be undertaken;
 - b) where any relevant TANK Industry Programme or Catchment Collective is in place the extent to which the changed land use activity is consistent with the Industry Programme or Collective outcomes, mitigation measures and timeframes;
 - c) any mitigation measures required, and timeframes by which they are to be implemented that are necessary to ensure the actual or potential contaminant loss occurring from the property, in combination with other contamination losses in the catchment will be consistent with meeting freshwater quality objectives, including performance in relation to industry good practice, efficient use of nutrients and minimisation of nutrient losses; and will;
 - d) avoid land use change that will result in increased nitrogen loss that contributes to water quality objectives and targets in Schedule 26 for dissolved nitrogen not being met.

Stock Exclusion

22. The Council will regulate the exclusion of cattle, deer and pigs from rivers, lakes and wetlands, and when considering an application for resource consent or when making decisions about stock exclusion in Industry or Catchment Collective Plans or when making decisions about Farm Environment Plan requirements to take into account the following matters:
- a) assessment of sources, scale and significance of adverse effects of sediment, phosphorus, nitrogen and bacterial inputs to the water body that could effectively or efficiently be reduced by stock exclusion, bridging or culverting;
 - b) identifying whether there are alternative measures to meet water quality outcomes and improve ecosystem health, including by managing bank erosion or reducing sediment losses to water in contributing areas, altering land uses, or providing reticulated water for stock;
 - c) whether stock exclusion is practicable in the circumstances including in relation to:
 - (i) total costs of stock exclusion measures compared to expected water quality benefit; assessed in (a) and other possible adverse effects including stock welfare;
 - (ii) technical or practical challenges of any works required for stock exclusion to be effective;
 - (iii) potential costs and benefits provided by alternative measures compared to stock exclusion.

Industry Programmes and Catchment Management

23. The Council will support the establishment and operation of Industry Programmes and Catchment Collectives and:
- a) ensure any relevant information or expertise for making sustainable land management decisions is available to land managers;
 - b) support local investigation and water monitoring programmes where information gaps exist;
 - c) support development and use of catchment scale models that assist in identification and management of critical source areas;
 - d) support catchment and farm scale decision making to meet freshwater objectives and encourage local solutions and innovative and flexible responses to water quality issues;
 - e) work with water permit holders to encourage and support establishment of catchment collectives that address both freshwater quality objectives and stream flow management through environmental management programmes as specified in Schedule 30 and Schedule 36 and within the timeframes specified in Schedule 28.

24. The Council will continue to work with landowners, industry groups and other stakeholders to manage land and water use activities so that they meet objectives for freshwater/aquatic ecosystems by:
- a) further supporting the development of **Industry Programmes** that contribute to meeting applicable freshwater objectives and that;
 - (i) identify practices that contribute to meeting applicable freshwater objectives;
 - (ii) specify timeframes for completion or adoption of measures to mitigate contaminant losses;
 - (iii) ensure individual performance under an Industry Programme is monitored;
 - (iv) provide annual reports to the Council on progressive implementation of measures identified in Industry Programmes established under Schedule 30 and progress towards meeting applicable objectives for water quality;
 - (v) promote adoption of good industry practice;
 - (vi) ensure that Industry Programmes are consistent with the requirements of Schedule 30;
 - b) supporting landowners to establish **Catchment Collectives** to develop and implement environmental management plans that contribute to meeting applicable freshwater objectives and that;
 - (i) identify and adopt measures at a property scale and collectively with other land managers that reduce contaminant losses or remedy or mitigate the effects of land use on freshwater objectives;
 - (ii) specify timeframes for completion or adoption of measures to mitigate contaminant losses;
 - (iii) ensure individual performance under a catchment collective is monitored;
 - (iv) provide annual reports to the Council on progressive implementation of measures identified in landowner collectives established under Schedule 30 and progress towards meeting applicable objectives for water quality;
 - (v) promote adoption of good agricultural practice;
 - (vi) ensure programmes prepared by a collective are consistent with the requirements of Schedule 30;
 - c) Approving any Landowner Collective or Industry Programme developed under Schedule 30;
 - d) Auditing Landowner Collective or Industry Programmes prepared and approved under Schedule 30 including auditing of member properties.
25. Where a landowner is not part of an Industry Programme or Catchment Collective, the Council will require development and implementation of a **Farm Environment Plan**.

Management and compliance.

26. Where individuals are members of a **Catchment Collective** or **Industry Programme** but do not undertake their activity in accordance with the approved plan prepared in accordance with Schedule 30, or do not follow the agreed terms of membership the Council will;
- a) provide a conflict resolution service;
 - b) where an individual is no longer, or is deemed through conflict resolution processes not to be, a member the Council will;
 - (i) require the development of a farm plan for that property within 6 months or;
 - (ii) require an application for a land use consent to be made;
 - c) take appropriate enforcement action.

Timeframes; Water and Ecosystem Quality

27. The Council will develop an implementation plan for this Plan Change with industry groups, landowners, water permit holders, tangata whenua, and other stakeholders to ensure that the land owners and lease holders are engaged in industry or landowner collective programmes or have prepared farm environmental plans within the timeframes in Schedule 28 and to ensure reporting (as specified in Schedule 30) on the milestones in Table 1 below.

Table 1: Milestones and Timeframes

Action	Activity	Milestone	Output to be reported on
Stock and Riparian Land Management			
1; Stock exclusion and riparian planting	Stock excluded from rivers in flat and rolling hill country	Stock excluded by 2023	Km of stream with stock exclusion
	Riparian margins planted		Km of riparian margins planted
2; Stock exclusion and sediment mitigation	Stock access and sediment mitigation in hill country managed through environmental programme or farm plan	According to priority set out in Schedule 29	Soil erosion and critical source area mitigation measures and timeframes for implementation
3; Riparian management	Shading and planting in Karamū catchment and Heretaunga plains	200km of waterway subject to planting programmes	River and streams in Karamū catchment with riparian planting for shade
Wetlands			
4; wetland management and improvement	Protection and restoration of existing wetlands	100ha in 5 years and 200ha in ten years from operative date	Hectares of protected and restored wetland
	Reinstatement or creation of additional wetland	100 ha reinstated or additional wetland	Hectares of new wetland
Nutrient Management			
5; Nutrient management	Nutrient management plans	According to priority set out in Schedule 28	Number of properties subject to nutrient plan

5.10.4 Policies: Stormwater Management

Urban Infrastructure

28. The adverse effects of stormwater quality and quantity on aquatic ecosystems and community well-being arising from existing and new urban development (including infill development) industrial and trade premises and associated infrastructure, will be reduced or mitigated no later than 1 January 2025, by:

- a) Local Authorities adopting an integrated catchment management approach to the collection and discharge of stormwater;
- b) requiring stormwater to be discharged into a reticulated stormwater network where such a network is available or will be made available as part of the development;
- c) requiring increased retention or detention of stormwater, while not exacerbating flood hazards;
- d) taking into account site specific constraints including areas with high groundwater, source protection zones, and/or an outstanding water body ;
- e) taking into account the collaborative approach of HBRC, Napier City and Hastings District councils in managing urban growth on the Heretaunga Plains as it relates to stormwater management;
- f) taking into account the effects of climate change when providing for new and upgrading existing infrastructure;
- g) adopting, where practicable, a good practice approach to stormwater management including adoption of Low Impact Design for stormwater systems;
- h) amending district plans, standards, codes of practice and bylaws to specify design standards for stormwater reticulation and discharge facilities through consent conditions, that will achieve the freshwater objectives set out in this plan;
- i) developing and making available to the public advice about good stormwater management options (including through HBRC's guidelines);
- j) encouraging, through education and public awareness programmes, greater uptake and installation of measures that reduce risk of stormwater contamination;
- k) requiring, no later than 1 January 2025, the preparation and implementation of a site management plan and good site management practices on industrial and trade premises with a high risk of stormwater contamination and those in the high priority areas:
 - (i) of the Ahuriri catchment;
 - (ii) of the Karamū River and its tributaries;
 - (iii) of land over the unconfined aquifer; and
 - (iv) within identified drinking water Source Protection Zones.

Source Control

29. Sources of stormwater contamination and contaminated stormwater will be reduced by:

- a) specifying requirements for the design and installation of stormwater control facilities on sites where there is a high risk of freshwater contamination arising from either the direct discharge of stormwater to freshwater, the discharge of stormwater to land where it might enter water or the discharge to a stormwater or drainage network;
- b) requiring the implementation of good site management practices on all sites where there is a risk of stormwater contamination arising from the use, or storage of contaminants;
- c) controlling, and if necessary avoiding, activities that will result in water quality standards not being able to be met.

Dealing with the Legacy

30. Aquatic ecosystem health improvements and community wellbeing and reduced stormwater contamination will be achieved by HBRC working with the Napier City and Hastings District Councils requiring discharges from stormwater networks to meet:

- a) water quality objectives (where they are degraded by stormwater) and the identification of measures that ensure stormwater discharges will achieve at least:
 - (i) the 80th percentile level of species protection in receiving waters by 1 January 2025; and
 - (ii) the 95th percentile level³ of species protection by 31 December 2040.

and

- b) except as in (a) above, the management objectives in Schedule 26 for freshwater and estuary health through resource consent conditions, including requirements;
 - (i) to apply the Stream Ecological Valuation methodology to inform further actions;
 - (ii) to install treatment devices within the drainage network where appropriate;
 - (iii) for stream planting/re-alignment for aquatic ecosystem enhancement;
 - (iv) for wetland creation, water sensitive design and other opportunities for increasing stormwater infiltration where appropriate;
 - (v) recognise existing and planned investments in stormwater infrastructure.

Consistency and Collaboration; Integration of city, district and regional council rules and processes.

31. To achieve the freshwater quality objectives in this Plan, HBRC, with the Napier City and Hastings District Councils will, no later than 1 January 2025, implement similar stormwater performance standards including through the adoption of:

- a) good practice engineering standards;
- b) consistent plan rules and bylaws;
- c) shared information and approaches to education and advocacy;
- d) shared information and processes for monitoring and auditing individual site management on sites at high risk of stormwater contamination;
- e) consistent levels of service for stormwater management and infrastructure design;
- f) an integrated stormwater catchment management approach;
- g) undertaking a programme of mapping the stormwater networks and recording their capacity;
- h) aligning resource consent processes and having joint hearings to achieve integrated management of proposals for urban activities particularly in respect of stormwater, water supply and wastewater provisions and implementation of the Heretaunga Plains Urban Development Strategy (2017).

Ahuriri Catchment

32. The Council will support the development of an Ahuriri Estuary Integrated Catchment Management Plan by;

- a) improving the quality of freshwater entering the Ahuriri Estuary through the measures included in this plan; and
- b) carrying out investigations to help better understand processes and functions occurring within the estuary and its connected freshwater bodies.

³ ANZECC Guidelines 2018 (Australia and New Zealand Guidelines for Fresh and Marine Water Quality)

5.10.5 Policies: Monitoring and Review

33. The Council will recognise and support monitoring according to mātauranga Māori and will recognise and support local scale monitoring to assess ecosystem health and mauri including water quality in relation to identified values and its contribution to:

- a) understanding local ecosystem health and land and water use impacts on it;
 - b) enabling kaitiaki and resource users' responsibilities for sustainable freshwater management to be met;
 - c) assessing effectiveness of mitigation measures adopted to meet freshwater objectives;
 - d) understanding state and trends of local water quality;
 - e) adding to the regional knowledge about environmental state and trends;
- by;
- f) developing protocols and procedures for monitoring appropriate to the purpose of the monitoring;
 - g) providing assistance and advice;
 - h) supporting the provision of monitoring materials;
 - i) collating and reporting on data as appropriate.

34. Council will meet regularly with representatives from TANK stakeholder groups to:

- a) review and report on the TANK implementation plan;
- b) identify issues arising and develop measures to enable their resolution.

35. The Council will monitor and report on the effectiveness of the TANK water quality management policies and rules and to assist in making decisions about reviewing or changing this management framework, the Council will:

- a) continue to monitor instream water quality and review and report on the progress towards and achievement of the water quality objectives in Schedule 26 and according to Objectives 2 and 3 of this Plan in its regular State of the Environment monitoring;
- b) monitor and report on the state of riparian land and wetlands, and carry out regular ecosystem habitat assessments, including native fish monitoring and through the application of mātauranga Māori tools and approaches when they are developed;
- c) monitor the progress towards the milestones listed in Policy 27, according to timeframes specified in Schedule 28 and collate and report annually on information about;
 - (i) the nature and extent of the mitigation measures being adopted to meet water quality and/or quantity outcomes through Catchment Collectives, Industry Programmes and Farm Plans;
 - (ii) the establishment of Catchment Collectives and assess progress in implementing the measures specified in their environment plans;
 - (iii) the preparation of Farm Environment Plans and assess progress in implementing the measures specified in that plan;
- d) work with Industry Groups to collate information annually on the functioning and success of any Industry Programme in implementing measures specified in the Industry Programme;
- e) along with the Napier City Council and Hastings District Council, report annually on progress towards the improvement of the stormwater network, including reporting on the preparation of Site Management Plans for activities at risk of contaminating stormwater in urban areas;

And

- f) commence a review of these provisions within ten years of <operative date> in accordance with section 79 of the RMA.

5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits

Heretaunga Plains Aquifer Management

36. The Council recognises the actual and potential adverse effects of groundwater abstraction in the Heretaunga Plains Water Management Unit on:

- a) groundwater levels and aquifer depletion;
- b) flows in connected surface waterbodies;
- c) flows of the Ngaruroro River;
- d) groundwater quality through risks of sea water intrusion and water abstraction;
- e) tikanga and mātauranga Māori;

and will adopt a staged approach to groundwater management that includes;

- f) avoiding further adverse effects by not allowing new water use
- g) reducing existing levels of water use;
- h) mitigating the adverse effects of groundwater abstraction on flows in connected water bodies;
- i) gathering information about actual water use and its effects on stream depletion;
- j) monitoring the effectiveness of stream flow maintenance and habitat enhancement schemes;
- k) including plan review directions to assess effectiveness of these measures.

37. In managing the allocation and use of groundwater in the Heretaunga Plains Water Management Unit, the Council will;

- a) adopt an interim allocation limit of 90 million cubic meters per year based on the actual and reasonable water use prior to 2017;
- b) avoid re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body until there has been a review of the relevant allocation limits within this plan;
- c) manage the Heretaunga Plains Water Management Unit as an over-allocated management unit and prevent any new allocations of groundwater;
- d) when considering applications in respect of existing consents due for expiry, or when reviewing consents, to;
 - (i) allocate groundwater the basis of the maximum quantity that is able to be abstracted during each year or irrigation season expressed in cubic meters per year;
 - (ii) apply an assessment of actual and reasonable use that reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50);
- e) mitigate stream depletion effects on lowland streams by providing for stream flow maintenance and habitat enhancement schemes.

38. The Council will restrict the re-allocation of water to holders of permits to take and use water in the Heretaunga Water Management Unit issued before 2 May 2020 and will review permits or allocate water according to the plan policies and rules either:

- a) upon expiry of the consent; or
- b) in accordance with a review of all applicable permits within ten years of <the operative date>;

whichever is the sooner.

Flow maintenance

39. When assessing applications to take groundwater in the Heretaunga Plains Water Management Unit the Council will:
- a) either;
 - (i) require abstraction to cease when an applicable stream flow maintenance scheme trigger is reached;
 - or
 - (ii) enable consent applicants to develop or contribute to stream flow maintenance and habitat enhancement schemes that;
 - 1. contribute flow to lowland rivers where groundwater abstraction is depleting stream flows; and
 - 2. improve oxygen levels and reduce water temperatures;
 - b) assess the relative the contribution to stream depletion from groundwater takes and require stream depletion to be off-set equitably by consent holders while providing for exceptions for the use of water for essential human health; and
 - c) enable permit holders to progressively and collectively through Water User Collectives develop and implement flow maintenance and habitat enhancement schemes as water permits are replaced or reviewed, in the order consistent with water permit expiry dates.
40. When assessing applications for a stream flow maintenance and habitat enhancement scheme the Council will have regard to:
- a) opportunities for maximising the length of waterbodies where habitat and stream flow is maintained or enhanced;
 - b) any improvements to water quality, especially dissolved oxygen, and ecosystem health as a result of the stream flow maintenance and habitat enhancement schemes;
 - c) the duration and magnitude of adverse effects as a consequence of flow maintenance scheme operation;
 - d) the extent to which the applicant has engaged with mana whenua;
 - e) and will;
 - (i) allow site to site transfer of water to enable the operation of a flow enhancement scheme;
 - (ii) enable water permit holders to work collectively to develop and operate stream flow maintenance and habitat enhancement schemes consistent with the requirements of Schedule 36
 - (iii) impose consent durations of 15 years that are consistent with the term for groundwater takes affected by stream flow maintenance requirements, except where stream flow maintenance is being provided by significant water storage infrastructure in which case consent duration is consistent with the scale of the infrastructure.
41. The Council will remedy the stream depletion effects of groundwater takes in the Heretaunga Plains Water Management Unit on the Ngaruroro River, in consultation with mana whenua, land and water users and the wider community through:
- a) further investigating the environmental, technical, cultural and economic feasibility of a water storage and release scheme to off-set the cumulative stream depletion effect of groundwater takes;
 - b) if such a scheme is feasible, to develop options for funding, construction and operation of such a scheme including through a targeted rate;
- and
- c) if such a scheme is not feasible, to review alternative methods and examine the costs and benefits of those.

Groundwater management review

42. After water has been re-allocated and consents reviewed in accordance with Policies 36 - 38, the Council will commence a review of these provisions within ten years of <operative date> in accordance with Section 79 of the RMA and will determine:

- a) the amount of water allocated in relation to the interim allocation limit;
- b) the total annual metered groundwater use for the Heretaunga Plains Water Management Unit during the ten years prior to the time of review;
- c) if any changes in the relationship between groundwater abstraction and the flows of rivers and groundwater levels have occurred;
- d) the extent of any stream flow maintenance and habitat enhancement schemes including in relation to;
 - (i) the length of stream subject to flow maintenance;
 - (ii) the extent of habitat enhancement including length of riparian margin improvements, and new or improved wetlands;
 - (iii) the magnitude and duration of stream flow maintenance scheme operation;
 - (iv) trends oxygen and temperature levels in affected streams.

And will;

- e) In relation to plan objectives and adverse effects listed in Policy 36, assess;
 - (i) the effects of the groundwater takes on stream flows;
 - (ii) effectiveness of stream flow maintenance schemes in maintaining water flows and improving water quality;
 - (iii) effectiveness of habitat enhancement including through improved riparian management and wetland creation in meeting freshwater objectives;
- f) review the appropriateness of the allocation limit in relation to the freshwater objectives;
- g) develop a plan change to ensure any over-allocation is phased out.

5.10.7 Policies: Surface Water Low Flow Management

Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamū

43. The Council will manage river flows and lake or wetland water levels affected by surface water abstraction activities, including groundwater abstraction in Zone 1, during low flow periods so that they meet objectives for aquatic ecosystem health, mauri, tikanga Māori values, and other instream values by;

For the **Ngaruroro River**;

- a) maintaining the existing minimum flows for the Ngaruroro River and its tributaries;
- b) reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing the allocation limit for the Ngaruroro River;
- c) establishing allocation limits for the river, connected groundwater in Zone 1 and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable security of supply;
- d) establishing a limit for groundwater abstraction in the upper Ngaruroro catchment based on existing actual and reasonable use until more information about the nature and extent of that resource is available.

For the **Tūtaekurī River**;

- e) increasing the minimum flow for the Tūtaekurī River and the Mangaone tributary and maintaining the minimum flow for the Mangatutu tributary;
- f) reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing the allocation limit for the Tūtaekurī River;
- g) establishing allocation limits for the river, connected groundwater in Zone 1 and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable security of supply;
- h) establishing a limit for groundwater abstraction in the upper Tūtaekurī catchment based on existing actual and reasonable use until more information about the nature and extent of that resource is available.

For the **Karamū River**;

- i) maintaining existing flow management regimes for the Karamū River and its tributaries and contributing lakes and wetlands affected by groundwater abstraction and surface water abstractions;
- j) establishing allocation limits for the river and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable security of supply.

For the **Ahuriri Catchment Freshwater Streams**;

- k) establishing limits for ground and surface water abstraction based on existing actual and reasonable use until more information about the nature and extent of that resource is available.

Paritua/Karewarewa Streams

44. The Council will recognise the connectivity between ground and surface water abstraction on the flows in the Paritua/Karewarewa Streams and their tributaries, acknowledge the contribution of flows from these streams to the flows in the Awanui Stream, Karamū River and the Heretaunga Plains Water Management Unit, and their importance to local marae and work with water permit holders, landowners and tangata whenua to;

- a) further refine the Heretaunga Plains Aquifer Model to improve model outputs for this catchment;
- b) investigate opportunities for wetland creation to improve hydrological functioning and water quality in the river, especially during low flows;
- c) improve riparian management to provide shade, reduce macrophyte growth, increased dissolved oxygen levels and decrease water temperature;
- d) carry out resource investigations to understand natural stream flow regimes and feasible options for remediation including;
 - (i) managed aquifer recharge;
 - (ii) flow enhancement from groundwater;
 - (iii) streambed modification to reduce losses to groundwater in highly conductive reaches;

- e) enable and support water permit holders and landowners to collectively manage the maintenance of specified flows in the Paritua/Karewarewa Streams;
- f) provide for water to be diverted from the Ngaruroro for the enhancement of flows in the Paritua Stream.

General Water Allocation Policies

45. When assessing applications to take water the Council will;

- a) provide that the abstraction of water that has been taken at times of high flow and stored and released for subsequent use, is not subject to allocation limits;
- b) require water meters to be installed for all water takes authorised by a water permit and water use to be recorded and reported via telemetry provided that telemetry will not normally be required where the consented rate of take is less than 5l/sec or where there are technical limitations to its installation;
- c) ensure water allocation from tributaries is accounted for within the total allocation limit for the relevant zone and that the total abstraction from any tributary does not exceed 30% of the MALF for that tributary unless otherwise specified in Schedule 31;
- d) offset the stream depletion effects of any groundwater takes in Zone 1, that were not previously considered stream depleting, by managing them as if they were in the Heretaunga Plains Water Management Unit; and
 - (i) require contributions to an applicable lowland stream enhancement programme at a rate equivalent to the stream depletion effect consistent with Policy 39;or
 - (ii) require the water take to cease when the minimum flow for the affected river is reached if a permit holder does not contribute under clause (i) where there is an applicable lowland stream enhancement; and
 - (iii) allow further technical assessments to determine the extent of stream depletion effect.

Water Use and Allocation – Efficiency

46. The Council will ensure efficient management of the allocation of water available for abstraction by:

- a) ensuring allocation limits and allocations of water for abstraction are calculated with known security of supply;
- b) ensuring water is allocated to meet actual and reasonable requirements;
- c) encouraging and supporting flexible management of water by permit holders so that the allocatable water can be used efficiently and within specified limits;
- d) on-going data collection and monitoring of water resources and water use to better understand patterns of water availability and water use and further develop efficient and effective water management provisions.

47. When considering applications for resource consent, the Council will ensure water is allocated and used efficiently by:

- a) ensuring that the technical means of using water are physically efficient through;
 - (i) allocation of water for irrigation end-uses based on soil, climate and crop needs;
 - (ii) requiring the adoption of good practice water use technology and processes that minimise the amount of water wasted; and
 - (iii) the use of water meters;
- b) using the IRRICALC water demand model if available for the land use being applied for (or otherwise by a suitable equivalent approved by Council) to determine efficient water allocations for irrigation uses;
- c) allocating water for irrigation on the basis of a minimum water application efficiency standard of 80% and on a reliability standard that meets demand 95% of the time;
- d) requiring all non-irrigation water takes (except as provided by Policy 50 for municipal and papakāinga supplies) to show how water use efficiency of at least 80% is being met and is consistent with any applicable industry good practice;
- e) requiring new water takes and irrigation systems to be designed and installed in accordance with industry codes of practice and standards;
- f) requiring irrigation and other water use systems to be maintained and operated to ensure on-going efficient water use in accordance with any applicable industry codes of practice.

Water Use Change/Transfer

48. When considering any application to change the water use specified by a water permit, or to transfer a point of take to another point of take, to consider:
- a) declining applications where the transfer is to another water management zone unless;
 - (i) new information provides more accurate specification of applicable zone boundaries;
 - (ii) where the lowland tributaries of the Karamū River are over-allocated, whether the transfer of water take from surface to groundwater provides a net beneficial effect on surface water flows;
 - b) effects on specified minimum flows and levels or other water users' access to water resulting from any changes to the rates or volume of take;
 - c) any alteration to the nature, scale and location of adverse effects on the water body values listed in Schedule 25 and in the objectives of this Plan;
 - d) effects of the alteration to the patterns of water use over time, including changes from seasonal use to water use occurring throughout the year or changes from season to season;
 - e) except where a change of use and/or transfer is for the purpose of a flow enhancement or ecosystem improvement scheme, declining applications to transfer water away from irrigation end uses in order to protect water availability for the irrigation of the versatile land of the Heretaunga Plains for primary production especially the production of food;
 - f) in Water Quality Management Units that are over-allocated, ensuring that transfers do not result in increased water use and to prevent the transfer of allocated but unused water;
 - g) declining applications for a change of use from frost protection to any other end use;
 - h) enabling the transfer of a point of take and change of water use to municipal water supplies, including for marae and papakāinga , (not including transfer to industrial uses above 15m³/day) from any other use for the efficient delivery of water supplies and to meet the communities' human health needs for water supply, subject to clause (b).

Water Allocation - Permit Duration

49. When making decisions about applications for resource consent to take and use water, the Council will set common expiry dates for water permits to take water in each water management zone, that enables consistent and efficient management of the resource and will set durations that provide a periodic opportunity to review effects of the cumulative water use and to take into account potential effects of changes in:
- a) knowledge about the water bodies;
 - b) over-allocation of water;
 - c) patterns of water use;
 - d) development of new technology;
 - e) climate change effects;
 - f) efficacy of flow enhancement schemes and any riparian margin upgrades;
- and the Council;
- g) will impose consent durations of 15 years according to specified water management unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 years thereafter.
 - h) will impose a consent duration for municipal supply consistent with the most recent HPUDS and will impose consent review requirements that align with the expiry of all other consents in the applicable management unit;
 - i) may grant consents granted within three years prior to the relevant common catchment expiry date with a duration to align with the second common expiry date, except where the application is subject to section 8.2.4 of the RRMP).

Water Allocation - Priority

50. In making decisions about resource consent applications for municipal and papakāinga water supply the Council will ensure the water needs of future community growth are met within water limits and;
- a) allocate water for population and urban development projections for the area according to estimates provided by the HPUDS (2017) to 2045;
 - b) calculate water demand according to existing and likely residential, non-residential (schools, hospitals, commercial and industrial) demand within the expected reticulation areas; and
 - (i) require that water demand and supply management plans are developed and adopted and industry good practice targets for water infrastructure management and water use efficiency including whether an Infrastructure Leakage Index of 4 or better can be achieved;
 - (ii) seek that the potential effects of annual water volumes are reflected in level of water supply service and reliability of supply objectives in asset management plans and bylaws for water supply;
 - c) work collaboratively with Napier City and Hastings District Councils to;
 - (i) develop an integrated planning approach thorough HPUDS that gives effect to the National Policy Statements within the limits of finite resources;
 - (ii) develop a good understanding of the present and future regional water demand and opportunities for meeting this;
 - (iii) identify communities at risk from low water reliability or quality and investigate reticulation options.
51. When making water shortage directions under Section 329 of the RMA, occurring when rivers have fallen below minimum flows and water use has decreased or ceased according to permit conditions, the Council will establish and consult with an emergency water management group that shall have representatives from Napier City and Hastings District Councils, NZ Fire Service, DHB, iwi and MPI, to make decisions about providing for water uses in the following priority order;
- a) water for the maintenance of public health;
 - b) water necessary for the maintenance of animal welfare;
 - c) water essential for community well-being and health;
 - d) water essential for survival of horticultural tree crops;
 - e) uses where water is subject to seasonal demand for primary production;
 - f) uses for which water is essential for the continued operation of a business, except where water is subject to seasonal demand for primary production or processing.

The following uses will not be authorised under a water shortage direction:

- g) use of water not associated with the continued operation of a business or community well-being;
- h) non-essential amenity uses such as private swimming pools and car washing.

Takes not subject to any restrictions are:

- i) firefighting uses;
- j) non-consumptive uses;

Over-Allocation

52. The Council will phase out over-allocation by;
- a) preventing any new allocation of water (not including any reallocation in respect of permits issued before 2 May 2020);
 - b) for applications in respect of existing consents due for expiry or when reviewing consents, to;
 - (i) allocate water according to demonstrated actual and reasonable need (except as provided for by Policy 50)

- (ii) impose conditions that require efficiency gains to be made, including through altering the volume, rate or timing of the take and requesting information to verify efficiency of water use relative to industry good practice standards;
- c) provide for, within the duration of the consent, meeting water efficiency standards where hardship can be demonstrated;
- d) reducing the amount of water permitted to be taken without consent, including those provided for by Section 14 (3)(b) of the RMA, except for authorised uses existing before 2 May 2020;
- e) encouraging voluntary reductions, site to site transfers (subject to clause (f)) or promoting water augmentation/harvesting;
- f) prevent site to site transfers of allocated but unused water that does not meet the definition of actual and reasonable use;
- g) enabling and supporting permit holders to develop flexible approaches to management and use of allocatable water within a management zone including through catchment collectives, water user groups, consent or well sharing or global water permits;
- h) enabling and supporting the rostering of water use or reducing the rate of takes in order to avoid water use restrictions at minimum or trigger flows.

Frost Protection

53. When considering applications to take water for frost protection, the Council will avoid, remedy or mitigate actual and potential effects of the take on its own or in combination with other water takes;
- a) from groundwater in the Heretaunga Plains Water Management Unit on;
 - (i) neighbouring bores and existing water users;
 - (ii) connected surface water bodies;
 - (iii) water quality as a result of any associated application of the water onto the ground where it might enter water;
 - b) from surface water on;
 - (i) instantaneous flow in the surface water body;
 - (ii) fish spawning and existing water users;
 - (iii) applicable minimum flows during November to April;
 - (iv) water quality as a result of any associated application of the water onto the ground where it might enter water;
- By;
- c) taking into account any stream depletion effects of groundwater takes;
 - d) imposing limits in relation to minimum flows or groundwater levels;
 - e) requiring water metering, monitoring and reporting use of water for frost protection.

5.10.8 Policies: High Flow Allocation

Adverse Effects - Water Damming

54. When assessing applications to dam water and to take water from the dam impoundment, the Council will avoid, remedy or mitigate adverse effects of;

- a) potential changes to water quality arising from subsequent changes to land use activities that may occur as a result of water being allocated for take and use from the dam and whether relevant freshwater quality objectives can be met;
- b) the dam and any associated lake or reservoir, and any effects of the volume, velocity, frequency, and duration of flow releases from the dam, either by itself or cumulatively with other storage structures or dams, on;
 - (i) the uses and values for any water body identified in the objectives or Schedule 25;
 - (ii) water levels and flows in connected water bodies, including lakes and wetlands;
 - (iii) water quality, including effects on temperature and management of periphyton in connected water bodies;
 - (iv) river ecology and aquatic ecosystems, including passage of fish and eels, indigenous species habitat and riparian habitat, including in relation to the storage impoundment;
 - (v) groundwater recharge;
 - (vi) downstream land, property and infrastructure at risk from failure of the proposed dam;
 - (vii) other water users;
 - (viii) downstream river bed stability, including through sediment transfer and management of vegetation in river beds;
- c) whether there are practicable alternatives;

and, except as prohibited by Policy 58, will limit the amount of flow alteration so that the damming of surface water either on its own or in combination with other dams or water storage in a catchment does not cumulatively adversely affect the frequency of flows above three times the median flow by more than a minor amount and provided that any dam in combination with other dams or high flow takes shall not cause changes to the river flow regime that are inconsistent with specified flow triggers.

Adverse Effects - Water Take and Storage

55. When assessing applications to take water for off-stream storage or to take water from the impoundment the Council will avoid remedy or mitigate adverse effects of;

- a) potential changes to water quality arising from subsequent changes to land use activities as a result of water being allocated for take and use from the impoundment and whether relevant freshwater quality objectives can be met;
- b) the magnitude, frequency, duration and timing of water takes either by itself or cumulatively with other storage structures or dams, on;
 - (i) the uses and values for any water body identified in the objectives;
 - (ii) water levels and flows in connected water bodies, including lakes and wetlands;
 - (iii) water quality, including effects on temperature and management of periphyton in connected water bodies;
 - (iv) river ecology and aquatic ecosystems, including passage of fish and eels, indigenous species habitat and riparian habitat, including in relation to the storage impoundment;
 - (v) groundwater recharge;
 - (vi) downstream land, property and infrastructure at risk from failure of the proposed storage structure;
 - (vii) other water users;

and will limit the amount of flow alteration so that the taking of surface water does not cumulatively adversely affect the frequency of flows above three times the median flow by more than a minor amount and provided that;

- (viii) the high flow take ceases when the river is at or below the median flow;
- (ix) such high flow takes do not cumulatively exceed the specified allocation limits;

- (x) any takes to storage existing as at 2 May 2020 will continue to be provided for within new allocation limits and subject to existing flow triggers.

Benefits of Water Storage and Augmentation

56. The Council will recognise beneficial effects of water storage and augmentation schemes, including water reticulation in the TANK catchments and out-of-stream- storage, and when considering applications for resource consent will take into account the nature and scale of the following criteria;
- a) benefits for aquatic organisms and other values in Schedule 25 or in relation to the objectives of this plan in affected water bodies;
 - b) whether water availability is improved or the level to which the security of supply for water users is enhanced;
 - c) whether the proposal provides for the productive potential of un-irrigated land or addresses the adverse effects of water allocation limits on land and water users, especially in relation to primary production on versatile land;
 - d) whether the proposal provides benefits to downstream water bodies at times of low flows provided through releases from storage or the dam;
 - e) the nature and scale of potential ecosystem benefits provided by the design and management of the water storage structure, its margins and any associated wetlands;
 - f) benefits for other water users including recreational and cultural uses and any public health benefits;
 - g) other community benefits including improving community resilience to climate change;
 - h) whether the proposal provides for renewable electricity generation.
57. The Council will carry out further investigation to understand the present and potential future regional water demand and supply including for abstractive water uses and environmental enhancement and in relation to climate change. It will consider water storage options according to the criteria in Policy 56 in consultation with local authorities, tangata whenua, industry groups, resource users and the wider community when making decisions about water augmentation proposals in its Annual and Long Term Plans.
58. The Council will protect the instream water values and uses identified in Objectives 11 and 12 for the Ngaruroro and Tūtaekurī Rivers and their tributaries, the Taruarau, Omahaki, Mangatutu and Mangaone Rivers by prohibiting the construction of dams on the mainstem of those rivers.

High Flow Reservation

59. The Council will allocate 20% of the total water available at times of high flow in the Ngaruroro or Tūtaekurī River catchments for abstraction, storage and use for the following activities;
- a) contribution to environmental enhancement that is in addition to any conditions imposed on the water storage proposal;
 - b) improvement of access to water for domestic use by marae and papakāinga;
 - c) the use of water for any activity, provided that;
 - (i) it includes contribution to a fund managed by the Council in consultation with mana whenua; and
 - (ii) the fund will be used to provide for development of Māori wellbeing;
 - (iii) the contribution to the fund is proportional to the amount of reserved water being taken and any commercial returns resulting from the application
 - d) the development of land returned to a Post-Settlement Governance Entity (PSGE) through a Treaty Settlement.

And in making decisions on applications to take and store this water the Council will;

- e) require information to be provided that demonstrates how the activity will provide for Māori economic, cultural or social well-being;
- f) have regard to the views of any affected PSGE or iwi authority arising from consultation about the application and any assessment of the potential to provide part, or all of the 20% high flow allocation;

- g) have regard to any relevant provisions for the storage and use of high flow allocation water for Māori development in any joint iwi/hapū management plans relevant to the application (where more than one PSGE, iwi/hapū is affected, the iwi management plan must be jointly prepared by the affected iwi/hapū).
60. When making decisions about resource consent applications to take and store high flow water, the Council will take into account the following matters:
- a) whether water allocated for development of Māori well-being is still available for allocation;
 - b) whether there is any other application to take and use the high flow allocation for development of Māori well-being relevant to the application;
 - c) the scale of the application and whether cost effective or practicable options for taking and using the high flow allocation for Māori development can be incorporated into the application;
 - d) the location of the application and whether cost effective or practicable options for including taking and using water for Māori development can be developed as part of the application;
 - e) whether there has been consultation on the potential to include taking and using all or part of the water allocated for Māori development into the application;
 - f) whether it is the view of the applicant that a joint or integrated approach for the provision of the high flow water allocated to Māori development is not appropriate or feasible, and the reasons why this is the case.

Chapter 6 New Regional Rules

Amend; Summary of Existing Rules to insert a new Section 6.10

6.10 TANK Catchments specific rules	Classification	Page (to come)
6.10.1 Use of Production Land		
Rule TANK 1 Use of Production Land	Permitted	
Rule TANK 2 Use of Production Land	Controlled	
Rule TANK 3 Stock Access	Permitted	
Rule TANK 4 Stock Access	Restricted Discretionary	
Rule TANK 5 Use of Production Land (land use change)	Controlled	
Rule TANK 6 Use of Production Land (land use change)	Restricted Discretionary	
6.10.2 Take and Use of Water		
Rule TANK 7 Take and use of surface water	Permitted	
Rule TANK 8 Take and use of groundwater	Permitted	
Rule TANK 9 Take and use groundwater (Heretaunga Plains)	Restricted Discretionary	
Rule TANK 10 Take and use ground or surface water	Restricted Discretionary	
Rule TANK 11 Take and use water	Discretionary	
Rule Tank 12 Take and use water	Prohibited	
Rule Tank 13 Take and use water (high flow)	Discretionary	
Rule Tank 14 Damming water	Discretionary	
Rule Tank 15 Take and use water (from an impoundment)	Discretionary	
Rule Tank 16 Take and use water (from an impoundment)	Non-complying	
Rule Tank 17 Damming water	Prohibited	
Rule TANK 18 Stream flow maintenance	Discretionary	
6.10.3 Discharge of Stormwater		
Rule Tank 19 Stormwater	Permitted	
Rule Tank 20 Stormwater	Restricted Discretionary	
Rule Tank 21 Stormwater	Controlled	
Rule Tank 22 Stormwater	Restricted Discretionary	
Rule Tank 23 Stormwater	Discretionary	

Insert the following rules as new Section 6.10

6.10 Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment Rules (TANK)

6.10.1 Use of Production Land

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 1 Use of Production Land	The use of production land on farm properties or farming enterprises in the TANK catchments that are greater than 10 hectares pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA	Permitted	<p>a) The property or farming enterprise land area has less than 75% plantation forest cover⁴.</p> <p>b) Either;</p> <p>1. The owner or manager of the property or enterprise is either a member of a TANK Industry Programme or a member of a TANK Catchment Collective within the timeframes specified in Schedule 28 and accordance with the requirements of Schedule 30;</p> <p>Or;</p> <p>2. The property or enterprise owner or manager of the property shall prepare a Farm Environment Plan in accordance with the requirements of Schedule 30 and within the timeframes specified in Schedule 28; and the Farm Environment Plan is being implemented and;</p> <p>1. the Council shall be provided with the Farm Environment Plan upon request;</p> <p>2. information about the implementation of the mitigation measures identified for the property shall be supplied to the Council on request.</p>	

⁴ The National Environmental Standards; Plantation Forestry also apply where there is plantation forest. This rule only applies if a property has less than 75% plantation forest cover

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 2 Use of Production Land</p>	<p>The use of production land on farm properties or farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA</p>	<p>Controlled</p>	<p>The activity does not meet condition (b) of Rule TANK 1.</p>	<ol style="list-style-type: none"> 1. The freshwater water quality objectives and targets in Schedule 26 for the catchment where the activity is being undertaken and any measures required to reduce the actual or potential contaminant loss occurring from the property, taking into account their costs and likely effectiveness and including performance in relation to industry good practice and requirements for; <ol style="list-style-type: none"> a) Efficient use of nutrients and minimisation of nutrient losses, b) Wetland management c) Riparian management d) Management of farm wastes e) Management of stock including in relation to water ways and contaminant losses to ground and surface water f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply 2. Nature and scale of actual and potential contamination loss from the property in relation to the objectives specified in Schedule 26 3. Timeframes for any alternative mitigation measures 4. Duration of consent 5. Lapsing of consent 6. Review of consent conditions; 7. The collection, recording, monitoring and provision of information concerning the exercising of the consent <p>Consent applications will generally be considered without notification and without the need to obtain written approval of affected persons</p>

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 3 Stock Access</p>	<p>Stock Access to rivers lakes and wetlands</p>	<p>Permitted</p>	<p>(a) The entry into or over the bed of any river lake or wetland by cattle, deer and pigs is a permitted activity provided that;</p> <p style="padding-left: 20px;">(i) stock are at a stocking rate less than 18su/ha in the paddock adjacent to the river the stock have access to; <u>and</u></p> <p style="padding-left: 20px;">(ii) The slope over 60% or more of the paddock is greater than 15 degrees of slope.</p> <p>(b) Rivers that are crossed by formed stock races are bridged or culverted by 31 May 2023.</p> <p>(c) The entry into or over the bed of any river, lake or wetland by cattle, deer and pigs not permitted by condition (a) is a permitted activity until 31 May 2023.</p> <p>(d) For rivers, conditions (a) to (c) apply only to rivers with an active formed channel.</p>	

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 4 Stock Access</p>	<p>Stock Access to rivers lakes and wetlands</p>	<p>Restricted Discretionary</p>	<p>The activity does not meet any one of the conditions (a) – (d) of Rule TANK 3.</p>	<ol style="list-style-type: none"> 1. An assessment of sources, scale and significance of adverse effects of sediment, phosphorus, nitrogen and bacterial inputs to the waterbody that could be effectively or efficiently reduced by stock exclusion, bridging or culverting 2. Alternative measures to meet water quality outcomes and improve ecosystem health, including by managing bank erosion or reducing sediment losses to water in contributing areas, altering land uses, or providing reticulated water for stock; 3. Whether stock exclusion is practicable in the circumstances including in relation to; <ol style="list-style-type: none"> a) total costs of stock exclusion measures compared to expected water quality benefit as assessed in relation to matter 1 and other possible adverse effects including stock welfare b) technical or practical challenges of any works required for stock exclusion to be effective c) potential costs and benefits provided by alternative measures compared to stock exclusion 4. Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply 5. Timeframes for any alternative mitigation measures 6. Duration of consent 7. Lapsing of consent 8. Review of consent conditions; 9. The collection, recording, monitoring and provision of information concerning the exercising of the consent

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 5 Use of Production Land	The changing of a use of production land on farm properties or farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA	Controlled	<p>a) Any change to the production land use activity commencing after 2 May 2020 is over more than 10% of the property or farming enterprise area.</p> <p>b) The production land is subject to a Catchment Collective Programme meeting the requirements of Schedule 30B by a TANK Catchment Collective which meets the requirements of Schedule 30A.</p> <p>c) The Council may require information to be provided about production land use changes (note that the Schedule 30 requires collectives to record land use changes)</p>	<ol style="list-style-type: none"> 1. Modelling using Overseer, or alternative model approved by Council to demonstrate the change in land use activity will be consistent with the requirements of Policy 21 2. The measures being undertaken by the TANK Landowner Collective in undertaking measures to meet water quality objectives, including how the effect of the new land use activity on contributing to the water quality objectives is being collectively addressed including by; <ol style="list-style-type: none"> a) Efficient use of nutrients and minimisation of nutrient losses, b) Wetland management c) Riparian management d) Management of farm wastes e) Management of stock including in relation to waterways and contaminant losses to ground and surface water f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply 3. Timeframes for any alternative mitigation measures 4. Duration of consent 5. Lapsing of consent 6. Review of consent conditions 7. The collection, recording, monitoring and provision of information including Overseer or alternative model files, <p>Consent applications will generally be considered without notification and without the need to obtain written approval of affected persons.</p>

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 6 Use of Production Land</p>	<p>The changing of a use of production land on farm properties or farming enterprises that are greater than 10 hectares in the TANK catchments pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA</p>	<p>Restricted Discretionary</p>	<p>a) The activity does not meet the conditions of TANK 5. b) Any change to a production land use activity over more than 10ha of the property or enterprise area commencing after 2 May 2020 that results in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in Schedule 29.</p>	<ol style="list-style-type: none"> 1. Modelling using Overseer, or alternative model approved by Council to demonstrate the change in land use activity will be consistent with the requirements of Policy 21 2. Whether water quality limits and targets in Schedule 26 are being met in the catchment where the new activity is to be undertaken. 3. The extent to which the land use change will affect the ability to meet water quality objectives 4. Any measures required to reduce the actual or potential contaminant loss occurring from the property, taking into account their costs and likely effectiveness and including performance in relation to industry good practice and requirements for; <ol style="list-style-type: none"> a) Efficient use of nutrients and minimisation of nutrient losses, b) Wetland management c) Riparian management d) Management of farm wastes e) Management of stock including in relation to waterways and contaminant losses to ground and surface water f) Measures required to maintain or improve the physical and biological condition of soils so as to reduce risks of erosion, movement of soil into waterways, and damage to soil structure g) Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply 5. Timeframes for any alternative mitigation measures 6. Duration of consent 7. Lapsing of consent 8. Review of consent conditions 9. The collection, recording, monitoring and provision of information including Overseer or alternative model files

6.10.2 Water – Take and Use

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 7 Surface Water take</p>	<p>The take and use of surface water in the TANK water Management Zones including under Section 14(3)(b) of the RMA</p>	<p>Permitted</p>	<p>a) Any take first commencing after 2 May 2020 is not from any of the following: Maraekakaho Water Management Unit Ahuriri Water Management Unit Awanui Stream and its tributaries Poukawa Water Management Unit Louisa Stream and its tributaries</p> <p>b) The take does not exceed 5 cubic metres per day per any one property except: (i) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of animals for drinking water; (iii) Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metre per 7 day period.</p> <p>c) The taking of water does not cause any stream or river flow to cease.</p> <p>d) Fish, including eels shall be prevented from entering the reticulation system.</p> <p>e) The activity shall not cause changes to the flows or levels of water in any connected wetland.</p> <p>f) The take shall not prevent from taking water any other lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take.</p> <p>A Means of Compliance for Condition d)</p> <p>Installation of a screen or screens on the river intake that has a screen mesh size not greater than 3 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.</p>	

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 8 Groundwater take.</p>	<p>The take and use of groundwater in the TANK Water Management Zones including under Section 14(3)(b) of the RMA</p>	<p>Permitted</p>	<p>a) Any take first commencing after 2 May 2020 is not from the Poukawa Freshwater Management Unit (quantity).</p> <p>b) There is only one point of take per property and the take does not exceed 5 cubic metres per day except;</p> <p style="padding-left: 20px;">(i) takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of animals for drinking water.</p> <p style="padding-left: 20px;">(ii) Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metre per 7 day period.</p> <p style="padding-left: 20px;">(iii) The taking of water for aquifer testing is not restricted</p> <p>c) The rate of take shall not exceed 10 l/s other than aquifer testing for which the rate of take is not restricted.</p> <p>d) The take shall not prevent from taking water, any other lawfully established efficient groundwater take, or any lawfully established surface water take, which existed prior to commencement of the take.</p> <p>e) The take shall not cause changes to the flows or levels of water in any connected wetland.</p> <p>f) Backflow of water or contaminants into the bore shall be prevented.</p>	

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 9 Groundwater Take – Heretaunga Plains</p>	<p>Take of water from the Heretaunga Plains Water Management Unit where Section 124 of the RMA applies (applies to existing consents).</p>	<p>Restricted Discretionary</p>	<p>a) The activity does not comply with the conditions of Rule TANK 8.</p> <p>b) An application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually.</p> <p>Actual and Reasonable Re-allocation</p> <p>c) The quantity taken and used for irrigation is the actual and reasonable amount.</p> <p>d) The quantity taken and used for municipal, community and papakāinga water supply is:</p> <ul style="list-style-type: none"> (i) the quantity specified on the permit being renewed; or (ii) any lesser quantity applied for. <p>e) Other than as provided in (c) or (d) the quantity taken and used is the least of:</p> <ul style="list-style-type: none"> (i) the quantity specified on the permit due for renewal or (ii) any lesser quantity applied for (iii) the maximum annual water use in any one year within the 10 years preceding 1 August 2017 (including as demonstrated by accurate water meter records). <p>Stream Flow Maintenance Scheme</p> <p>f) The water permit holder either:</p> <ul style="list-style-type: none"> (i) contributes to or develops an applicable stream maintenance and habitat enhancement scheme that complies with the requirements of Schedule 36 at a rate equivalent to the stream flow depletion (in l/sec) which will be calculated using the Stream Depletion Calculator and based on the allocated amount of water. or (ii) The water take ceases when the flow in the affected stream fall below the specified trigger level in Schedule 31. 	<ol style="list-style-type: none"> 1. The extent to which the need for water has been demonstrated and is actual and reasonable provided that the quantities assessed or calculated may be amended after taking account of: <ol style="list-style-type: none"> a. the completeness of the water permit and water meter data record; b. the climate record for the same period as held by the Council (note: these records will be kept by the Council and publically available) and whether that resulted in water use restrictions or bans being imposed; c. effects of water sharing arrangements d. crop rotation/development phases 2. The extent to which the application was subject to programmed or staged completion of authorised major infrastructure developments over time. 3. Previous history of exercising the previous consent. 4. The quantity, rate and timing of the take, including rates of take and any other requirements in relation to any minimum or trigger flow or level given in Schedule 31 and rates of take to limit drawdown effects on neighbouring bores. 5. Where the take is in a Source Protection Zone, the actual or potential effects of the rate of take and volume abstracted on the quality of source water for the water supply and any measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply irrespective of any treatment including notification requirements to the Registered Drinking Water supplier 6. For applications to take water for municipal, community and papakāinga water supply; <ol style="list-style-type: none"> a. provisions for demand reduction and asset management over time so that water use is at reasonable and justifiable levels including whether an Infrastructure Leakage Index of 4 or better will be achieved

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
			<p>g) Any take authorised under clause (d) is not subject to conditions (f) in respect of that part of the total allocated amount used for essential human health.</p> <p>General Conditions</p> <p>i) A water meter is installed.</p> <p>j) Back flow of water or contaminant entry into the bore shall be prevented.</p> <p>Advisory Note:</p> <p>Any application to change water use as specified under (c) (d) or (e) may trigger a consent requirement under Rules TANK 5 or 6</p>	<p>b. .Rate and volumes of take limited to the projected demand for the urban area provided in the HPUDS 2017.</p> <p>c. water demand based on residential and non-residential use including for schools, rest homes, hospitals commercial and industrial demand within the planned reticulation areas</p> <p>d. any Source Protection Zone or extent (as specified in Schedule 35) and</p> <p style="padding-left: 20px;">i. any proposed changes to provisional protection areas and</p> <p style="padding-left: 20px;">ii. the impacts of any changes to restrictions on land or water use activities in the protection area.</p> <p>7. Measures to achieve efficient water use or water conservation and avoid adverse water quality effects including the method of irrigation application necessary to achieve efficient use of the water and avoid adverse water effects through ponding and runoff and percolation to groundwater.</p> <p>8. The effects of any water take and use for frost protection on the flows in connected surface water bodies.</p> <p>9. For applications other than irrigation, municipal, community or papakāinga water supply or frost protection, measures to ensure that the take and use of water meets an efficiency of use of at least 80%</p> <p>10. Management of bores including means of backflow prevention and ensuring well security.</p> <p>11. Information to be supplied and monitoring requirements including timing and nature of water metering data reporting and the installation of telemetered recording and reporting</p> <p>12. The duration of the consent (Section 123 of the RMA) as provided for in Schedule 33 timing of reviews and purposes of reviews (Section 128 of the RMA).</p> <p>13. Lapsing of the consent (Section 125(1) of the RMA).</p>

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
				14. Stream flow depletion amount in litres per second calculated using the Stream Depletion Calculator 15. Stream flow maintenance and habitat enhancement.
TANK 10 Surface and groundwater water takes (abstraction at low flows)	To take and use water where Section 124 applies (applies to existing consents).	Restricted Discretionary	a) The take is not from the Heretaunga Plains Water Management Unit (quantity). b) The taking and use of water from surface or groundwater water bodies does not comply with conditions of TANK 7, or TANK 8. c) Where the take was previously subject to a condition restricting the take at flows that are higher than the applicable flow specified in Schedule 31, the higher flow will continue to apply. d) An application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually. Actual and Reasonable Re-allocation e) The quantity taken and used for irrigation is the actual and reasonable amount. f) The quantity taken and used for municipal, community and papakāinga water supply is: (i) the quantity specified on the permit being renewed; or (ii) any lesser quantity applied for. g) Other than as provided in (e) or (f), the quantity taken and used is the least of: (i) the quantity specified on the permit due for renewal; or (ii) any lesser quantity applied for; (iii) the maximum annual water use in any one year within the 10 years preceding 2 May 2020 (including as demonstrated by accurate water meter records).	1. The extent to which the need for water has been demonstrated and is actual and reasonable provided that the quantities assessed or calculated may be amended after taking account of: a. the completeness of the water permit and water meter data record; b. the climate record for the same period as held by the Council (note: these records will be kept by the Council and publically available) and whether that resulted in water use restrictions or bans being imposed; c. effects of water sharing arrangements d. crop rotation/development phases 2. Previous history of exercising the previous consent. 3. The quantity, rate and timing of the take, including rates of take and any other requirements in relation to any relevant minimum flow or level or allocation limit given in Schedule 31 4. Where the take is in a Source Protection Zone, the actual or potential effects of the rate of take and volume abstracted on the quality of source water for the water supply and any measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply irrespective of any treatment including notification requirements to the Registered Drinking Water supplier 5. For applications to take water for municipal, community and papakāinga water supply; a. provisions for demand reduction and asset management over time so that water use is at reasonable and justifiable levels including whether an

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
			<p>Surface Water Management (quantity)</p> <p>h) Any take from groundwater in Zone 1 authorised as at 2 May 2020 in any surface Water Management Unit (quantity) is subject to either;</p> <p>(i) a restriction in water flow when the applicable minimum flow is reached in the relevant zone (as shown in Schedule 31);</p> <p>Or</p> <p>(ii) the take complies with conditions (f) and (g) of rule TANK 9 where there is an applicable scheme.</p> <p>General Conditions</p> <p>i) A water meter is installed.</p> <p>j) Fish and eels are prevented from entering the reticulation system.</p> <p>k) Back flow of water or contaminants into any bore shall be prevented.</p> <p>Advisory Note:</p> <p>Any application to change water use as specified under (c) (d) or (e) may trigger a consent requirement under Rules TANK 5 or 6.</p> <p>Means of Compliance for Condition (j)</p> <p>Installation of a screen or screens on the river intake that has a screen mesh size not greater than 3 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.</p>	<p>Infrastructure Leakage Index of 4 or better will be achieved.</p> <p>b. Rate and volumes of take limited to the projected demand for the urban area provided in the HPUDS 2017.</p> <p>c. water demand based on residential and non-residential use including for schools, rest homes, hospitals commercial and industrial demand within the planned reticulation areas</p> <p>6. The location of the point(s) of take</p> <p>7. The effects of any water take and use for frost fighting on the natural flow regime of the river.</p> <p>8. Information to be supplied and monitoring requirements including timing and nature of water meter data reporting and the installation of telemetered recording and reporting.</p> <p>9. For applications other than irrigation, municipal, community or papakāinga water supply or frost protection , evidence that the take and use of water meets an efficiency of use of at least 80%</p> <p>10. Measures to achieve efficient water use or water conservation and avoid adverse water quality effects including the method of irrigation application necessary to achieve efficient use of the water and avoid adverse water effects through ponding and runoff and percolation to groundwater.</p> <p>11. Management of bores and other water take infrastructure including means of backflow prevention.</p> <p>12. Measures to prevent fish from entering the reticulation system.</p> <p>13. The duration of the consent (Section 123 of the RMA) as provided for in Schedule 33 timing of reviews and purposes of reviews (Section 128 of the RMA).</p> <p>14. Lapsing of the consent (Section 125(1) of the RMA).</p>

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
				15. For takes from Zone 1 in the Ngaruroro and Tūtaekurī Management Zones Contribution to services or works for the maintenance of river flows associated with groundwater abstraction and stream depletion in relation to takes subject to condition (h) provided in respect of the performance of conditions and administration charges (Section 108 of the RMA).
<p>TANK 11</p> <p>Groundwater and Surface water take (low flow)</p>	<p>The take and use of surface (low flow allocations) or groundwater</p>	<p>Discretionary</p>	<p>a) The activity does not comply with the conditions of Rules TANK 9 or TANK 10.</p> <p>b) Either</p> <p>(i) The application is either for the continuation of a water take and use previously authorised in a permit that was issued before 2 May 2020 or is a joint or global application that replaces these existing water permits previously held separately or individually in the following Management Units;</p> <ul style="list-style-type: none"> i. Ahuriri ii. Poukawa iii. Ngaruroro groundwater iv. Tūtaekurī groundwater v. Heretaunga Plains <p>or</p> <p>(ii) The total amount taken, either by itself or in combination with other authorised takes in the same water management unit does not cause the total allocation limit in the relevant management unit as specified in Schedule 31 to be exceeded except this clause does not apply to takes for:</p> <ul style="list-style-type: none"> i. frost protection; ii. takes of water associated with and dependant on release of water from a water storage impoundment. 	<p>Refer also to RRMP Rule 31, which is amended as part of this Plan Change and Rule TANK 18.</p>
<p>TANK 12</p>	<p>The take and use of surface or groundwater</p>	<p>Prohibited</p>	<p>a) The activity does not comply with the conditions of Rule TANK 11</p> <p>No application may be made for this activity</p>	

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
Groundwater and Surface water take				
TANK 13 Taking water – high flows	The taking and use of surface water at times of high flow (including for storage in an impoundment)	Discretionary	<ul style="list-style-type: none"> a) The activity does not comply with the conditions of RRMP 67 and 68. b) The take on its own or in combination with other authorised takes is still available for allocation within the limits specified in both columns (D) and (E) of Schedule 32 c) The activity either on its own or in combination with other activities does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32. 	Note: The construction of dams greater than 4 metres in height and holding more than 20,000 m3 will also need a Building Consent. Dams smaller than this are exempt from the Building Act provisions.
TANK 14 Damming water	Damming of surface waters and discharge from dams except as prohibited by Rule TANK 17	Discretionary	<ul style="list-style-type: none"> a) Except as prohibited by Rule TANK 17, the activity either on its own or in combination with other dam or discharge activities in the same water management zone does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32 	
TANK 15 Take and use from storage	Take and use from a dam or water impoundment	Discretionary	<ul style="list-style-type: none"> a) The activity does not comply with Rule TANK 7 b) The activity either on its own or in combination with other dam or discharge activities in the same water management zone does not cause the flow regime of the river to be altered by more than the amount specified in Schedule 32 	

Rule	Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 16	Damming, take and use at high flow or take from a dam or water impoundment	Non-complying	The activity does not comply with the conditions of Rules TANK 13- 15	
TANK 17 Damming water	Construction of dams or the damming of water	Prohibited	<p>a) The construction of dams or the damming of water on the mainstem of the following rivers</p> <ul style="list-style-type: none"> (i) Ngaruroro River (ii) Taruarau River (iii) Omahaki River (iv) Tūtaekuri River: (v) Mangaone River (vi) Mangatutu River <p>No application may be made for these activities.</p>	
TANK 18 Stream Flow Maintenance and Habitat Enhancement Scheme	Transfer and Discharge of groundwater into surface water in the Heretaunga Plains Water Management unit (quantity)	Discretionary	<p>a) The transfer and discharge of water is managed according to the applicable requirements of Schedule 36</p>	

6.10.3 Stormwater

Rule		Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 19 Small scale stormwater activities</p>		<p>The diversion and discharge of stormwater into water, or onto land where it may enter water from any new or existing and lawfully established:</p> <p>(a) residential activities;</p> <p>(b) non-industrial or trade premise;</p> <p>(c) industrial or trade premise with less than 1,000 m² of impervious areas;</p> <p>(d) rural building.</p>	<p>Permitted</p>	<p>a) The diversion and discharge shall not;</p> <p>(i) cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge</p> <p>(ii) cause or contribute to flooding of any property</p> <p>(iii) cause any permanent reduction in the ability of the receiving environment to convey flood flows</p> <p>(iv) contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances</p> <p>(v) contain drainage from a stockyard</p> <p>(vi) cause to occur or contribute to any of the following after reasonable mixing:</p> <p>i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials</p> <p>ii. any emission of objectionable odour</p> <p>iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks)</p> <p>iv. any freshwater becoming unsuitable for consumption by farm animals</p> <p>(vii) cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water</p> <p>(viii) cause to occur or contribute to the discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent.</p> <p>b) The property cannot connect to a current or planned reticulated stormwater network.</p> <p>c) Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish passage and is structurally sound.</p> <p>d) The person who discharges or diverts, or who causes the discharge or diversion to occur, shall provide such information upon request by the Council to show how Condition (a) will be met or has been met.</p>	

Rule		Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 20 Small scale stormwater activities</p>		<p>The diversion and discharge of stormwater into water, or onto land where it may enter water from any new or existing and lawfully established:</p> <p>(a) residential activities;</p> <p>(b) non-industrial or trade premise;</p> <p>(c) industrial or trade premise with less than 1,000 m² of impervious areas;</p> <p>(d) rural building.</p>	<p>Restricted Discretionary</p>	<p>a) The activity does not comply with the conditions of Rule TANK 19</p>	<ol style="list-style-type: none"> 1. Location of the point of diversion and discharge including its catchment area. 2. Volume, rate, timing and duration of the discharge, in relation to a specified design rainfall event. 3. Effects of the activity on downstream flooding. 4. Contingency measures in the event of pipe capacity exceedance. 5. Actual or likely adverse effects on fisheries, wildlife, habitat or amenity values of any surface water body. 6. Actual or likely adverse effects on the potability of any ground water. 7. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier. 8. The actual or potential effects of the activity on the water quality objectives set out in Schedule 26. 9. Duration of the consent. 10. A compliance monitoring programme. 11. Bonds or Administrative charges.

<p>TANK 21 Stormwater activities</p>		<p>Diversion and discharge of stormwater from an existing or new local authority managed stormwater network into water, or onto land where it may enter water</p>	<p>Controlled</p>	<p>a) The diversion and discharge shall not;</p> <ul style="list-style-type: none"> (i) cause any permanent bed scouring or bank erosion of land or any water course at or beyond that point of discharge (ii) cause or contribute to flooding of any property (iii) cause any permanent reduction in the ability of the receiving environment to convey flood flows (iv) contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances (v) Contain drainage from a stockyard (vi) cause to occur or contribute to any of the following after reasonable mixing: <ul style="list-style-type: none"> i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials ii. any emission of objectionable odour iii. any conspicuous change in colour or the visual clarity of the receiving water body (including the runoff from bulk earthworks) iv. any freshwater becoming unsuitable for consumption by farm animals v. cause to occur or contribute to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water vi. cause to occur or contribute to the discharge of microbiological contaminants including sewage, blackwater, greywater or animal effluent. <p>b) An application for resource consent must include an Integrated Catchment Management plan that includes;</p> <ul style="list-style-type: none"> (i) A monitoring programme to assess existing stormwater discharge quality and level of impact on receiving water quality standards 	<ol style="list-style-type: none"> 1. The efficacy of the Integrated Catchment Management Plan including, but not limited to: <ol style="list-style-type: none"> a. Its contribution to achieving water quality objectives b. its implementation programme and milestones, c. The comprehensiveness and reliability of the monitoring regime d. The use of low impact stormwater design methods 2. The actual or potential effects of the activity on the water quality objectives set out in Schedule 26 including for aquatic ecosystem health, mahinga kai, contact recreation and Māori customary use. 3. The characteristics of the proposed discharge and its effects on the receiving environment 4. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier. 5. Duration of the consent 6. Review of consent conditions 7. Compliance monitoring 8. Administrative charges
--	--	--	--------------------------	---	--

				<ul style="list-style-type: none"> (ii) Identification of the spatial extent of the stormwater network to which the application for consent relates (iii) Identification of the priority streams or catchments where stormwater discharges currently result in receiving water quality below the standards specified in Schedule 26 (iv) A programme of mitigation measures including timeframes and milestones for the enhancement of streams identified in (b)(iii), (v) Identification of any industrial or trade sites, that use, store or produce the discharge of any contaminant of concern (as defined in Table 3.1 of Hawke's Bay Waterway Guidelines Industrial Stormwater Design), (vi) Identification of sites within catchments that have a high risk of contaminants entering the stormwater network or land where it might enter surface or groundwater, including industrial and trade premises and areas subject to new urban development. (vii) For sites identified in (b)(vi), a programme to ensure Urban Site Specific Stormwater Management Plans are prepared and implemented so that stormwater quality risks are managed. (Schedule 34) (viii) Identification of areas at risk of flooding, and where levels of service to protect communities from flooding are not being met provide information about how this will be managed. (ix) The potential effects of climate change on infrastructure capacity and a description of any planned mitigation measures including the identification of secondary flow paths and the capacity of the receiving environment. (x) Identification of measures to demonstrate how discharges shall not cause scouring or erosion of land or any water course beyond the point of discharge (xi) Where the stormwater network (or part thereof) or discharge locations are situated within a Source Protection Zone of a 	
--	--	--	--	---	--

Rule		Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
				<p>registered drinking water supply, a description of measures to prevent or minimise adverse effects on the quality of the source water for the registered drinking water supply or any increase in the risk of unsafe drinking water being provided to persons and communities from the drinking water supply</p> <p>(xii) Description of measures to demonstrate how the discharge shall not contain hazardous substances or contaminants (including wastewater) and shall not cause any of the following to occur after reasonable mixing:</p> <ul style="list-style-type: none"> i. production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; ii. any emission of objectionable odour; iii. Any conspicuous change in colour or visual clarity of the receiving water; iv. any freshwater becoming unsuitable for consumption by farm animals; v. the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water. 	

Rule		Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
<p>TANK 22 Stormwater activities</p>		<p>Discharge of stormwater to water or onto land where it may enter water from any industrial or trade premises</p>	<p>Restricted discretionary</p>	<p>a) An application for resource consent must include an Urban Site Specific Stormwater Management Plan (Schedule 34)</p> <p>b) The diversion and discharge;</p> <ul style="list-style-type: none"> (i) shall not cause permanent bed scouring or bank erosion of land or alter the natural course of any water body (ii) shall not cause or contribute to flooding of any property, (iii) shall not cause any permanent reduction in the ability of the receiving environment to convey flood flows (iv) shall not contain hazardous substances <p>c) The diversion and discharge shall not cause any of the following to occur after reasonable mixing:</p> <ul style="list-style-type: none"> (i) production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials (ii) any emission of objectionable odour (iii) any conspicuous change in colour or the visual clarity (iv) result in any freshwater becoming unsuitable for consumption by farm animals <p>d) the diversion and discharge shall not cause to occur or contribute to:</p> <ul style="list-style-type: none"> (i) the destruction or degradation of any habitat, mahinga kai, plan or animal in any water body or coastal water (ii) the discharge of microbiological contaminants, including sewage, blackwater, greywater or animal effluent. <p>e) There is no reticulated stormwater network at the property boundary</p> <p>f) Any structure associated with the point of discharge or diversion is maintained in a condition such that it is clear of debris, does not obstruct fish passage and is structurally sound.</p>	<ol style="list-style-type: none"> 1. The efficacy of the Urban Site Specific Stormwater Management Plan (Schedule 34) including measures adopted to minimise the risk of contaminants of concern entering stormwater including: <ol style="list-style-type: none"> a. Installation of stormwater management devices including as detailed in table 3.1 of the Hawke’s Bay Regional Council Industrial Stormwater Waterway Design Guidelines. b. Alignment with relevant industry guidelines and best practice standards. 2. Water quality standards in the discharge in relation to any contaminants being used on site and specific methods for treating these. 3. The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier 4. The characteristics of the proposed discharge and its effects on the receiving environment 5. Duration of the consent 6. Review of consent conditions 7. Compliance monitoring.

Rule		Activity	Status	Conditions/Standards/Terms	Matters for Control/Discretion
TANK 23 Stormwater activities		The diversion and discharge of stormwater into water, or onto land where it may enter water.	Discretionary	The activity does not comply with Rules TANK 19 to TANK 22	The Council may at any time, by written notice to the owner or occupier (following a reasonable period of consultation), review a consent in light of new information that has become available or any change in circumstances that has occurred, and vary any condition of consent as a consequence.

Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6)

Proposed Plan Change 9 proposes changes to Chapter 6 of the RRMP and make consequential changes to the rules and to insert new provisions relevant to the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments. The amendments subject to the Proposed Plan Change are shown below in bold with new text underlined and text to be deleted shown in strikeout. (Note Only the text shown **underlined** and in **bold** can be the subject of submissions)

6.3.1 Bore Drilling & Bore Sealing

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>1 Bore drilling <i>Refer POL 17, 21, 27, 75</i></p>	<p>The drilling, construction, and alteration of bores.⁵</p>	<p>Controlled</p>	<p>a. The bore shall be cased and sealed to prevent aquifer cross-connection, and leakage from the ground surface into ground water.</p> <p>b. <u>The bore is not located within a Source Protection Zone</u></p>	<p>a. Bore location, diameter, depth.</p> <p>b. Bore screen slot size, length, depth and diameter.</p> <p>c. Well head completion.</p> <p>d. Backflow prevention.</p> <p>e. Information requirements, including bore logs, hydraulic head levels and aquifer tests.</p> <p>f. Duration of consent.</p> <p>g. Lapsing of consent.</p> <p>h. Review of consent conditions.</p> <p>i. Compliance monitoring.</p>	<p>Applications will generally be considered without notification, without the need to obtain the written approval of affected persons.</p>

⁵ For the purposes of this Plan, a 'bore' is defined as any pipe, cylinder or hole inserted into the ground that either

- i. is created for the purpose of accessing underground water, oil or gas, or
- ii. penetrates a confined aquifer, or
- iii. in any way causes the release of water from a confined aquifer, or
- iv. is created for the purpose of exploring water, oil or gas resources.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>2 Bore drilling that does not comply with Rule 1 <i>Refer POL 17, 21, 27, 75</i></p>	<p>The drilling, construction, or alteration of bores that does not comply with Rule 1.</p>	<p>Restricted discretionary</p>		<p>a. Bore location diameter, depth. b. Bore screen slot size, length, depth and diameter. c. Bore head completion. d. Backflow prevention. e. Information requirements, including bore logs, hydraulic head levels and aquifer tests. f. <u>In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, the actual or potential effects of the bore and bore drilling on the quality of source water for Registered Drinking Water Supplies and any measures to reduce the risk to the water quality including notification requirements to the Registered Drinking Water supplier, the maintenance of the bore and the well head, including decommissioning the bore where necessary</u> g. Duration of consent. h. Lapsing of consent. i. Review of consent conditions. j. Compliance monitoring.</p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>3 Unwanted or leaking bores Refer POL 21</p>	<p>The existence of any bore that is no longer wanted or is leaking water, oil or gas.</p>	<p>Non-complying</p>			
<p>4 Decommissioning of bores Refer POL 75</p>	<p>The decommissioning or sealing of bores.</p>	<p>Permitted</p>	<p>a. Decommissioned bores shall be backfilled and sealed at the surface to prevent contamination of groundwater.</p> <p>b. Decommissioned holes and bores intersecting groundwater shall be sealed to prevent the vertical movement of groundwater, and to permanently confine the groundwater to the specific zone (or zones) in which it originally occurred.</p> <p>c. Backfill materials, where used between permanent seals, shall consist of clean sand, coarse stone, clay or drill cuttings. The material shall be non toxic.</p> <p>d. Decommissioning shall be undertaken by a suitably qualified person.</p> <p>e. The Council shall be advised of any bores that are decommissioned.</p> <p>f. <u>Where the bore is in a Source Protection Zone, information to confirm compliance with conditions (a) to (d) shall be provided to the Council upon request</u></p>		

6.3.2 Feedlots & Feedpads

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>5</p> <p>Feedlots & feedpads⁶</p> <p><i>Refer POL 71</i></p>	<p>The use of land for the purposes of operating a feedlot⁷ or feedpad⁸.</p>	<p>Permitted</p>	<p>a. The land used for the feedlot or feedpad shall be managed in a manner that prevents any seepage of contaminants into groundwater^{9,10}.</p> <p>b. The feedlot or feedpad shall be located no less than 20 m from any surface water body.</p> <p>c. The feedlot or feedpad shall be located no less than:</p> <ul style="list-style-type: none"> i. 150 metres from a residential building or any other building being part of a place of assembly on another site ii. 50 metres from a property boundary, and iii. 20 metres from a public road. <p>d. Runoff from the surrounding catchment area is prevented from entering the feedlot or feedpad.</p> <p>e. <u>The feedpad or feedlot is not located in a Source Protection Zone</u></p>		

⁶ Rule 5 only address the use of land for a feedlot or feedpad (and thus, the effects associated with having a high density of animals on one site). Any discharges of contaminants associated with the operation of a feedlot or feedpad, e.g. the use of stock feed and the management of animal effluent, are addressed under rules in sections 6.4 and 6.6 of this Plan. Any discharge of contaminants associated with the operation of a feedlot or feedpad, such as the disposal of animal wastes and the bedding material or the runoff of manure during heavy rainfall are addressed under Rules in Sections 6.4 and 6.6. Any discharge of contaminants to air are covered in Rule 21.

⁷ For the purposes of this Plan, a ‘feedlot’ is defined as an area of land upon which animals are kept and fed, for more than 15 days in any 30 day period, where the stocking density or feedlot structure (e.g. a concrete pad) precludes the maintenance of pasture or ground cover.

⁸ For the purposes of this Plan, a ‘feedpad’ is defined as an area of land to which animals are brought for supplementary feeding on a regular basis, where the stocking density or feedpad structure precludes the maintenance of pasture or ground cover.

⁹ Sealing - The Council will accept, as one means of compliance with condition (a), the construction of a sealing layer with a permeability of no greater than 10⁻⁹ m/s (0.00000001 m/s).

¹⁰ **Compliance** – At any time Council may request information from the operator of a feedlot or feedpad to confirm compliance with condition (a).

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>6</p> <p>Feedlots & feedpads that do not comply with Rule 5¹¹</p> <p><i>Refer POL 17, 20, 47, 48, 71</i></p>	<p>The use of land for the purposes of operating a feedlot or feedpad, in a manner which does not comply with Rule 5.</p>	<p>Restricted discretionary</p>		<p>a. The conditions which the activity cannot comply with, and the related environmental effects.</p> <p>b. Duration of consent.</p> <p>c. Lapsing of consent.</p> <p>d. Review of consent conditions.</p> <p>e. Compliance monitoring.</p>	

¹¹ Rule 6 only address the use of land for a feedlot or feedpad (and thus, the effects associated with having a high density of animals on one site). Any discharges of contaminants associated with the operation of a feedlot or feedpad, e.g. the use of stock feed and the management of animal effluent, are addressed under rules in sections 6.4 and 6.6 of this Plan. Any discharge of contaminants associated with the operation of a feedlot or feedpad, such as the disposal of animal wastes and the bedding material or the runoff of manure during heavy rainfall are addressed under Rules in Sections 6.4 and 6.6. Any discharge of contaminants to air are covered in Rule 21.

6.3.3 Vegetation Clearance and Soil Disturbance Activities

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>7</p> <p>Vegetation clearance and soil disturbance^{12 29a}</p> <p><i>Refer to POL 3, 67, 71</i></p>	<p>Vegetation clearance¹³ or soil disturbance¹⁴ activities.</p>	<p>Permitted</p>	<p>a. All cleared vegetation, disturbed soil or debris shall be deposited or contained to reasonably prevent the transportation or deposition of disturbed matter into any water body¹⁵.</p> <p>b. Vegetation clearance or soil disturbance shall not give rise to any significant change in the colour or clarity of any adjacent water body, after reasonable mixing.</p> <p>c. No vegetation clearance shall occur within 5 metres of any permanently flowing river, or any other river with a bed width in excess of 2 metres, or any other lake or wetland, except that this condition shall not apply to:</p> <p>i. _____</p>		

¹² Rule 7 does not apply to the trimming, felling, or removing of any tree or vegetation or earthworks, in relation to an existing high voltage electricity transmission lines. Refer to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

^{29a} Rule 7 does not apply to the harvesting, vegetation clearance and soil disturbance associated with plantation forestry activities. Refer to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

¹³ “Vegetation clearance” means the cutting, burning, clearing or destruction (including destruction by spraying) of trees, shrubs, or plants.

¹⁴ “Soil disturbance” means the disturbance of soil by any means including blading, contouring, ripping, discing, root raking, moving, ploughing, removing, cutting and blasting.

Vegetation clearance and soil disturbance exclude:

- The normal maintenance of legally established structures, roads, tracks, railway lines and river beds.
- The clearance of grasses, forest thinning, and agricultural and horticultural crops.
- The clearance of isolated or scattered regrowth on productive pasture.
- The clearance of any indigenous vegetation understorey beneath plantation forests.
- The clearance of noxious weeds covered by the Regional Plant Pest Management Strategy prepared under the Biosecurity Act, 1993.
- Non-motorised soil disturbance activities.
- Thrusting, boring, trenching or mole ploughing associated with cable or pipe laying or a network utility operation.
- Soil disturbance undertaken by a mine or quarry operation which either had a valid mining licence at the date the Proposed Regional Resource Management Plan was publicly notified (15 April 2000) or is lawfully established.
- Cultivation and grazing.
- Foundations works for structures.
- Construction and maintenance of fences and drains.

¹⁵ Explanation of Rule 7 (a): In considering whether condition (a) in Rule 7 has been met, Council shall have regard to recognised Industry Codes of Practice, Best Practice Guidelines and Environmental Management Plans relevant to and adopted in carrying out the activity.

NOTE: 10 kg/m² of dry soil is equivalent to 5 mm depth assuming a specific gravity of 2 kg/litre.

^{32a} NOTE: Rule 7(c) has been deleted to ensure the Regional Plan aligns with the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 and does not conflict with, or duplicate the requirements within those Regulations.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<ul style="list-style-type: none"> i. the clearance of plantation forestry established prior to the date of this Plan becoming operative, or ^{32a} ii. the areas identified in Schedule X to this Plan. d. Deposition of soil or soil particles across a property boundary shall not be objectionable or offensive, cause property damage or exceed 10 kg/m². e. Where the clearance of vegetation or the disturbance of soil increases the risk of soil loss the land shall be: <ul style="list-style-type: none"> i. re-vegetated as soon as practicable after completion of the activity, but in any event no later than 18 months with species providing equivalent or better land stabilisation; or ii. retained in a manner which inhibits soil loss. <u>f. In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no clearance of indigenous vegetation within 10m of any rivers except;</u> <ul style="list-style-type: none"> i. <u>where the clearance is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Farm Environment or Catchment Collective Plan;</u> ii. <u>where the clearance is necessary for construction of crossings or installation of a reticulated or network service</u> <u>g) In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments there is no cultivation of land over 20 degrees of slope except where it is less than 10% of the paddock area.</u> <u>h) In the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, there is no cultivation of land that results in exposure of bare soil within;</u> <ul style="list-style-type: none"> <u>(i) 5 m of any river, modified watercourse or drain or lake or wetland where the land is flat to gently rolling (0-7 degrees of slope);</u> <u>(ii) 10 m of any river, modified watercourse or drain or lake or wetland where the land is moderately rolling (>7 – 20 degrees of slope);</u> 		

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<p><u>(iii) 15 m of any river, modified watercourse or drain or lake or wetland where the land is over 20 degrees of slope;</u></p> <p><u>i) Except conditions h(i) – (ii) do not apply:</u></p> <p><u>(i) where cultivation is part of improvements to riparian management for water quality/biodiversity purposes as specified in the relevant Farm Environment or Catchment Collective Plan;</u></p> <p><u>(ii) where the cultivation is in relation to activities permitted by Rule 70.</u></p>		

6.4.2 Agricultural Activities & Other Activities on Production Land - Discharges to Air/Land/Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
12 Stock feed <i>Refer POL 12, 69, 71, 75</i>	The discharge of contaminants into air, or onto or into land arising from the storage, transfer, treatment, mixing or use of stock feed ¹⁶ on production land, including silage.	Permitted¹⁷	<p>a. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing stock feed, including silage, and when there is a potential for contamination of groundwater by seepage of contaminants, shall be managed in a manner that prevents such contamination.</p> <p>b. Any discharges to air shall not cause any offensive or objectionable odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property.</p> <p>c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>d. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property.</p> <p>e. There shall be no discharge within 20 m of any surface water body.</p> <p>f. There shall be no surface ponding in any area used to store stock feed or feed stock, and no runoff of contaminants into any surface water body.</p> <p>g. There shall be no discharge within 30 m of any bore or well.</p> <p><u>h. Where the activity is in a Source Protection Zone, information to confirm compliance with conditions (a) to (g) shall be provided to the Council upon request.</u></p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
13 Use of compost, biosolids & other soil	The discharge of contaminants into air, or onto or into land, arising from the storage, transfer, treatment, mixing or use of compost, biosolids and	Permitted²¹	<p>a. Any area in the Heretaunga Plains unconfined aquifer (Schedule Va) or the Ruataniwha Plains unconfined aquifer (Schedule IV) which is used for storing organic material and when there is a potential for contamination of ground water by seepage of contaminants, shall be managed in a manner that prevents such contamination.</p>		

¹⁶ For the purposes of this Plan, “stock feed” means organic material that can be consumed by farmed animals.

¹⁷ If Rule 12 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

²¹ If Rule 13 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>conditioners¹⁸ <i>Refer POL 12, 69, 71, 75</i></p>	<p>other (solid or liquid) organic material for soil conditioning purposes¹⁹ including:</p> <ul style="list-style-type: none"> ● paunch grass ● apex meal ● stockyard scrapings ● grape marc ● compost (except as regulated by Rule 28²⁰) and ● poultry manure (except as regulated by Rule 11 or 14). 		<p>b. Any discharges to air shall not cause any offensive or objectionable odour, or noxious or dangerous levels of gases, beyond the boundary of the subject property.</p> <p>c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>d. The discharge shall not result in any airborne liquid contaminant being carried beyond the boundary of the subject property.</p> <p>e. There shall be no surface ponding in the area used to store, mix or use the organic material, and no runoff of contaminants into any surface water body.</p> <p>f. There shall be no discharge within 30 m of any bore or well.</p> <p>g. The discharge shall occur no less than 600 mm above the winter ground water table.</p> <p>h. Where material is discharged onto grazed pasture, the application rate shall not exceed 150 kg/ha/y of nitrogen.</p> <p>i. Where material is discharged onto land used for a crop, the application rate shall not exceed the rate of nitrogen uptake by the crop.</p> <p>j. <u>Where the activity is in a Source Protection Zone, the storage or processing of compost or bio-solids and other soil conditions does not exceed 100 cubic metres of material.</u></p>		

¹⁸ If Council receives complaints about an activity operating under this rule, the Council may request a management plan which sets out how the conditions are being met.

¹⁹ For the purpose of this rule “soil conditioning purposes” means the application of organic material to improve the structure and quality of the soil

²⁰ The composting of more than 100 m³ of compost and raw material per premises is regulated by Rule 28.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>14 Animal effluent <i>Refer POL 8, 12, 14, 17, 19, 47</i></p>	<p>The discharge of contaminants into air, or onto or into production land, arising from the management of liquid animal effluent²², including dairy shed effluent, piggery effluent, and poultry farm effluent²³, including associated sludges (except as provided for by Rules 13 & 15).</p>	<p>Controlled²⁴</p>	<p>a. Any area used for storing animal effluent, where there is a potential for contamination of groundwater by seepage of contaminants, shall be managed in a manner that prevents any such contamination.</p> <p>b. Either:</p> <p>i. there shall not be offensive or objectionable odour, or noxious or dangerous levels of gases or other airborne liquid contaminants, beyond the boundary of the subject property, or</p> <p>ii. for discharges of effluent from piggeries, every point of discharge shall be sited so as to meet the requirements of the "Code of Practice - Pig Farming" (New Zealand Pork Industry Board, 1997), in respect of buffer zone distances.</p> <p>c. There shall be no visible discharge of any material, including dust, beyond the boundary of the subject property, unless written approval is obtained from the affected property owner.</p> <p>d. There shall be no runoff of any contaminant into any surface water body.</p> <p>e. There shall be no discharge within 30 m of any bore or well.</p> <p>f. Where effluent is discharged onto grazed pasture, the nitrogen loading rate from the effluent application shall not exceed 150 kg/ha/y of nitrogen.</p> <p>g. Where effluent is discharged onto land covered by a crop, or to be used for cropping purposes, the application rate shall not exceed the rate of nitrogen uptake by the crop.</p> <p>h. <u>The activity is not in a Source Protection Zone</u></p>	<p>a. Amount of effluent per discharge.</p> <p>b. Frequency of discharge.</p> <p>c. Maintenance of vegetative cover.</p> <p>d. Buffer zone requirements.</p> <p>e. Measures to avoid a breach of the environmental guidelines for surface and groundwater quality set out in section 5.4 and 5.6.</p> <p>f. Management of cumulative adverse effects.</p> <p>g. For discharges of effluent from piggeries, use of the best practicable option for minimising discharges of odour beyond the boundary of the subject property.</p> <p>h. Duration of consent.</p> <p>i. Review of consent conditions.</p> <p>j. Compliance monitoring.</p>	<p>Applications may be considered without notification, without the need to obtain the written approval of affected persons, except that written approval of affected neighbours may be required for new consents, but upon renewal the approval of affected neighbours will not be required.</p>

²² For the purposes of this rule, "animal effluent" refers to animal excreta (excluding human waste) that is collected and managed by people, including associated process water and contaminants including associated process water, contaminants and sludges.

²³ Rule 14 covers the discharge of poultry effluent from poultry farms on land associated with the poultry farm, where the discharge is for the purpose of disposal.

²⁴ If Rule 14 cannot be complied with, then the activity is a restricted discretionary activity under Rule 30, or a discretionary activity under Rule 52, whichever is relevant.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>15 Discharge of animal effluent in sensitive catchments <i>Refer POL 8, 17, 19, 20, 47</i></p>	<p>The discharge of contaminants into air, or onto or into production land, arising from the management of liquid animal effluent²⁵, including dairy shed effluent, piggery effluent, and poultry farm effluent in the following catchments as shown in Schedule VIb:</p> <ul style="list-style-type: none"> • Headwaters of Mohaka River • Headwaters of the Ngaruroro River • Maungawhio • Lake Hatuma • Lake Tutira • Heretaunga Plains unconfined aquifer • Ruataniwha Plains unconfined aquifer • Lake Whakaki • Headwaters of the Tutaekuri River • Headwater of the Tukituki River. <p><u>Or in any Source Protection Zone</u></p>	<p>Discretionary</p>			

²⁵ For the purposes of this rule, “animal effluent” refers to animal excreta (excluding human waste) that is collected and managed by people, including associated process water and contaminants including associated process water, contaminants and sludges.

6.5.1 Water - Discharges to Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
31 Discharge of water ²⁶ <i>Refer POL, 71, 79</i>	The discharge of water (excluding drainage water) into water ²⁷ .	Permitted ²⁸	a. The discharge shall not cause or contribute to the flooding of any property, unless written approval is obtained from the affected property owner. b. The discharge shall not cause any scouring or erosion of any land or any watercourse beyond the point of discharge. c. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing ²⁹ . d. <u>The discharge is not a discharge of groundwater into surface water in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments</u>		

ADVISORY NOTE:

- 1. Discharge of water onto or into land** - Note that the discharge of water onto or into land is not restricted by the RMA.

²⁶ Rule 31 does not apply to the discharge of water into water in relation to an existing high voltage electricity transmission activity. Refer to the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

²⁷ Discharges of sediment to surface water bodies as a result of scouring are covered by Rule 49.

²⁸ If Rule 31 cannot be complied with, then the activity is a discretionary activity under Rule 52.

²⁹ See Glossary for definition of “after reasonable mixing”.

6.6.2 Drainage Water - Discharges to Land/Water

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>32 Discharge of drainage water (gravity flow systems) <i>Refer POL 71, 72, 79</i></p>	<p>The diversion and discharge of drainage³⁰ water into water or onto or into land, from a gravity flow system (without pumping).</p>	<p>Permitted³¹</p>	<p>a. There shall be no adverse flooding effects on any property owned or occupied by another person, as a result of any discharge from the drainage activity.</p> <p>b. The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.</p> <p>c. The activity shall not adversely affect any wetland³².</p> <p>d. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing.</p> <p>e. Any discharge of water arising from a drainage system shall be to the same catchment³³ as that to which the water would naturally flow.</p> <p>f. Any suspended solids in the discharge shall comply with Policy 72 <u>except in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.</u></p> <p>g. <u>After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, dissolved nutrient and sediment concentrations in the receiving water after reasonable mixing shall not increase as a result of the discharge when measuring:</u></p> <p style="margin-left: 20px;"><u>i DIN</u></p> <p style="margin-left: 20px;"><u>ii DRP</u></p> <p style="margin-left: 20px;"><u>iii suspended sediment.</u></p>		

³⁰ 'Drainage' means the activity of lowering the water table to achieve productive land use to facilitate stability of land or structures, or to achieve some other resource use activity. This generally involves the diversion of water.

³¹ If Rule 32 cannot be complied with, then the activity is a discretionary activity under Rule 52.

³² For the purposes of this Plan the term 'wetland' does NOT include:

- wet pasture land
- artificial wetlands used for wastewater or stormwater treatment
- farm dams and detention dams
- land drainage canals and drains
- reservoirs for firefighting, domestic or municipal water supply
- temporary ponded rainfall
- artificial wetlands.

³³ 'Catchment' means the total area from which a single water body collects surface and subsurface runoff.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p><u>New RRMP rule 33A Drainage water</u></p>	<p><u>The diversion and discharge of land drainage water from an existing pumped drainage system (small scale)</u></p>	<p><u>Permitted</u></p>	<p>a) <u>the discharge is in a Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments</u></p> <p>b) <u>The pumped drainage system existed at 2 May 2020</u></p> <p>c) <u>The land area being serviced by the drainage network is less than 10ha</u></p> <p>d) <u>There shall be no increase in flooding on any property owned or occupied by another person, as a result of any discharge from the drainage activity.</u></p> <p>e) <u>The discharge shall not cause any scouring or erosion of any land or any watercourse beyond the point of discharge.</u></p> <p>f) <u>The activity shall not result in changes to water levels in any connected wetland</u></p> <p>g) <u>The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°Celsius from normal seasonal water temperature fluctuations, after reasonable mixing.</u></p> <p>h) <u>Any discharge of water arising from a drainage system shall be to the same catchment as that to which the water would naturally flow.</u></p> <p>i) <u>After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments, dissolved nutrient and sediment concentrations in the receiving water after reasonable mixing shall not increase as a result of the discharge when measuring:</u></p> <p style="margin-left: 40px;"><u>i DIN</u></p> <p style="margin-left: 40px;"><u>ii DRP</u></p> <p style="margin-left: 40px;"><u>iii suspended sediment</u></p>		

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>33</p> <p>Discharge of drainage water (pumped systems)</p> <p><i>Refer POL 71, 72, 79</i></p>	<p>The diversion and discharge of drainage³⁴ water into water or onto or into land, from a pumped system³⁵.</p>	<p>Controlled³⁶</p>	<p>a. There shall be no adverse flooding effects on any property owned or occupied by another person, as a result of the drainage activity.</p> <p>b. The discharge shall not cause any scouring or erosion of any land or any water course beyond the point of discharge.</p> <p>c. The activity shall not adversely affect any wetland.</p> <p>d. The discharge shall not cause the natural temperature of any receiving water to be changed by more than 3°C from normal seasonal water temperature fluctuations, after reasonable mixing.</p> <p>e. Any discharge of water arising from a drainage system shall be to the same catchment³⁷ as that to which the water would naturally flow.</p> <p>f. Any suspended solids in the discharge shall comply with Policy 72 <u>except in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū water quality management units</u></p> <p>g. <u>After ten years after 2 May 2020 in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū water quality management units, dissolved nutrient and sediment concentrations in the discharge water are no more than in the receiving water at the point of discharge as measured by:</u></p> <p style="margin-left: 40px;"><u>i DIN</u></p> <p style="margin-left: 40px;"><u>ii DRP</u></p> <p style="margin-left: 40px;"><u>iii suspended sediment.</u></p>	<p>a. Location of discharge.</p> <p>b. Rate of pumping.</p> <p>c. Time of pumping.</p> <p>d. Flood mitigation measures.</p> <p>e. Duration of consent.</p> <p>f. Review of consent conditions.</p> <p>g. Compliance monitoring.</p> <p>h. <u>For activities carried out in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments:</u></p> <p style="margin-left: 20px;"><u>i. measures or methods required for meeting the receiving water quality standards.</u></p> <p style="margin-left: 20px;"><u>ii. Monitoring for water quality</u></p>	<p>Applications will generally be considered without notification or the need to obtain the written approval of affected persons.</p>

³⁴ 'Drainage' means the activity of lowering the water table to achieve productive land use to facilitate stability of land or structures, or to achieve some other resource use activity. This generally involves the diversion of water.

³⁵ While the discharge of drainage water by gravity flow is a permitted activity, the discharge of drainage water from a pumped system requires a resource consent due to the potential adverse environmental effects of greater water flow, generated by a pumped system. The consent authority may require the ability to control the water flow from time to time, such as through temporary cessation of pumping or other means.

³⁶ If Rule 33 cannot be complied with, then the activity is a discretionary activity under Rule 52.

³⁷ 'Catchment' means the total area from which a single water body collects surface and subsurface runoff.

6.6.4 Domestic Sewage - Discharges to Land

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>37 New³⁸ sewage systems</p> <p><i>Refer POL</i> <i>16, 71, 75</i></p>	<p>Except as provided for in Rule 35 or Rule 36, the discharge of contaminants (including greywater) onto or into land, and any ancillary discharge of contaminants into air, from a new sewage system.</p>	<p>Permitted</p>	<p>a. Where the wastewater receives no more than advanced primary treatment, the discharge shall be onto or into a property with a land area of no less than 2500m².</p> <p>aA. Where the wastewater receives more than advanced primary treatment then:</p> <p>i. the discharge shall be onto or into a property with a land area of no less than 1000m²; and</p> <p>ii. the net site area to discharge volume ratio shall not be less than 1.5 m² per litre per day ³⁹.</p> <p>b. The rate of discharge of sewage (including greywater) shall not exceed 2 m³/d, averaged over any 7 day period.</p> <p>c. The treatment and disposal system shall be designed to cater for the peak daily loading.</p> <p>d. The discharge shall not occur over the Heretaunga Plains or Ruataniwha Plains unconfined aquifer as shown in Schedule IV.</p> <p>e. The discharge and land treatment field shall not be within 20 m of any surface water body (including any stormwater open drain or roadside drain), or any tile drain or within 1.5 metres of any property boundary.</p> <p>eA. The system shall be designed and installed in accordance with the requirements specified in Figure 6.</p> <p>f. There shall be no surface ponding as a result of the discharge, or direct discharge into any water body.</p> <p>g. The discharge shall be distributed evenly over the entire disposal area.</p> <p>h. There shall be no increase in the concentration of pathogenic organisms in any surface water body as a result of the discharge.</p>		

³⁸ NOTE: New sewage systems include those systems installed after this Plan becomes operative, as well as those lawfully established sewage systems that have been modified or replaced since 1 January 2012.

³⁹ NOTE: The net site area to discharge volume ratio can be calculated by dividing the net site area by the expected daily wastewater volume. If the answer is less than 1.5, the discharge does not comply with this condition. e.g. a 1000 m² property with a three bedroom home on it with maximum daily discharge volume of 1200 L (6 people at 200 L/p/d) has a ratio of 0.83 (1000/1200). This discharge would not comply with this condition.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<ul style="list-style-type: none"> i. At the time of installation and commencement, the discharge shall not occur within 30 m of any bore drawing groundwater from an unconfined aquifer into which any contaminant may enter as a result of the discharge. j. The point of discharge shall be no less than 600 mm above the highest seasonal groundwater table. k. The discharge shall not result in, or contribute to, a breach of the “Drinking Water Quality Standards for New Zealand” (Ministry of Health, 2005 (Revised 2008)) in any groundwater body after reasonable mixing. l. The discharge shall not cause any emission of offensive or objectionable odour, or release of noxious or dangerous gases (including aerosols) beyond the boundary of the subject property or on any public land. m. For discharges using pit privies: <ul style="list-style-type: none"> i. the privy shall be constructed in soil with an infiltration rate not exceeding 150 mm/h, and ii. the privy shall not be the primary wastewater system for any permanently occupied dwelling. n. The system shall be designed, constructed, operated and maintained in a manner which ensures that there is no clogging of the disposal system or soils. nA. The discharge shall not be into a trench or bed disposal system constructed in category 5 or 6⁴⁰ soil except where wastewater receives at least secondary treatment. o. Where the wastewater receives secondary treatment or better, the discharge shall not exceed 20 g/m³ of BOD, and 30 g/m³ of suspended solids. p. The wastewater treatment and land application system shall be maintained in accordance with the manufacturer’s instructions, or if no manufacturer’s instructions exist, in accordance with the best management practice as described in AS/NZS 1547, or TP58: On-site Wastewater Systems: Design and Management Manual (Auckland Regional Council Technical Publication No. 58), or other alternative recognised on-site wastewater design manuals. A 		

⁴⁰ A category 5 soil is a light clay, permeability (K_{sat}) can range generally between 0.5 m/d (strongly structured) and <0.06 m/d (weakly structured or massive) and the soil is poorly drained. Clay content of approximately 35-40%. Category 6 soils are medium to heavy clays that are very poorly drained. The permeability of category 6 soils is generally less than 0.06 m/d. Clay content of over 40%.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			schedule of maintenance shall be kept, and this schedule shall be available for inspection by the Regional Council upon request. q. The discharge shall not be disposed of by way of spray irrigation. r. The discharge shall not be into a raised bed. s. <u>The activity is not located in a Source Protection Zone</u>		

6.6.5 Stormwater - Discharges to Land/Water

Insert after the heading;

Rules 42 – 46 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments. Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū rules for stormwater.

6.7.1 Take & Use of Water

Insert after the heading;

Rules 53 – 55 do not apply in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū rules for take and use of water.

6.7.3 Transfer of Water Permits

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
60 Transfer of permits to take & use surface water from a lake <i>Refer POL36</i>	The transfer of a permit to take and use surface water from a lake, to another site.	Permitted	a. The transfer is to another site within the same lake.		

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>61</p> <p>Transfer of permits to take & use surface water from a river</p> <p><i>Refer POL 36, 79</i></p>	<p>The transfer of a permit to take and use surface water from a river, to another site.</p>	<p>Controlled</p>	<p>a. The transfer is to another site within the same stream management zone,⁴¹ where the flow is not significantly less than at the original site of abstraction.</p> <p>b. The transfer shall not result in any reduction in the rate of surface water recharge into groundwater.</p> <p>c. The transfer shall not adversely affect any lawfully established surface water abstraction, which existed prior to transfer of the take.</p> <p>d. The transfer shall not result in any increase in adverse effects on aquatic ecosystems or fish passage.</p> <p>e. <u>The transfer is not in any Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment</u></p>	<p>a. Timing of take.</p> <p>b. Design of intake.</p> <p>c. Duration of consent.</p> <p>d. Review of consent conditions.</p> <p>e. Compliance monitoring.</p> <p>f. Volume of water required by, or reasonable needs of, transferee.</p> <p>g. In the Tukituki River catchment, the efficient use of water having regard to POL TT12.</p>	<p>Consent applications will generally be considered without notification, without the need to obtain the written approval of affected persons.</p>
<p>62</p> <p>Transfer of permits to take & use ground-water</p> <p><i>Refer POL 25, 77</i></p>	<p>The transfer of a permit to take and use groundwater, to another site.</p>	<p>Controlled</p>	<p>a. The transfer is to another site within the same aquifer.</p> <p>b. The transfer is to a location at which the aquifer has the same or greater aquifer transmission and storage characteristics.</p> <p>c. The transfer shall not adversely affect any lawfully established efficient groundwater abstraction,⁴² which existed prior to transfer of the take.</p> <p>d. The transfer shall not cause any reduction in the flow of any river or spring.</p> <p>e. <u>The transfer is not in any Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment</u></p>	<p>a. Aquifer testing.</p> <p>b. Duration of consent.</p> <p>c. Review of consent conditions.</p> <p>d. Compliance monitoring.</p> <p>e. Volume of water required by, or reasonable needs of transferee.</p> <p>f. In the Tukituki River catchment, the efficient use of water having regard to POL TT12.</p>	<p>Consent applications will generally be considered without notification, without the need to obtain the written approval of affected persons.</p>

⁴¹ "Stream Management Zone" refers to the reaches of a river and/or its tributaries governed by a single minimum flow site.

⁴² For the purposes of this Plan "efficient abstraction" of groundwater means abstraction by a bore which penetrates an aquifer from which water is being drawn at a depth sufficient to enable water to be drawn all year (i.e. the bore depth is below the range of seasonal fluctuations in groundwater level), with a pump capable of drawing water to the land surface.

<p><u>Insert new RRMP Rule 62a</u></p> <p><u>Transfer of permits to take and use water</u></p>	<p><u>Permanent or temporary transfer of water in accordance with S136(2)(b)(i) of the RMA</u></p>	<p><u>Controlled</u></p>	<p>a. <u>The transfer is not part of stream flow maintenance provided by Rule TANK 18</u></p> <p>b. <u>The transfer is the whole or any part of the holder's interest in the permit for taking and use of surface or groundwater:</u></p> <p style="padding-left: 20px;">i. <u>To any person or occupier of the site in respect of which the permit is granted, or</u></p> <p style="padding-left: 20px;">ii. <u>To another person on another site</u></p> <p style="padding-left: 20px;">iii. <u>To another site</u></p> <p>c. <u>The transfer is not between ground and surface water point of take.</u></p> <p>d. <u>The permit is:</u></p> <p style="padding-left: 20px;">i) <u>within the same catchment to any point downstream (excluding downstream tributaries) of the location to which the permit applies;</u></p> <p style="padding-left: 20px;">ii) <u>for groundwater takes in the Heretaunga Plains Water Management Unit (Quantity), the transfer is to any point downstream of any affected stream;</u></p> <p><u>and</u></p> <p style="padding-left: 20px;">i) <u>the transfer is within the same Freshwater Management Unit (Quantity)</u></p> <p>e. <u>The transfer of a groundwater take is to an existing bore for which pump tests are available and there is no change to the nature and scale of drawdown effects on neighbouring bores or connected waterbodies as a result of the transfer</u></p> <p>f. <u>The transfer does not result in an increase in nitrogen loss as specified in Table 2 in Schedule 29</u></p> <p>g. <u>All parties to the transfer shall have metering and reporting at any applicable recording and reporting level except for temporary transfers of less than five days per annum.</u></p> <p>h. <u>In fully or over-allocated management units, the transfer shall only be of that part of the permit for which there is actual and reasonable use*</u></p> <p>i. <u>The purpose for the water use does not change except:</u></p>	<p>a. <u>Any applicable conditions on the permit being transferred and any water use permit at the location the water is to be transferred to.</u></p> <p>b. <u>The quantity, rate and timing of the take, including rates of take and any other requirements in relation to any relevant minimum flow or level or allocation limit or drawdown effects, including in relation to any Source Protection Zone for a registered drinking water supply.</u></p> <p>c. <u>Compliance with any applicable minimum flows and levels including flow maintenance in any applicable stream</u></p>	
--	--	--------------------------	---	---	--

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<p>i. <u>that water takes for irrigation use may be transferred for irrigation of different crops subject to conditions (e) and (f)</u></p> <p>i. <u>for transfers that enable the operation of a flow enhancement scheme (ref Policy 38)</u></p> <p>i. <u>the transfer enables efficient delivery of water supply to meet the communities' human health needs.</u></p> <p>Advisory Notes</p> <ul style="list-style-type: none"> • <u>Pursuant to s136(3) of the RMA, the transfer has no effect until written notice of the transfer is received by Hawkes Bay Regional Council. The HBRC will accept transfers via any website being managed for this purpose as satisfying this requirement</u> • <u>Section 136(5) of the RMA provides that when notification of the transfer has occurred, the permit, or that part of the permit transferred shall be deemed to be cancelled, and the permit or part transferred shall be deemed to be a new permit subject to the same conditions as the original permit.</u> <p>Note that Rule TANK 5 or 6 may be triggered as a result of a transfer activity</p>		
<u>Insert new rule 62b</u>	<u>Permanent or temporary transfer of water in accordance with S136(2)(b)(i) of the RMA</u>	<u>Discretionary</u>	<p>a. <u>The transfer is the whole or any part of the holder's interest in the permit for taking and use of surface or groundwater that does not comply with Rule 62a</u></p>		

ADVISORY NOTE: Notifying transfers of water permits - Pursuant to section 136 of the RMA, the transfer of a water permit has no effect until written notice of the transfer has been received by the HBRC. In addition, section 136 also sets out the requirements for the transfer of a water permit in circumstances that do not comply with the rules above.

6.8.2 Erection & Placement of Dams & Other Barrier Structures, & Damming of Water

Insert after heading

Rule 69 does not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments. Refer to Section 6.10 for the new Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchment rules for dams and damming.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>67 Dams, weirs & other barrier structures in rivers, lakes and artificial water – courses ^{150B} Refer POL 79</p>	<p>The erection or placement of any dam⁴³, weir or other barrier structure in, on, under, or over the bed of a river, lake and artificial watercourse, and:</p> <ul style="list-style-type: none"> any associated damming or diversion of water, and any associated discharge of sediment; and any associated disturbance of the river or lake bed. <p><u>This permitted activity does not apply to the erection of dams on the mainstem of any river where it is prohibited by Rule TANK 17</u></p>	<p>Permitted⁴⁴</p>	<p>a. The catchment area of the <u>new</u> structure shall not exceed 50 hectares.</p> <p>b. The volume of water to be stored or retained by the <u>new</u> structure to spill level shall not exceed 20,000 m³.</p> <p>c. The height of the structure (as measured vertically from the downstream bed to the crest) shall be no greater than 4 m.</p> <p>d. A spillway shall be constructed to prevent the <u>new</u> structure being overtopped during storm events, unless the structure is designed to allow overtopping.</p> <p>e. The impounded water shall not encroach onto any property, nor impede any drainage system, beyond the subject property unless agreed to in writing by any affected property owners.</p> <p>f. Erection or placement of the structure shall not cause any erosion, scour or deposition beyond the area of erection or placement.</p> <p>g. The impounded water shall not cause any erosion or instability of bordering land.</p> <p>h. Within rivers and lakes, provision shall be made to maintain existing fish passage within the water body and, where the water body is permanently flowing, provision shall be made to maintain a residual flow immediately downstream of the structure of at least 1.2 l/min per hectare of catchment above the structure, except at times where such flow would not have occurred prior to the construction of the structure.</p>		

^{150B} Rule 67 does not apply to dams, weirs & other barrier structures in rivers, lakes and artificial watercourses associated with plantation forestry activities. Refer to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

⁴³ Dams - Include stock water dams, Irrigation dams, fire-fighting dams and dams in artificial water courses.

⁴⁴ If Rule 67 cannot be complied with, then the activity is a discretionary activity under Rule 69.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
			<ul style="list-style-type: none"> i. Where the volume of water to be stored or retained by the structure to spill levels exceeds 10,000 m³ and where the structure is located within the catchment of a land drainage or flood control scheme area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and River Control Act 1941, the Land Drainage Act 1908, or the Local Government Act 1974 the HBRC shall be informed about the erection or placement of the structure at least 15 working days prior to the commencement of works. j. There shall be no disturbance of any part of the bed covered by water from 1 May to 30 September (fish spawning season) except in relation to the erection of whitebait stands, maimai, and necessary access structures to these. k. In areas of fish spawning there shall be no disturbance of any part of the bed covered by water from 1 May to 30 September (fish spawning season) except in relation to the erection of whitebait stands, maimai, and necessary access structure to these. l. Conditions (a) to (d) do not apply to structures which are located in a land drainage or flood control area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, the Land Drainage Act 1908 or the Local Government Act 1974. 		
<p>68 Existing damming of water in rivers and lakes <i>Refer POL 79</i></p>	<p>Any existing damming of water associated with a lawfully established dam⁴⁵, weir, or other barrier structure in, on, under, over the bed of a river, lake or artificial water course that is not provided for by Rule 67.</p>	<p>Controlled</p>	<ul style="list-style-type: none"> a. The impounded water shall not encroach onto any property beyond the subject property, unless agreed to in writing by any affected property owners. 	<ul style="list-style-type: none"> a. Stability of the land bordering the dam. b. Residual downstream flow. c. Flood risk in the event of failure. d. Maintenance of structure. e. Duration of the consent. f. Review of consent conditions. g. Compliance monitoring. 	<p>Consent applications will generally be considered without notification without the need to obtain the written approval of affected persons.</p>

⁴⁵ Dams - Include stock water dams, Irrigation dams, fire-fighting dams and dams in artificial water courses.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>69 River & lake bed activities that are not expressly regulated by other rules <i>Refer POL 79</i></p>	<p>Any activity which cannot comply with any of the rules in section 6.8 of this Plan and which is not expressly regulated by other rules in this Plan.</p> <p><u>This rule does not apply to rivers in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments (refer Rules TANK 13 – 17)</u></p>	<p>Discretionary</p>			

6.8.2 River Control & Drainage Works & Structures

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
<p>70 River control & drainage works & structures <i>Refer POL 79</i></p>	<p>Any activity, as described in the Hawke's Bay Regional Council Environmental Code of Practice for River Control and Drainage Works (1999), that is carried out by a local authority exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, the Land Drainage Act 1908, or the Local Government Act 1974, in relation to flood control and drainage, including:</p> <ul style="list-style-type: none"> ● edge protection works ● planting ● river protection maintenance works ● irrigation intake maintenance 	<p>Permitted⁴⁶</p>	<p>a. The activity or structure shall be undertaken in a manner that continues to provide for the existing passage of fish past the structure.</p> <p>b. The appropriate Fish and Game Council, iwi and Department of Conservation office, shall be notified at least 5 working days before any channel diversion is undertaken.</p> <p>c. There shall be no discharge of contaminants, other than sediment, arising from the use of machinery in the bed of any river or lake.</p>		

⁴⁶ If Rule 70 cannot be complied with, then the activity is a discretionary activity under Rule 69.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
	<ul style="list-style-type: none"> ● weed and vegetation control (excluding spraying) ● drain maintenance, and drainage outlet maintenance ● drain crossings ● river mouth openings for the purpose of flood mitigation ● river management and drainage for the maintenance of surface water quality ● channel diversions within a river bed or drain, ancillary to the above activities <p>that would otherwise contravene:</p> <ul style="list-style-type: none"> ● section 13 or section 14 of the RMA, or ● section 15 of the RMA in relation to the discharge of sediment. 		<p>d. The activity shall not adversely affect any wetland.⁴⁷</p> <p>e. All activities shall be undertaken in accordance with the Hawke’s Bay Regional Council Environmental Code of Practice for River Control and Drainage Works, 1999.</p>		
<p>71 Activities affecting river control & drainage schemes^{48,49} <i>Refer POL 79</i></p>	<p>Any of the following activities, where they are undertaken by persons other than the local authority or persons acting on their behalf, within a land drainage or flood control scheme area that is managed by a local authority exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, the Land Drainage Act 1908, or the Local Government Act 1974:</p> <ul style="list-style-type: none"> ● The introduction or planting of any plant including any tree in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed 	<p>Discretionary⁵¹</p>			

⁴⁷ For the purpose of this Plan the term ‘wetland’ does NOT include:

- wet pasture land artificial wetlands used for wastewater or stormwater treatment
- farm dams and detention dams land drainage canals and drains
- reservoirs for firefighting, domestic or municipal water supply temporary ponded rainfall
- artificial wetlands.

⁴⁸ It is important to note that the Hawke’s Bay Regional Council owns much of the land within River Control and Drainage Schemes, and thus has landowner rights and responsibilities in relation to this land.

⁴⁹ Any activity permitted by Rules 64 and 65 is not subject to Rule 71.

⁵¹ The ongoing maintenance or repair of any structure authorized by a resource consent pursuant to Rule 71 is permitted pursuant to Rule 64.

Rule	Activity	Classification	Conditions/Standards/Terms	Matters for Control/Discretion	Non-notification
	<p><u>except for riparian vegetation established to provide shade in the Karamū catchments.</u></p> <ul style="list-style-type: none"> • The erection of any building, fence or other structure in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The deposition of any rock, shingle, earth, debris or other substance in, on, or under the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The reclamation or drainage of the bed of any river, lake or artificial water course. • The undertaking of any other land disturbance activity which impedes access to the bed of any river, lake or artificial water course, or within 6 metres of the bed. • The erection of any structure and the undertaking of any land disturbance activity which interferes with the integrity of any defence against water.⁵⁰ 				

⁵⁰ "Defence against water" includes stopbanks and their foundations.

SCHEDULES

Insert the following new Schedules after Schedule 25

Schedule 26: Freshwater Quality Objectives

Schedule 26 is linked to objectives seeking that water quality will meet the needs of the values identified and to Objective 4 which provides the timeframe within which water quality must be improved. Note the requirement in Objective 4 that for any specific water body where the attribute state is found to be higher than that given in Schedule 26, the higher state is to be maintained. The water quality states specified in this Schedule will enable environmental, cultural and social needs for water quality to be met when they are achieved. Schedule 26 is a first step with objectives being attained by 2040.

The location and spatial extent of the management units is shown on the planning maps Schedule 26A – 26D

The longer term and more integrated (fresh/coastal water) approach to managing water resources is reflected in Schedule 27.

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
Water clarity (m)	Upper Ngaruroro and Upper Tūtaekurī Rivers	≥ 5 m	Median, <median flows	Trout fishery - outstanding	Recreation, ecosystem health, mauri, natural character, Uu, amenity natural character, indigenous biodiversity and mahinga kai, taonga and tohu species and habitat, abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
	Lower Ngaruroro and Lower Tūtaekurī Rivers	≥ 3.75 m		Trout fishery - significant	
	Ngaruroro and Tūtaekurī Tributaries	≥ 3.75 m			
	Lowland tributaries	≥ 1.6 m	Median, all flows	Recreation / aesthetics	

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
Turbidity (NTU)	Upper Ngaruroro and Lower Tūtaekurī Rivers	≤ 0.7	Median, at < median flows	trout fishery	Recreation, ecosystem health, UU, ecosystem health, kaitiakitanga, waimaori, natural character, mauri, domestic and farm water supply
	Lower Ngaruroro and Lower Tūtaekurī Rivers	≤ 4.1	Median, all flows	statistical GL	UU, ecosystem health, kaitiakitanga, waimaori, natural character, mauri, abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use.
	Ngaruroro and Tūtaekurī Tributaries	≤ 4.1			
	Lowland tributaries	≤ 5.6			
Deposited sediment (%)	Upper Ngaruroro and Upper Tūtaekurī Rivers	< 20% / < 15% (May-Oct)	Run habitats, maximum	Ecosystem health Biodiversity (MCI), salmonid spawning	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga- ahu whenua mahinga kai, he aha haere, taonga/tohu species habitat and spawning, cultural practices, wetlands and lakes, maori land, marae/hapū, indigenous biodiversity
	Lower Ngaruroro and Lower Tūtaekurī Rivers	< 20 %		Ecosystem health (Biodiversity (MCI))	
	Ngaruroro and Tūtaekurī Tributaries	< 20 %			
	Lowland tributaries	< 20 %			

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
Periphyton biomass (mg/m ²) ⁴	Lower Ngaruroro and Upper Tūtaekurī Rivers	>50 - <120 mg/m ² max 1 p.a.	max 8% exceedance over 3 years monthly observations	Ecosystem health (NOF)	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga, he aha haere, taonga/tohu species habitat and spawning, mahinga kai, nohoanga, cultural practices, tauranga waka, maori land, marae/hapū, indigenous biodiversity
Periphyton cover (annual max, %PeriWCC)	Upper Ngaruroro and Upper Tūtaekurī Rivers	≤ 20 %	Monthly observations, all year.	Ecosystem health	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga, he aha haere, taonga/tohu species habitat and spawning, mahinga kai, nohoanga, cultural practices, tauranga waka, maori land, marae/hapu, indigenous biodiversity abstractive uses including stock drinking
Periphyton cover (seasonal max, %PeriWCC)	Lower Ngaruroro and Lower Tūtaekurī Rivers	≤ 30 %	Monthly observations, , all year (for Uu)	Recreation	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga, he aha haere, taonga/tohu species habitat and spawning, mahinga kai, nohoanga, cultural practices, tauranga waka, maori land, marae/hapū, abstractive uses including stock drinking
	Ngaruroro and Tūtaekurī Tributaries	≤ 30 %			
Cyanobacteria (benthic cover %) ⁵	All Management Areas	< 20 %	Monthly observations, all year.	Recreation	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga, he aha haere, taonga/tohu species habitat and spawning, mahinga kai, nohoanga, cultural practices, tauranga waka, maori land, marae/hapū, abstractive uses including stock drinking

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
Macrophytes (max %CAV)	Lowland tributaries	≤ 50 %	Monthly observations, all year.	Ecosystem health	Uu, waimaori, natural character, mauri, ecosystem health, kaitiakitanga, he aha haere, taonga/tohu species, mahinga kai, nohoanga, cultural practices, tauranga waka, Indigenous biodiversity, abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
MCI (index)	Upper Ngaruroro and Upper Tūtaekurī Rivers	≥ 120	average, flow < median	Ecosystem health	Waimaori, natural character, mauri, ecosystem health, kaitiakitanga, whakapapa, taonga/tohu species habitat and spawning, Indigenous biodiversity, trout
	Lower Ngaruroro and Lower Tūtaekurī Rivers	≥ 100			
	Ngaruroro and Tūtaekurī Tributaries	≥ 100			
	Lowland Tributaries (sb-MCI)	≥ 90			Waimaori, natural character, mauri, ecosystem health, kaitiakitanga, whakapapa, indigenous biodiversity and taonga/tohu species habitat and spawning

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
DIN (mg/L)	Upper Ngaruroro and Upper Tūtaekurī Rivers	< 0.05 mg/L	Median, all flows	Algal growth	Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, ecosystem health, abstractive uses, drinking water
	Lower Ngaruroro and Lower Tūtaekurī Rivers	< 0.15 mg/L			Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, ecosystem health, abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
	Ngaruroro and Tūtaekurī Tributaries	< 0.3 mg/L			Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, abstractive uses, drinking water
	Lowland tributaries	< 0.444 mg/L		Estuary ecosystem health	Recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, ecosystem health, abstractive uses including for domestic, farm and community water supply, primary production, industrial and commercial use
DRP (mg/L)	Upper Ngaruroro and Upper Tūtaekurī Rivers	< 0.003 mg/L	Median, all flows	Algal growth	Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, abstractive uses
	Lower Ngaruroro and Lower Tūtaekurī Rivers	< 0.015 mg/L		Algal growth	Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, aquifer recharge, abstractive uses

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
	Ngaruroro and Tūtaekurī Tributaries	< 0.015 mg/L		Algal growth	Estuary ecosystem health, recreation, uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, abstractive uses
	Lowland tributaries	< 0.015 mg/L		Estuary ecosystem health	Uu, waimaori, mauri, aquifer recharge, mahinga kai, taonga/tohu species, natural character, ecosystem health, abstractive uses
Nitrate (mg NO ₃ -N/L)	Upper Ngaruroro and Upper Tūtaekurī Rivers	median ≤ 1 / 95th%ile ≤ 1.5	annual median, annual 95th%ile (Hazen method), all flows	Toxicity (NOF)	Waimaori, mauri, aquifer recharge, indigenous taonga/tohu species habitat and spawning, ahu moana Abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
	Lower Ngaruroro and Lower Tūtaekurī Rivers				
	Ngaruroro and Tūtaekurī Tributaries				
	Lowland Streams	median ≤ 2.4 / 95th%ile ≤ 3.5			
Ammonia (mg NH ₄ -N/L)	Upper Ngaruroro and Upper Tūtaekurī Rivers	median ≤ 0.03 / max ≤ 0.05	Annual median, annual max unionised ammonia based on pH8 at 20°, all flows	Toxicity (NOF)	Waimaori, mauri, aquifer recharge, indigenous taonga/tohu species habitat and spawning, ahu moana Abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
	Lower Ngaruroro and Lower				

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
	Tūtaekurī Rivers				
	Ngaruroro and Tūtaekurī Tributaries				
	Lowland tributaries				
<i>E. coli</i> (cfu/100 ml)	Upper Ngaruroro and Upper Tūtaekurī Rivers	<5% over 260/100ml median < 130/100ml	All year, all flows	recreation / human health, Uu	Waimaori, , mauri, kaitiakitanga, he aha haere, aquifer recharge, ahu moana, ahuwhenua mahinga kai, nohoanga, cultural practices, tauranga waka, , maori land, marae/hapū connections, abstractive uses including for domestic, farm and community water supply, primary production and food production, industrial and commercial use
	Lower Ngaruroro and Lower Tūtaekurī Rivers	<5% over 540/100ml <20% over 260/100ml median < 130/100ml			
	Ngaruroro and Tūtaekurī Tributaries	<5% over 540/100ml <20% over 260/100ml median < 130/100ml			
	Lowland tributaries	<5% over 1000/100ml median < 130/100ml <30% over 260/100ml <10% over 540/100ml			

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
Dissolved oxygen (mg/L or %) from continuous data	Upper Ngaruroro and Upper Tūtaekurī Rivers	≥8 (7-d mean min) / ≥7.5 (1-d min) / (≥80% saturation)	7-day mean min; 1-day min (Nov- April)	Ecosystem health	Waimaori, natural character, mauri, kaitiakitanga, whakapapa, indigenous taonga/tohu species, indigenous biodiversity, trout
	Lower Ngaruroro and Lower Tūtaekurī Rivers				
	Ngaruroro and Tūtaekurī Tributaries				
	Lowland tributaries	≥5 (7-d mean min) / ≥4 (1-d min)			Waimaori, natural character, mauri, kaitiakitanga, whakapapa, indigenous taonga/tohu species, indigenous biodiversity
Temperature (°C) 5-day CRI from continuous data ⁹	Upper Ngaruroro and Upper Tūtaekurī Rivers	≤ 1°C increment compared to reference state	Cox-Rutherford-Index from continuous measurements, hottest 5 consecutive days, all flows	Ecosystem health	Waimaori, natural character, mauri, kaitiakitanga, whakapapa, taonga/tohu species, ahumoana, ahuwheua mahinga kai indigenous biodiversity, trout
	Lower Ngaruroro and Lower Tūtaekurī Rivers	≤ 2°C increment compared to reference state			
	Ngaruroro and Tūtaekurī Tributaries	≤ 2°C increment compared to reference state			

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
	Lowland tributaries	≤ 2°C ⁹ increment compared to reference state			Waimaori, natural character, mauri, kaitiakitanga, whakapapa, taonga/tohu species, ahumoana, ahuwheua mahinga kai Indigenous biodiversity
pH	Upper Ngaruroro and Tūtaekurī	6.5 – 8.	At all times, 95 th %ile	Ecosystem health	
	All areas (not upper Ngaruroro and Tūtaekurī)	6.5- 8.5		Ecosystem health	
BOD (ScBOD ₅) ¹⁰	All areas	<2 mg/l	Flow <median	Ecosystem health	
Heavy metals and metalloids, pesticides and organic contaminants, radioactive contaminants ¹⁰	Upper Ngaruroro and Upper Tūtaekurī Rivers	99% species protection	At all times	Ecosystem Health	
	All areas (not upper Ngaruroro and Tūtaekurī)	95% species protection	At all times	Ecosystem Health	
Guideline value for any aesthetic determinand (Drinking Water Standards for New Zealand DWSNZ) ⁷	Groundwater quality all areas ⁸	Within guidelines specified in the NZ Drinking Water Standards	At all times	Human Health	

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
<i>E. coli</i> (maximum concentration per 100mls)	Groundwater quality all areas ⁸	<1 <i>E.coli</i> /100ml	At all times	Human Health	
Nitrate- nitrogen (concentration of nitrate-nitrogen (mg N-NO ₃ /l) ⁶	Groundwater quality all areas ⁸	<1mg/l	At all times	Ecosystem Health	
All other determinants Standards for New Zealand DWSNZ)	Groundwater quality all areas ⁸	Guideline value for determinant (Drinking Water Standards for New Zealand DWSNZ)	At all times	Human Health	
Placeholder for mātauranga Māori attributes that are yet to be developed					

*the areas that these water quality objectives refer to are on the attached planning maps

Note 1; Surface water quality management areas for rivers. The management areas are shown on the Planning Maps Details for wetland and lake water quality targets and limits still to come.

Note 2; Where the numeric number is currently being met it is the freshwater objective, and if it is not currently being met then it is a target.

Note 3; The critical value is the value most sensitive to the attribute state (has the highest water quality demand for that attribute). If the needs of the critical value are met, the needs of other values are also met.

Note 4; The council collects information about the periphyton biomass at a limited number of sites. It also has extensive data on periphyton cover, including cyanobacteria at all SOE sites

Note 5; MfE Alert-level framework: New Zealand guidelines for cyanobacteria in recreational fresh waters: Interim guidelines (2009)

Water quality attribute	Freshwater Quality Management Units ¹	Water Quality Objective or /Target ²	Application	Critical Value ³	Also relevant for
<p>Note 6; Maximum 95th percentile concentration of nitrate-nitrogen (mg N-NO₃ /l) shall be calculated as the 95th percentile of monitoring results obtained over a period of 5 consecutive years</p> <p>Note 7; Some aesthetic determinants including iron, manganese and hardness are affected by geological conditions and will affect natural water quality</p> <p>Note 8; the attributes are as measured in groundwater at 10m below ground level</p> <p>Note 9; subject to development of reference condition temperatures</p> <p>Note 10; Attribute state established to guide assessment of applications for contaminant discharges</p>					

Schedule 27: Freshwater Quality Objectives

Schedule 27 does not have a regulatory function. It is not a statutory requirement and is an optional provision. However it is included because it satisfies cultural and social needs for a long term and more integrated approach to the way freshwater is managed. It also provides additional direction for the monitoring and research efforts of the Council. This is particularly relevant for the integration of freshwater and estuary ecosystems

Table 1: Freshwater Quality Objectives

Water quality attribute	Zone	Limit / Objective	Value	Protection level	Application
MCI (index)	Upper Ngaruroro and Upper Tūtaekurī Rivers	≥ 120	Ecosystem health	Ecological condition excellent (for hill country streams and rivers)	average, flow < median
	Lower Ngaruroro and Lower Tūtaekurī Rivers, Ngaruroro and Tūtaekurī Tributaries	≥ 100		Ecological condition good	
	Lowland tributaries (sb-MCI)	≥ 100		Ecological condition excellent (for lowland streams, Class A)	
Dissolved oxygen (mg/L or %) from continuous data	Upper Ngaruroro and Upper Tūtaekurī Rivers	≥8 (7-d mean min) / ≥7.5 (1-d min) / (≥80% saturation)	Ecosystem health	Band A No stress caused by low dissolved oxygen on any aquatic organisms that are present at matched reference (near-pristine) sites.	Continuous DO measurements
	Lower Ngaruroro and Lower Tūtaekurī Rivers				
	Ngaruroro and Tūtaekurī Tributaries				
	Lowland tributaries	≥7 (7-d mean min) / ≥5 (1-d min)		Band B occasional short periods of minor stress on sensitive organisms.	

Water quality attribute	Zone	Limit / Objective	Value	Protection level	Application
Temperature (°C) 5-day CRI from continuous data	reference	≤ 21°C	Ecosystem health	Current state reference condition	Cox-Rutherford-Index from continuous measurements, hottest 5 consecutive days, all flows
	Upper Ngaruroro and Upper Tūtaekurī Rivers	≤ 22°C (A band)		≤1°C increment compared to reference condition	
	Lower Ngaruroro and Lower Tūtaekurī Rivers	≤ 23°C (B band)		≤2°C increment compared to reference condition (needs further investigation)	
	Ngaruroro and Tūtaekurī Tributaries, Lowland tributaries	≤ 23°C (B band)		(needs further investigation)	

Water quality attribute	Estuary	Water Quality Objective	Critical Value	Application
Water column dissolved oxygen	Ahuriri	7 day mean ≥7.0mg/L 7 day minimum ≥6.0mg/L 1 day minimum ≥5.0mg/L	Ecosystem health Kaitiakitanga	Continuous logger in most susceptible areas of estuary. Summer monitoring data for discrete specified periods. All 3 statistics must be met for each band
	Waitangi	7 day mean ≥7.0mg/L 7 day minimum ≥6.0mg/L 1 day minimum ≥5.0mg/L		
Escherichia coli/Enterococci	Ahuriri	Microbiological Assessment Category B	Recreation Kaitiakitanga Mahinga kai	Microbiological Assessment Category as outlined in Microbiological water quality guidelines for marine and freshwater recreational areas
	Waitangi	Assessed at freshwater sites upstream of the estuary using criteria outlined in Schedule 26		
Water column temperature	Ahuriri and Waitangi	The water temperature shall not be greater than 3 ⁰ C compared to a reference site	Ecosystem health Kaitiakitanga	Continuous monitoring or summer maxima

Water quality attribute	Estuary	Water Quality Objective	Critical Value	Application
pH	Ahuriri and Waitangi	7.0 < pH < 8.5	Ecosystem health Kaitiakitanga	Preferably use continuous measurements for pH, however in the absence of continuous measurements daily summer maxima can be used
Nitrate toxicity	Ahuriri and Waitangi	Annual Median 2.4mg/L; and 95th%ile < 3.5mg/L	Ecosystem health Kaitiakitanga	Annual median, annual 95th%ile (Hazen method).
Ammonia toxicity	Ahuriri and Waitangi	0.46 mg/L	Ecosystem health Kaitiakitanga	Annual maximum within a 12 month period when corrected for pH and temperature
Toxicants in water	Ahuriri and Waitangi	Should not exceed the 95% level of protection detailed in ANZG, 2018	Ecosystem health Kaitiakitanga Mahinga kai	Annual median
Nitrogen and Phosphorous in water column	Ahuriri and Waitangi	Trigger levels. Annual median \leq : <ul style="list-style-type: none"> - 0.015 Dissolved Reactive Phosphorus mg/L - 0.05 Total Phosphorus mg/L - 0.05 Nitrate-Nitrogen mg/L - 0.11 Total Nitrogen mg/L 	Ecosystem health Kaitiakitanga	Annual median of no less than 8 samples within a 12 month period.
Nuisance macroalgae cover	Ahuriri and Waitangi	tbc	Ecosystem health Kaitiakitanga	tbc
Planktonic chlorophyll	Ahuriri and Waitangi	0.004 mg/L	Ecosystem health Kaitiakitanga	Annual median of no less than 8 samples within a 12 month period.
Sediment mud content	Ahuriri and Waitangi	The areal coverage of soft mud* substrate in an estuary should not increase from its current extent	Ecosystem health Kaitiakitanga Mahinga kai	Spatial analysis of estuary grainsize. Wet sieving (7 class), no pre-treatment.

Water quality attribute	Estuary	Water Quality Objective	Critical Value	Application
Toxicants in sediments	Ahuriri and Waitangi	Should not exceed the 95% level of protection detailed in ANZG, 2018	Ecosystem health Kaitiakitanga Mahinga Kai	Annual median of site replicates at Estuarine Ecological Monitoring sites
Notes *Soft mud relates to the proportion of the substrate that is less than 63 microns (can pass through a 63 micron (0.63mm) sieve)				

Schedule 28: Priority Catchments

Refer to Rule TANK 1.

This schedule sets out the list of priority catchments or places that are where there is;

1. Risk of sediment loss is higher than 500t/km²/year (as modelled by SedNet)
2. SOE monitoring shows the freshwater objectives for nitrogen concentrations for water quality are not being met
3. Probability that dissolved nutrients do not meet freshwater objectives for nitrogen (as modelled by SOURCE and using Overseer data)
4. The level of dissolved oxygen (specific for lowland streams with slope <2 m/km)
5. A Source Protection Zone

The priority order assigned in relation to each of these water quality issues is as follows;

	High priority	Medium priority	Low priority	Long term
Sediment yield (SedNet)	>500 t/km ² /year	350 - 500 t/km ² /year	250 - 350 t/km ² /year	<250 t/km ² /year
TN concentrations (all flows, median)	> 2 mg/L	> 1.2 mg/L	> 1 mg/L	<1 mg/L
TN yield (modelled) (all flows, average per sub-catchment)	> 10kg/ha/yr	> 3.5 kg/ha/yr	> 1.2 kg/ha/yr	≤1.2 kg/ha/yr
Dissolved Oxygen levels Class A streams (and /or where stream gradient <2m/km)	anoxia (periods of little or no oxygen)	< 3 mg/L daily minimum and/or DO saturation <30%	< 4mg/L daily minimum and/or DO saturation < 40%	< 6 mg/L daily minimum and/or DO saturation <60%

Catchment maps showing spatial extent and location of the priority areas are available as part of this plan change but are not included as planning maps. This is because the thresholds for priority will remain fixed, however the status of catchments will change over time as work is completed within the catchment.

Farm Environment and Catchment Collective Plans and Industry Programmes are to be completed in the following priority order; High, Medium and Low Priority over the first 3, 6 and 9 years respectively following <the operative date> of the plan (although work can commence at any time and farmers will be encouraged to start with their own programme as soon as possible).

Schedule 29: Land Use Change

If the use of production land on farm properties or farming enterprises in the TANK catchments changes over more than 10 hectares per property, information may be requested from the landowner or land manager to demonstrate or model the annual Nitrogen loss (using Overseer or SPASMO or alternative model approved by HBRC) in order to;

1. show compliance with the requirements of Rules TANK 5 and 6
2. enable Policies 18 and 21 to be implemented
3. assist landowners to implement the requirements of Schedule 30

Calculation of changes to the annual nitrogen loss on a whole of property or whole of farming enterprise basis will be based on the data in Table 1 unless more accurate model data specific for the property in question is available.

Table 2 specifies the allowable change in nitrogen load. The loads are calculated according to the following formula. For each column; the value given is the maximum difference between the highest and lowest Nitrogen loss x 10ha.

Where the land use activity involves arable or vegetable cropping including grazing on a rotational basis, including on lease land at variable locations, production land use change does not include a change in the location of an arable and/or vegetable cropping rotation, where the area of the rotation is equivalent, (plus 10 ha) of the maximum rotation area in the 5 years prior to the plan notification

table 1: Nitrogen Losses for Production Land

Land Use Type	TN Load (kg/ha/y) (Overseer)	TN Load (kg/ha/y) SPASMO		
		Esk/Omahu/Pakipaki Soils	Average Other soils	Farndon/Omarunui/Te Awa soils
Beef	20			
Dairy	32			
Scrub or tree cover	3			
Mixed sheep, beef and deer	13			
Kiwifruit		9	13	23
Pipfruit		9	15	24
Summer fruit		9	14	23
Grapes		1	9	18
Winter forage crops				
Arable/vegetable rotation				

Table 2 – Nitrogen Loss Thresholds per Property or Farm Enterprise (ref TANK Rule 5)

	290	Annual Nitrogen loss change threshold (kg/y)		
		Esk/Omahu/Pakipaki Soil types	Other soils	Farndon/Omarunui/Te Awa soil types
Unirrigated land uses	290			
Irrigated land uses		80	240	430

Change between non-irrigated and irrigated land uses will be subject to a maximum permitted change of 290 (kg/ y) using SPASMO to calculate the change.

Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan

The TANK Plan provides for an **Industry Group** or a **Catchment Collective** to work collectively on behalf of their members to meet local water quality and environmental objectives. Alternatively, landowners may also prepare an individual **Farm Environment Plan**

This schedule sets out the requirements for the establishment of a TANK Industry Group or TANK Catchment Collective their operation and their environment plan in order for them to be approved by the Hawke's Bay Regional Council. It also sets out the requirements for Farm Environment Plans. **Heretaunga Plains Water Management Unit**

In the Heretaunga Plains Water Management Unit, requirements for stream flow enhancement will be imposed through conditions of a water permit. Management of a stream flow enhancement scheme is not required to be done by water permit holders acting collectively, however, an Environmental Management Plan can address collective management of any flow enhancement scheme and also address water quality issues according to Sections A and B at the same time.

Industry Groups and Catchment Collectives

A TANK Industry Group or a TANK Catchment Collective must meet the requirements set out in Section A below.

Industry Programme or Catchment Collective Programme

Each TANK Industry or TANK Catchment Collective must prepare an **Industry Programme** or **Catchment Collective Programme** that meets the requirements set out in Section B below. This programme must identify the key water quality and water quantity management issues identified in this Plan that are relevant to;

- the catchment(s)
- the nature of the land and water use activities carried out within that catchment
- the scale of the effects on water quality or water quantity from the land and water use activities in that catchment

The Programme will describe an environmental management strategy relevant to the freshwater water management objectives where the member properties are located. An Industry Programme can be based on existing good agricultural practice industry⁵²programmes, and will in addition need to address local water quality and quantity issues.

A summary of the Programme objectives and outputs will be made publicly available through the Council website.

Any TANK Programme prepared in accordance with Schedule 30 may include or contribute to other initiatives or objectives (such as in relation to farm production, pest control, biodiversity or other land management issue) as desired by the Catchment Collective or Industry Programme. These aspects are not subject to the Council's approval, but may be a means of enabling integrated land and water management for a wider range of management objectives.

Farm Environment Plan

The requirements of the Farm Environment Plan are set out in Section C below.

Programme Requirements

Section A: Industry Groups and Catchment Collectives

1. Governance and Management

1.1 Each Catchment Collective or Industry Group must undertake to carry out the requirements of Sections A and B and must specify in writing the manner in which it will carry this out. This must address the following:

Details relating to the governance and management arrangements of the Programme including

- a) How decisions are to be made and how the requirements of Section B will be carried out including obligations by members to carry out the property specific requirements
- b) Conditions of membership of the Programme by individual land managers (the 'Members' who commit to the Programme), including the circumstances and terms of membership, sanctions or removal from the Collective

⁵² This refers to existing industry programmes such as Hort NZ GAP, Sustainable Winegrowing, Fonterra Clean Stream etc.

or Industry Programme including in relation to unreasonable non-performance of actions identified in clause 2 below.

- c) The process for assessing performance at an individual property level compared to agreed actions at the catchment scale.

Note 1: the Collective or Industry Programme may prepare its own terms of reference as well as manage their own decision making processes and administration. This may include appointing a spokesperson or secretary to ensure recording and reporting work is completed as necessary. Note 2: If a membership is lapsed, refused or discontinued, the Council will require the landowner to comply with rule TANK 1

Information and management systems and processes to ensure:

- d) Competent and consistent performance in meeting the requirements of this schedule
- e) Robust data management, including up-to-date registers of Programme Members.
- f) Timely provision of suitable quality data and information required under the following clauses to Hawke's Bay Regional Council
- g) Conditions of membership of the Programme by individual land managers (the 'Members') who commit to the Programme including provision of information to enable reporting requirements to be met.

A description of the Programme area including:

- h) locations and maps,
- i) land uses,
- j) locations of ;
 - (i) drains (including subsurface drains), streams, rivers, wetlands and other water bodies,
 - (ii) any Source Protection Zone or Extent for any Registered Drinking Water Supply that any properties in the programme area are located in, plus the contact details of the water supply manager (Note – Maps included with this plan show the locations of the SPZs and Extent for any Registered Drinking Water Supplies. Contact information for the supply manager is available on the Council website),
- k) activities at particular risk of nutrient loss,
- l) property boundaries,
- m) up-to-date details about ownership and property managers,
- n) up-to-date contact details of individual land managers and landowners within the Programme (the 'Members').

Section B: Catchment Collective Requirements

This section sets out the requirements for the environment plan for each Catchment Collective or Industry Programme

2. Environmental Outcomes

2.1 The Plan must include statements about the;

- a) specified water quality outcomes in Schedule 26 of this Plan relevant to the location of Members' properties
- b) measures or practices needed to minimise and mitigating the cumulative environmental effects of land use that will enable the specified water quality objectives to be met.
- c) timeframes for when each of the actions or mitigations at a property or catchment scale are to be implemented and which are consistent with meeting the timeframes specified for relevant water quality objectives and milestones specified in the Plan

2.2 The Plan must address where appropriate;

- a) managing contaminant losses (especially sediment, nutrients and bacteria) to waterways including efficient use of nutrients and good practice when carrying out land disturbance activities especially in relation to critical contaminant source areas

- b) where water quality does not meet standards in Schedule 26, identifying how there will be reductions in losses that contribute to meeting the specified water quality including, where appropriate, reference to;
 - (i) in relation to industry specified benchmarks or good practice for nitrogen and phosphorus loss;
 - (ii) LUC (Land Use Capability) and soil type;
 - (iii) Olsen P levels in soil;
 - (iv) Stock management including rates and densities of different classes of stock;
 - (v) Application of fertilisers;
 - (vi) Application of collected animal effluent;
 - (vii) Cultivation, soil disturbance or vegetation clearance activities
- c) Management of riparian margins, including to meet the outcomes specified in Policy 11 and maintaining or improving the physical and biological condition of soils in a manner consistent with Policy 20 and RRMP Rule 7 in order to avoid, remedy or mitigate problems arising from;
 - (i) Loss of topsoil by wind or water erosion;
 - (ii) Movement of soils and contaminants into waterways;
 - (iii) Damage to soil structure and health;
 - (iv) Mass movements of soil;
- d) wetland management including to meet the outcomes specified in Policies 14 and 15;
- e) management of animal effluent to avoid contamination of ground and surface waters;
- f) measures required to reduce risk of contamination of the source water for any Registered Drinking Water Supply;
- g) management of stock, including in relation to river or stream crossings and exclusion from waterways in a manner that is consistent with Policy 22 and Rules TANK 1 or 3;
- h) **in the Karamū and Lake Poukawa Catchments** ; the identification of opportunities to provide shading of the adjacent waterway or improvements to riparian margin values as specified in Policy 2.

2.3 The Plan must include measures to address **Nutrient Management** in any catchment or programme area where water quality objectives for nitrogen concentrations as detailed in Schedule 26 (or as further detailed for local rivers) are not being met, including;

- a) development of an inventory of the nitrogen loss rate (kg/ha/year) for every property as determined by application of Overseer (or an alternative nutrient budget model approved by the Hawke's Bay Regional Council) by a suitably qualified independent practitioner;
- b) a description of any mitigation measures identified as necessary to meet water quality objectives on those properties or within the relevant catchment;
- c) annual recording and reporting of nutrient input and export data, including annual nitrogen loss rates.

2.4 A Catchment Collective member may adopt or integrate a plan or documentation developed as part of an Industry Good Agricultural Practice programme, provided that the Plan or documentation is consistent with the requirements of the Catchment Collective Programme

3. Approval

3.1 The Catchment Collective plan or Industry Programme will be submitted for approval by the HBRC no later than by the end of the relevant year specified for that catchment in Schedule 28. In making decisions to approve the Programme the Council will take into account;

- a) whether the requirements of this Schedule are met
- b) whether the programme is consistent with the policies, water quality objectives and milestones that are relevant for that Catchment Collective or Industry Programme

- c) whether the Programme was appropriately informed by person(s) with the necessary professional qualifications to make assessments about the contaminant loss risk and mitigation measures
- d) whether the governance and management systems are in place to enable the implementation of the programme

3.2 Where approval is not given, it means the requirements of Rule TANK 1 are not able to be met and land use is therefore subject to either Rule TANK 1 (b)2 or Rule TANK 2

4. Information Requirements

4.1 The Catchment Collective or Industry programme must prepare a statement of the data and information that will be collected in order to monitor implementation and report to Council.

4.2 Information will be required where appropriate about:

- a) changes to programme area and membership;
- b) nature and significance of any land use change in accordance with Policy 22 and Rule TANK 5 or 6 and based on land uses at 2 May 2020.
- c) the results of any environmental monitoring carried out by the Catchment Collective or Industry Programme;
- d) the mitigation measures or practices carried out to reduce contaminant loss (consistent with what is industry agreed good practice) that will be adopted by the property owners or managers and as detailed in clause 2.1;
- e) data, which may be aggregated across a catchment, about nitrogen loss and any changes in losses in respect of clause 2.3.

5. Reporting and Review

5.1 A summary report on the implementation of the Programme shall be submitted annually to the Hawke's Bay Regional Council or less frequently as determined by Council if all agreed mitigations have been completed, water quality objectives are being met and there is no land use change exceeding 10ha of the programme area.

5.2 The report will be supplied in the format specified by Council.

5.3 The report will include;

- a) information collected under section 4;
- b) any amendments to the programmed mitigation measures plus any changes made to them and reasons for them (including any adverse events such as severe weather, earthquakes etc);
- c) issues or matters that require input or direction from the Council, including the management of activities outside the Catchment Collective which may be adversely affecting the achievement of the of programme objectives, including identification of additional information/support from HBRC that would assist in the achievement of the objectives of the programme.

5.4 Every 5 years the annual report shall provide information about;

- a) adoption of any new mitigation or good practice measures identified by industry;
- b) identification of opportunities for improvements to the programme including, where necessary, amending performance standards, and in relation to nutrient management in clause 2.3.

6 Auditing

6.1 The HBRC will;

- a) Publicly report on the implementation of TANK Programmes;
- b) Undertake audits of TANK Industry or Catchment Collective Programmes including on member properties in relation to individual and programme implementation of programmed works, adoption of identified good management practices, including nutrient management budgets where required.

Note 2: that if the conditions of any applicable RRMP Rule 7 for specified activities are not being complied with by a landowner or manager, there must be information as outlined in section B2 above of the Catchment Collective or Industry Programme to show how the relevant contaminant loss risks are to be managed to a similar level of performance.

Section C: Farm Environment Plans

If a property is not subject to a TANK Industry Programme or a TANK Catchment Collective prepared under Section B of this schedule a Farm Environment Plan must be prepared in accordance with Section C.

1. Requirements for Farm Environment Plans.

1.1 A Farm Environment Plan must;

- a) be prepared by a person with the professional qualifications necessary to prepare such a plan.
- b) contain the following information;
 - (i) physical address;
 - (ii) details about ownership and property managers including contact details for the person responsible for the implementation of the Plan.
- c) be accompanied by maps or aerial photograph at a scale to clearly show;
 - (i) property boundaries;
 - (ii) locations or activities likely to result in contaminant loss or at risk from contaminant loss including;
 - i. areas at risk of sediment loss;
 - ii. the location of drains (including subsurface drains), streams, rivers, wetlands and other water bodies;
 - iii. the location of any Source Protection Zone or Extent for any Registered Drinking Water Supply that any properties in the programme area are located in, plus the contact details of the water supply manager (*Note Maps included with this plan show the locations of the SPZs and Extents for any Registered Drinking Water Supplies. Contact information for the supply manager is available on the Council website.*
 - iv. activities at particular risk of nutrient loss;
 - v. contaminant discharge activities.
- d) meet the requirements of Clauses 2 and 4 Section B of this Schedule as applicable for the property, its location and the land use activities being carried out.

2. Reporting and Review

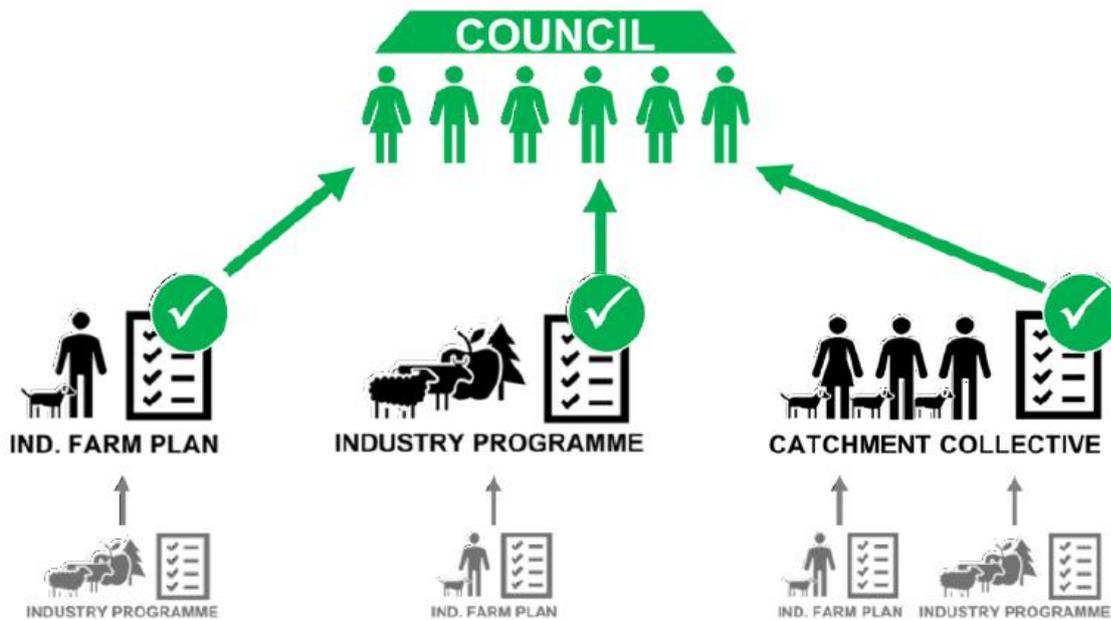
- 2.1 The Farm Environment Plan will be submitted to the HBRC no later than by the end of the relevant year specified in Schedule 28 for the catchment(s) the property is located in.
- 2.2 The report will be in the format specified by Council.
- 2.3 The report will include:
 - a) information collected under Clause 4 of Section B
 - b) any amendments to the programmed mitigation measures plus any changes made to them and reasons for them (including any adverse events such as severe weather, earthquakes etc)
- 2.4 Every 5 years the annual report shall provide information about;
 - c) adoption of any new mitigation or good practice measures identified by industry,
 - d) identification of opportunities for improvements to the programme including, where necessary, amending performance standards, and in relation to nutrient management in clause 2.3 of Section B.

3. Auditing

- 3.1 The HBRC will;
 - (i) Publicly report on the implementation of TANK Farm Environment Plan requirements
 - (ii) Undertake audits of properties in relation the Farm Environment Plan implementation of programmed works, adoption of identified good management practices, including nutrient management budgets where required.

Note 3: that if the conditions of any applicable rules for specific activities in Section 6 of this plan are not being specifically complied with, there is information in the Farm Environment Plan to show how the relevant contaminant loss risks are to be managed to a similar level of performance.

Note: the diagram below shows how the three environmental management approaches provided for in TANK 1 and Schedule 30 inter-relate with each other and their relationship with Council regulations. (The diagram is not part of the Plan Change but is included here for assistance in interpretation.)



53

Having a Farm Environment Plan signed off by council does not preclude a producer from being involved in an Industry Programme that is **not** signed off by the Council

Having an Industry Programme signed off by the Council does not preclude a producer from having their own farm plan that is **not** signed off by Council

Being in a Collective that is signed off by Council does not preclude a producer from having their own farm plan or Industry Programme that is not signed off by Council. But the Collective is the mechanism by which the producer is held accountable by the Council

⁵³ Diagram is from TANK plan change: Barriers and risks to the adoption of proposed mechanisms to co-ordinate management action June 2018 Report by: Justin Connolly Director, Deliberate

Schedule 31: Flows, Levels and Allocation Limits

Minimum and Trigger Flows and Allocation Limits

Refer to Rules TANK 9-11. This Schedule specifies the amount of water that may be authorised for abstraction from the specified water management units and the flows at which water abstraction is subject to restrictions or requirements. The allocation limits do not apply to water abstraction that is enabled by the release of water from water taken at times of high flow and stored for later release (refer to Schedule 32).

The location and spatial extent of the management units is shown on the Planning Maps Schedule 31A – 31E

Water Management Units (quantity) and includes any tributaries of the named river	Water bodies	Minimum flow/flow maintenance site	Minimum Flow (litres/second)	Flow maintenance Trigger	Allocation limit (litres/second for surface water and zone 1 and M ³ / per year for groundwater)
Ahuriri	All surface water	n/a	n/a	n/a	Existing use only ¹
	All groundwater	n/a	n/a	n/a	Existing use only ¹
Karamū/ Clive River	Awanui Kawerawera/ Paritua	The Flume	120	120	Total not to exceed 30 l/s
		Pakipaki		75	
	Irongate	Clarks Weir ²	100	100	
	Louisa Stream	Te Aute Rd	30	30	
	Mangateretere Stream	Napier Rd	100	100	
	Karamū River	Floodgates	1100	1100	
	Raupare Stream	Ormond Rd	300	300	70 l/sec
	Poukawa incl Lake Poukawa Groundwater	n/a	n/a	n/a	Existing use only ¹
	Poukawa incl Lake Poukawa Surface water	At Douglas Rd ²	20	n/a	Existing use only ¹
	Ngaruroro River s/w and g/w	Maraekakaho River	Tait Rd	109	n/a
Tūtaekurī -Waimate		Goods Bridge	1200	n/a	607 l/sec
Ngaruroro River (surface and Zone 1)		Fernhill ²	2400		1300 l/sec
Ngaruroro Groundwater		N/a	n/a	n/a	Existing use only ¹
Tūtaekurī River s/w and g/w	Mangatutu Stream	Puketapu	3800		120 l/sec
	Mangaone River	Puketapu	2500		140 l/sec
	Tūtaekurī (surface plus Zone1)	Puketapu	2500		1140 l/sec
	Tūtaekurī groundwater	n/a	n/a		Existing use only ¹
Heretaunga Plains Water Management Unit (Quantity)	Heretaunga Plains groundwater	n/a	n/a		Existing use only ¹

Proposed Plan Change 9 for TANK catchments. Date of Notification 2 May 2020

Note 1; Allocation limit reflects total amount allocated to existing consents that were granted prior to 2 May 2020 or lesser amount as relevant where water is allocated subject to actual and reasonable use for takes in the Heretaunga Plains Water Management Unit.

Note 2; The location of the Clarke's Weir monitoring site may be changed to provide better representation of sub-catchment flows.

Schedule 32: High Flow Allocation

Refer to Rules TANK 13-16. This Schedule specifies the amount of water that may be authorised for abstraction from the specified water management units and the flows at which water abstraction is subject to restrictions or requirements. They apply to water abstraction that is enabled by the damming and release of water taken or dammed at times of high flow and stored for later release.

(a) River Name	(B) Flow Management Site	(C) Flow Trigger	(D) High Flow Allocation	(E) Amount reserved for Māori development	(F) Limits for Damming
Ngaruroro R	Fernhill	20 m ³ /sec	8,000litres per second* This includes; <ul style="list-style-type: none"> the 2 m³/sec allocation allocated in consents existing at 2 May 2020 the amount taken from high flow in any tributary of the Ngaruroro the amount specified in column (E) 	1,600 litres per second	Damming on mainstem of Ngaruroro River is prohibited
		All Trigger flows above 5000 l/sec	Abstraction of up to 1 m ³ /sec authorised in consents existing as at 2 May 2020. Included in the 1m ³ /sec is abstraction of up to 400l/sec which is solely available to be discharged into the Paritua Stream to provide for stream enhancement		n/a
		Trigger flows above 2400l/sec	200 l/sec which is solely available to be discharged into the Paritua Stream to provide for stream enhancement		
Ngaruroro and Tūtaekurī Tributaries		Median flow	The high flow allocation from the tributary is proportional to its contribution to the mainstem. It is part of the total allocation for the mainstem high flow allocation.	20% of any high flow allocation from any tributary.	No change of more than 10% to FRE ₃ in the mainstem of the applicable River. Damming on the mainstem of the Taruarau Omahaki, Mangaone and Mangatutu is prohibited.
Tūtaekurī	Puketapu	8,000 litres per second	2,500 litres per second This includes <ul style="list-style-type: none"> the amount taken from high flow in any tributary of the Tūtaekurī the amount specified in column (E) 	500 litres per second	Damming on the mainstem of the Tūtaekurī River is prohibited

Schedule 33: Water Permit Expiry Dates

Refer to Policy 45 and Rules TANK 9 - 11. The Council will consider the following Schedule when determining the duration of any permit to take and use 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. 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.

For applications in an area for which no expiry date is specified, the duration of the consent will be a matter for Council's discretion.

Current common expiry date	Management Area	Next expiry dates	
	Groundwater (HPWMU)		
2019 + 2018	Poraiti – (Heretaunga Plains WMU)	2033	2048
2019 + 2018	Ahuriri	2033	2048
2019	Unconfined Aquifer & Unconfined Part Of Twyford	2035	2050
2020	Twyford Confined	2035	2050
2021	St George	2036	2051
2022	Te Mata	2037	2052
2023	Longlands/Pakipaki, Hastings	2038	2053
2024	Haumoana, Whakatu/Clive,	2039	2054
2024	Twyford	2040	2055
2025		2040	2055
2025	Pakowhai, Omarunui,	2040	2055
2026	Moteo	2041	2056
2027	Napier/Meeanee	2042	2057
2028?	Poraiti		
2023	Karamū Catchment	2040	2058
2028		2043	2058
Groundwater (not including Zone 1 or Heretaunga Plains)			
2019	Ahuriri	2039	2059
2029		2044	2059
2023	Karamū Catchment	2040	2058
2028		2043	2058
2028?	Tūtaekurī Catchment	2043	2058
2025	Ngaruroro Catchment	2040	2055
Surface Water (including Zone 1 groundwater)			
2023	Karamū (and all tribs except Raupare)	2040	2058
2028		2043	2058
2025	Raupare	2044	2029
2026	Tūtaekurī-Waimate	2041	2056
2028	Tūtaekurī (Whole Catchment)	2043	2058
2025	Ngaruroro (Whole Catchment)	2040	2055
2019	Ahuriri	2039	2059?
+ 2028		2043	2059?

Schedule 34: Urban Site Specific Stormwater Management Plan

Refer to Rules TANK 21-23. A Site Management Plan (SMP) is required to outline the methods by which the site manager or owner will address the risk posed by usage and storage of contaminants of concern associated with the industrial or retail activity. The SMP will specifically include the following information as a minimum:

1. Name and description of Company and location of site

Full description of the entity and the physical location of the site.

2. Site activities and stores

What activities are on site? What facilities are on site? Attach maps/diagrams if necessary.

3. Site layout and drainage plan(s)

Written summary and maps and plans. Boundaries, location of proposed activities and location of water features on property (streams, drains, ponds etc.)

4. Site receiving environments

Insert information about the discharge areas into receiving environments and attach maps/plans if necessary.

5. Identification of risks with the activities on the property and how they will be managed

Descriptions of:

- *Management of contaminants of concern: how the consent holder will ensure contaminants of concern and hazardous substances are not discharged*
- *Methods of protecting and where possible improving receiving water quality environments*
- *Source control: methods of good site management*

6. Management of stormwater treatment devices

Insert full descriptions of all your stormwater treatment devices and reasoning for use. If you need to install devices but have not yet done so explain here including the timeframe for doing so.

7. Maintenance programme

Written summary of how stormwater devices will be monitored over time.

Schedule 35: Source Protection for Drinking Water Supplies

Refer to Policies 6 - -8 and Rules TANK 2-23 and RRMP Rules 1 – 4, 12 -15, 37, 62, 62B. The location and details of groundwater wells (including water infiltration galleries) and surface water intakes used as the source of a Registered Drinking Water Supply can be found on the Registered Drinking Water Supply Protection Zone map layers on the HBRC website.

Source Protection Zones

Existing Registered Drinking Water Supplies that provide drinking water to no fewer than 501 people for not less than 60 days per year will have provisional Source Protection Zones determined according to the provisions of Table 1 until the relevant resource consent requires replacement or until an application for resource consent to amend a Source Protection Zone is made. The maps showing the spatial extent of these areas are shown below

Table 1: Method for calculating provisional SPZ

Registered Drinking Water supply	Method for calculating SPZ
Hastings District Council Municipal Supply	Hawkes Bay Regional Council Heretaunga Plains Groundwater Model
Napier City Council Municipal Supply	Analytical Element Model meeting artesian head criterion

Where the holder of a water permit for an existing Registered Drinking Water Supply considers the Source Protection Zone is not adequate for the level of protection required for that supply or where new information significantly amends the modelling output, an application may be made to amend the resource consent conditions of the water permit and establish an amended Source Protection Zone

The dimensions of a Source Protection Zone shall form part of any application for resource consent to take or use water for a new Registered Drinking Water Supply or the replacement of an existing permit for that purpose.

The location of a Source Protection Zone around a Registered Drinking Water Supply are to be determined using site specific information listed in Table 2 below and according to the minimum requirements for the relevant population in Table 3

Table 2: Site Specific Information

Site Specific Information
1. the topography, geography and geology of the site;
2. the depth of the well;
3. the construction of the well;
4. pumping rates;
5. the type of aquifer;
6. the rate of flow in the surface waterbody;
7. the types of actual or potential contaminants;
8. the level of treatment that the abstracted water will receive;
9. any potential risk to water quality

Table 3: Methodology for Determining Source Protection

Population served class	Microbial Treatment?	Meets Artesian Head criterion	Method	Uncertainty assessment approach
25 – 100	Yes	Yes or No	Manual	None
	No	Yes	Manual	None
	No	No	Manual	Sensitivity analysis
100-500	Yes	Yes	Manual	None
	Yes	No	Manual	Sensitivity analysis
	No	Yes	Manual	Sensitivity analysis
	No	No	Analytical Element Model	Sensitivity analysis
501-5,000	Yes	Yes	Manual	Sensitivity analysis

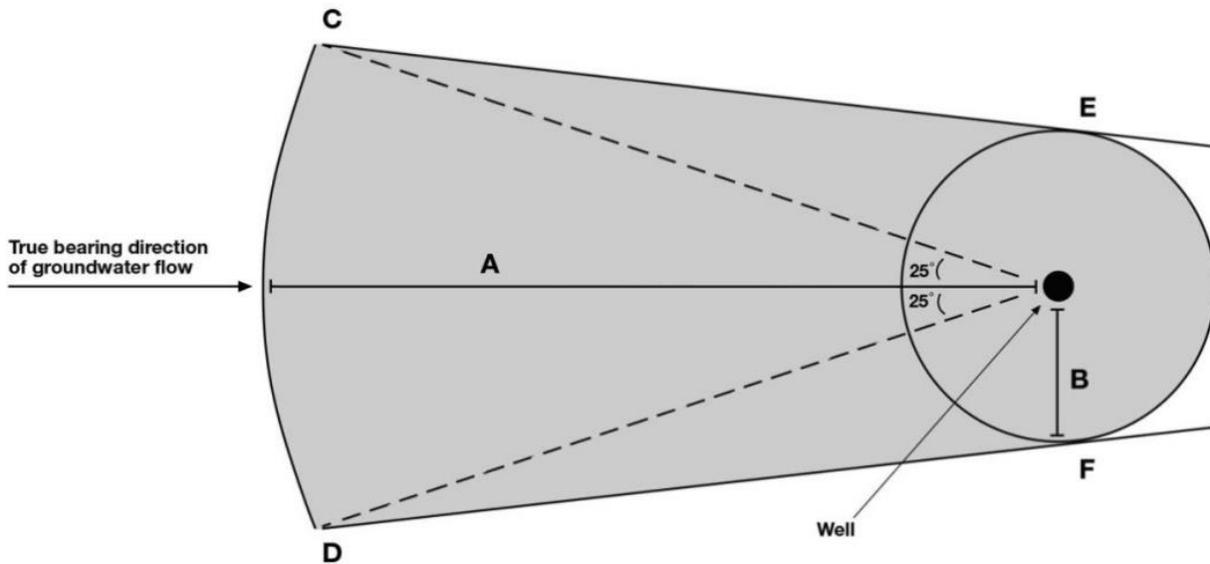
Population served class	Microbial Treatment?	Meets Artesian Head criterion	Method	Uncertainty assessment approach
	Yes	No	Analytical Element Model	Sensitivity analysis
	No	Yes	Analytical Element Model	Sensitivity analysis
	No	No	Analytical Element Model	Stochastic Uncertainty Analysis
>5000	Yes	Yes	Analytical Element Model	Stochastic Uncertainty Analysis
	Yes	No	Numerical Model	Sensitivity analysis
	No	Yes	Numerical Model	Sensitivity analysis
	No	No	Numerical Model	Stochastic Uncertainty Analysis

Source Protection Extent

Method for calculating the area of a provisional Registered Drinking Water Supply Protection Extent.

Existing groundwater Registered Drinking Water Supplies that provide drinking water to between 25 and 500 people for not less than 60 days per year will be protected for the distances specified in Figure 1 and Table 4 below. This provisional protection extent applies until the relevant resource consent requires replacement or until an application to amend the protection extent is made in accordance with the requirements of Tables 2 and 3.

Figure 1 Method for calculating the area of a provisional registered drinking water supply extent



The area of the source protection extent is determined by selecting from the Table 4 below depending on the screen depth (or well depth if no screen depth is recorded) and aquifer type.

Table 4; Provisional Protection Extent

Screen Depth (or well depth if no screen depth is recorded)	Aquifer Type	Protection Distances (m)	
		Up-gradient from bore (A)	Radius around bore
<10m	All	2,000	200
10 - <30 m	Unconfined or semi-confined	1,000	200
	Confined	100	100

Screen Depth (or well depth if no screen depth is recorded)	Aquifer Type	Protection Distances (m)	
		Up-gradient from bore (A)	Radius around bore
30 – 70 m	Unconfined or semi-confined	500	200
	Confined	100	100
>70 m	Unconfined or semi-confined	100	100
	Confined	100	100

Public Information

All existing and new Registered Drinking Water Supplies and their source protection zones or extent will be added to the Registered Drinking Water Supply Source Protection map layers on Hawkes Bay Regional Council GIS mapping website.

Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat Enhancement Scheme

The TANK Plan provides for a **Water User Collective** to work collectively by or on behalf of permit holders to meet local water quality, quantity and environmental objectives for streams affected by stream depletion.

Alternatively, water permit holders would be subject to cease take requirements when relevant trigger flows in affected streams are reached.

A Water User Collective will manage stream flow depletion from applicable permits for streams affected by stream depletion. A permit may have stream depletion effects on more than one stream, and will be required to manage stream depletion through a **Water User Collective** based on the total stream depletion amount.

Heretaunga Plains Water Management Unit requirements for stream flow maintenance and habitat enhancement will be imposed through conditions of a water permit as specified in Rule TANK 8.

The transfer and discharge of water required to operate such a scheme is subject to Rule TANK 18.

This schedule sets out the requirements for the establishment of a Water User Collective and its operation and management in order for it to be enabled under Rule TANK 18.

Note; Where appropriate, the requirements of this Schedule can be combined with those of Schedule 30 in order that wider water quality issues can also be met through this collective approach.

A **TANK Water User Collective** must prepare a **Project Plan** that meets the requirements set out below. This project plan must identify the key water quality and water quantity management issues identified in this (TANK) Plan that are relevant to:

- The affected streams and any applicable trigger flows for management
- The extent and duration of stream flow pumping
- The management of riparian land to improve ecosystem health, including by reduction of macrophytes growth
- The water quality state, especially in relation to oxygen and temperature

A summary of the (TANK) Plan objectives and outputs will be made publicly available through the Council website.

Section A: Plan Development

Mana Whenua

1. The development of a flow maintenance and habitat enhancement scheme must consider the views of mana whenua in relation to;
 - a) scheme design elements aimed at improving ecological health of affected waterbodies;
 - b) opportunities to provide improved public access to affected waterways;
 - c) the collection of baseline information, and monitoring water quality and quantity.

Section B: Plan Requirements

Governance and Management

2. Each **TANK Water User Collective** must undertake to carry out the requirements of Sections B and C and must specify in writing the manner in which it will carry this out. This must address details relating to the governance and management arrangements of the Plan including;
 - a) How decisions are to be made and how the requirements of Sections B and C will be carried out including obligations by members to carry out the property specific requirements.
 - b) Conditions of membership of the Collective by individual water permit holders (or the person giving effect to the permit), including the circumstances and terms of membership, sanctions or removal from the Collective including in relation to unreasonable non-performance of actions identified in clause 2 below.
 - c) The process for assessing water or habitat enhancement contributions at an individual property level compared to combined collective actions and responsibilities for managing stream flow triggers and habitat enhancement.

Note 1: the Collective may prepare its own terms of reference as well as manage their own decision making processes and administration. This may include appointing a spokesperson or secretary to ensure recording and reporting work is completed as necessary.

Note 2: If a membership is lapsed, refused or discontinued, the Council will require the permit holder to comply with cease take conditions required under Rule TANK 8

3. Information and management systems and processes to ensure;

- d) Competent and consistent performance in meeting the requirements of this schedule
- a) Robust data management, including up-to-date registers of **TANK Water User Collective** Members.
- b) Timely provision of suitable quality data and information required through consent conditions and under the following clauses to Hawke's Bay Regional Council
- c) Conditions of membership of the Collective by individual permit holders or the person giving effect to the water permit (the 'Members') who commit to the Plan including provision of information to enable reporting requirements to be met.

4. A description of the Plan area including

- a) locations and maps,
- b) land uses,
- c) locations of:
 - (i) rivers, streams
 - (ii) drains (including subsurface drains),
 - (iii) wetlands, springs
- d) property boundaries,
- e) up-to-date details about holders of permits subject to this programme and anyone with responsibility for compliance with permit conditions.

Section C: Requirements for Water User Collective Plan

This section sets out the requirements for each Water User Collective Plan

5. The Plan must include information as relevant about;
- a) The total stream flow depletion quantity in litres per second calculated using the Stream Depletion Calculator for each permit that is subject to this Collective.
 - b) Locations of points of take where the flow depletion water will be taken for stream flow maintenance and how this is to be provided for within relevant water permit allocations
 - c) Details about water storage solutions that will be used to maintain stream flows
 - d) Locations of points of take where water is to be discharged for stream flow maintenance provided;
 - (i) The length of stream to be affected by stream flow maintenance is maximised within the catchment subject to the trigger flow;
 - (ii) The amount of water transferred and discharged, including the rate and total amount of the discharge and the length of time the scheme operates, is able to be separately metered or measured.
 - (iii) The length of stream above flow discharge sites and any changes to their extent over time are recorded
 - e) Drawdown and stream depletion effects of any water taken and discharged for stream flow maintenance where they may be different from drawdown effects that occur as a result of exercise the permit.
 - f) Management (such as through rostering, ceasing pumping or other measures) of water takes subject to this scheme to reduce cumulative stream flow depletion effects
 - g) Locations where riparian land can be managed to meet the outcomes specified in Policy 11 including;
 - (i) Where riparian planting will provide shade that reduces macrophyte growth and water temperature
 - (ii) re-construction of stream profile to provide both flooding and drainage as well as improved ecosystem habitat.
 - h) Whether wetlands will be constructed to improve ecosystem health and hydrological functions including to meet the outcomes specified in Policies 14 and 15
 - i) Timeframes for when each of the actions or mitigations at a property or catchment scale are to be implemented and which are consistent with meeting the timeframes specified for relevant water quality objectives and milestones specified in the Plan

- j) Monitoring of ecosystem health, water quality and water quantity, including in relation to meeting objectives for dissolved oxygen and temperature in Schedule 26.

6. Approval

- 6.1 The Water User Collective Plan prepared subject to the requirements of this Schedule will be submitted in association with a water permit application as required by Rule TANK 18. In making decisions to approve this plan as part of the conditions of the water permit application the Council will take into account;
 - a) whether the requirements of this Schedule are met
 - b) whether the plan is consistent with the policies, water quality objectives and milestones that are relevant for the Water User Collective
 - c) whether the Plan was appropriately informed by person(s) with the necessary professional qualifications to make assessments about the cumulative stream depletion effects and the effects of the pumping for stream flow maintenance including through the application of the Hawkes Bay Heretaunga Plains Groundwater Model and Stream Depletion Calculator
 - d) whether the governance and management systems are in place to enable the implementation of the programme.
- 6.2 Where consent is not granted, and the requirement of Rule TANK 18 not able to be met, permit holders are then subject to Rule TANK 9 (f)

7. Information Requirements

- 7.1 The Water User Collective must prepare a statement of the data and information that will be collected in order to monitor implementation and report to Council.
- 7.2 Information will be required where appropriate about:
 - a) changes to membership, including holders of water permits or anyone giving effect to the water permit;
 - b) the results of any environmental monitoring carried out by the Collective including in relation to oxygen and temperature in streams being managed by this plan;
 - c) water meter data to record the amount and duration of stream flow maintenance pumping
 - d) the mitigation measures or practices carried out to enhance ecosystem habitat and water quality. that will be adopted by the property owners or managers and as detailed in clause 3.1;
 - e) any other relevant information

8. Reporting and Review

- 8.1 A summary report on the implementation of the Plan shall be submitted annually to the Hawke's Bay Regional Council or less frequently as determined by Council if all agreed mitigations have been completed, and water quantity and quality objectives are being met.
- 8.2 The report will be supplied in the format specified by Council.
- 8.3 The report will include;
 - a) information collected under clause 7, including an assessment of information in comparison with previous year's data;
 - b) any amendments to the programmed mitigation measures plus any changes made to them and reasons for them (including any adverse events such as severe weather, earthquakes etc);
 - c) issues or matters that require input or direction from the Council, including the management of activities outside the Water User Collective which may be adversely affecting the achievement of the of programme objectives, including identification of additional information/support from HBRC that would assist in the achievement of the objectives of the programme.
- 8.4 Every 5 years the annual report shall provide information about;
 - a) any trends in;
 - (i) the quality of water in the streams subject to the trigger flow
 - (ii) the state of ecosystem health
 - b) identification of opportunities for improvements to the programme

Chapter 9 Glossary of Terms Used

Insert or amend meanings for the following words and terms into the Glossary. Note that where a term is already included, its meaning is only changed in respect of the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.

Actual and Reasonable in relation to applications to take and use water means;

- a) no more than the quantity specified on the permit due for renewal or any lesser amount applied for;
and the least of either;
- b) the maximum annual amount as measured by accurate water meter data in the ten years preceding 1 August 2017 for groundwater takes in the Heretaunga Plains Water Management Unit or in the preceding ten years preceding the 2 May 2020 as applicable elsewhere if accurate water meter data is available. (If insufficient or no accurate data is available either clause a) or c) will apply)
or
- c) for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise with an equivalent method), and to a 95% reliability of supply where the irrigated area is;
 - (i) no more than in the permit due for renewal, or any lesser amount applied for, and in the case of Heretaunga Plains Water Management Unit, is not more than the amount irrigated in the ten years preceding 1 August 2017 and
 - (ii) evidence is supplied to demonstrate that the area has, and can continue to be, irrigated and the permit substantially given effect to.

Affected stream is one which the Stream Depletion Calculator identifies the greatest magnitude of stream depletion caused by that take (a take may cause stream depletion in more than one stream). The stream with the largest effect is the “affected stream”.

Allocation Limit for surface water means the maximum quantity that is able to be allocated in water permits and abstracted expressed in litres per second and calculated as the sum of weekly maximum water permit allocations for a river, or management zone averaged over one month and includes abstraction in Zone 1.

Allocation limit for Groundwater means the maximum quantity that is able to be allocated in water permits and abstracted during each year, expressed in cubic metres per year, and is calculated as the sum of maximum water permit allocations for the groundwater zone. Allocations for irrigation will be calculated on the basis of the irrigation period of November- May. The Heretaunga Plains Water Management Unit groundwater allocation limit will be addition to water taken and used for frost protection which is expressed as an instantaneous take in litres per second and calculated as the sum of water permit allocations

Allocation limit for high flow takes means the maximum quantity that is able to be allocated in water permits and abstracted expressed in litres per second as an instantaneous flow and calculated as the sum of the instantaneous flow allocations in water permits for a river or management zone.

Applicable stream flow maintenance scheme is a stream flow maintenance scheme developed to maintain river flows in an affected stream when the trigger flow is reached. If no scheme is feasible, then there is no applicable scheme.

Aquifer testing means taking and using groundwater at a constant rate not exceeding 3 consecutive days in any 28 day period to test attributes and characteristics of an aquifer and/or groundwater. Those characteristics may include transmissivity, storativity and chemical composition. It does not include the taking or use of groundwater where a device is connected to that might result in variability of water flow.

Essential human health needs means the proportion of water supplied to residential and other end users for essential human health needs and will be calculated at a rate of 200l litres per person per day (l/p/d). (Note this is from MfE Guidance being the sum of Drinking 2 l/p/d, Cooking and Food 3 l/p/d, Toilet flushing 80 l/p/d, Bathing and Showering 100l/sec, 23% of washing needs 15 l/p/day, Total 200l/p/d).

Farm Environment Plan means a plan that has been prepared in accordance with the requirements of Schedule 30C by a person with the professional qualifications necessary to prepare such a plan which is implemented by a landowner or on behalf of a landowner.

Farming Enterprise – as defined in the RMMP but to include Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments.

Forestry Management Plan means a harvest plan or management plan as provided for in the National Environmental Standards for Plantation Forestry; 2017.

Fre³ means the frequency of floods that are three times above the median flow for a river as determined by the Regional Council records.

Hapū (In Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments) means kinship group, section of a large kinship group and the primary political unit in traditional Maori society.

Heretaunga Plains Groundwater Model is a numerical model for the waters of the Heretaunga Plains and meets the requirements for artesian head and stochastic uncertainty analysis as provided for in Schedule 35

Indigenous vegetation for the purposes of rules regulating removal of vegetation means: means any area of naturally occurring vegetation where the cover of indigenous plants is the same as or greater than exotic plants but excludes any indigenous vegetation which grows beneath plantation forestry.

Infrastructure Leakage Index is a performance indicator of real (physical) water loss from a water supply network of water distribution developed by the International Water Association and included in the New Zealand BenchlossNZ manual and which outlines performance indicators for NZ.

Kaitiakitanga; add “and in Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments can only be passed down through generations via whakapapa”

Ki uta ki tai – means The movement of water from mountains to sea, through the landscape and the numerous interactions it may have on its journey. Ki uta ki tai acknowledges the connections between the atmosphere, surface water, groundwater, land use, water quality, water quantity, and the coast. It also acknowledges the connections between people and communities, people and the land, and people and water.

Mahinga Kai insert “ and in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments mahinga kai generally refers to indigenous freshwater species that have traditionally been used as food, tools, or other resources. Mahinga kai provide food for the people of the rohe and these species give an indication of the overall health of the catchment. For this value, kai would be safe to harvest and eat and knowledge transfer is present (intergenerational harvest). In freshwater management units that are highly valued for providing mahinga kai, the desired species are plentiful enough for long-term harvest and the range of desired species is present across all life stages.

Māori means the aboriginal people of New Zealand that migrated from Hawaiki in successive waves of migration settling throughout the Pacific.

Marae A marae is a fenced-in complex of carved buildings and grounds that belongs to a particular iwi (tribe), hapū (sub tribe) or whānau (family). Māori people see their marae as tūrangawaewae - their place to stand and belong. Marae are places of refuge for Māori and provide facilities to enable Māori to continue with our own way of life within the total structure of their own terms and values. The marae is an institution from classical Māori society that has survived the impact of western civilisation.

Matauranga Māori means cultural knowledge of the natural world.

Mauri Insert “and in the Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments Mauri is a spiritual value that expresses itself within the natural world in a particular manner. In the Māori world view, all-natural things have Mauri, both animate and inanimate. Within freshwater environments, the manifestation of healthy mauri is abundant and healthy water and aquatic resources, including the fish, insects, birds and plants that interact with the water.”

Papakāinga means a group of houses of three or more, developed on Maori land that has multiple-owners.

Registered Drinking Water Supply (or Supplies) means a drinking water supply that is recorded in the drinking water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 25 people with drinking water for not less than 60 days in each calendar year

River - defined as in the RMA. This will be interpreted to align with the implementation for Tukituki PC and applies to all flowing permanent and intermittent rivers/creeks, lakes and wetlands. An intermittent river or creek is a waterway that periodically flows and has a defined river bed that is predominantly un-vegetated and comprised of silt, sand, gravel and similar.

Source Protection Zone (SPZ) means an area surrounding the point of take for a registered drinking water supply that provides no fewer than 501 people with drinking water for not less than 60 days in each calendar year where plan provisions apply and includes any provisional Source Protection Zone and is defined by methods specified in Schedule 35 (information about the location of SPZs can be found on the Council's webpage)

Source Protection Extent is an area surrounding the point of take for a registered drinking water supply that provides no less than 25 and no more than 500 people with drinking water for not less than 60 days in each calendar year and includes any Provisional Source Protection Extent and is defined by methods specified in Schedule 35 (information about the location of these areas can be found on the Council's webpage).

Stream Depletion Calculator is a publically available tool that the Haawke's Bay Regional Council has developed to quantify the stream depleting effects of groundwater abstractions in the Heretaunga Plains. The calculator is based on the Heretaunga numerical groundwater model, but enables very rapid stream depletion assessments.

TANK Industry Programme or a TANK Catchment Collective is a group of people meeting the requirements of Schedule 30A and which has a Catchment Collective or Industry Programme that has been prepared in accordance with the requirements of Schedule 30B by a person with the professional qualifications necessary to prepare such a Programme

Waka ama is a New Zealand term for the traditional sport used in the Pacific of outrigger canoeing

Consequential Amendments to Chapter 5 of the Regional Resource Management Plan

As a consequence of the new chapters 5.10 and 6.10, amendments have been made to the following parts of Chapter 5 of the operative plan:

Chapter 5.4 Surface Water Quality. The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.5 Surface Water Quantity. The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.6 Groundwater Quality; The Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments are excluded from this chapter.

Chapter 5.7 Groundwater Quantity

The amendments listed above are shown in **bold** text with new insertions underlined and with deletions shown as ~~**bold strikethrough**~~ over the pages that follow. (Note; Submissions can only be made in respect of the amended text)

5.4 Surface Water Quality

Insert under heading

The provisions of Chapter 5.4 do not apply within the Tūtaekuri, Ahuriri, Ngaruroro and Karamū catchments.

**Table 8. Environmental Guidelines – Surface Water Quality
Part II - Guidelines that Apply to Specific Catchments**

Catchment Area	Faecal Coliforms (cfu/100 ml)	Suspended Solids (mg/l)
Aropaoanui River	200	50
Clive Rivers and tributaries	200	40
Esk River	200	50
Ikanui Stream	200	50
Kopuawhara Stream	200	50
Mangakuri Stream	200	50
Maraetotara River	200	50
Mohaka River	50	10
Ngaruroro River upstream of Fernhill Bridge	50	40
Ngaruroro River between Fernhill Bridge and Expressway Bridge	400	25
Ngaruroro River downstream of the Expressway Bridge	150	25
Opoutama Stream	200	50
Porangahau River	200	50
Puhokio Stream	200	50
Taharua Stream	50	10
Tutaekuri River upstream of Redclyffe Bridge	50	40
Tutaekuri River between Redclyffe Bridge and SH50	400	25
Tutaekuri River downstream of the Expressway Bridge	150	25
Waingonoro Stream	200	50
Waipatiki Stream	200	50
Waipuka Stream	200	50
Wairoa River and tributaries upstream of Frasertown	100	25
Wairoa River at and downstream of Frasertown	200	25

These guidelines apply after reasonable mixing and disregarding the effect of any natural perturbations that may affect the water body, as set out in Policy 72.

* The figures in Table 8 represent concentrations of contaminants in the water body that should not be exceeded after reasonable mixing.

POL 72A DISCHARGE PERMITS – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments⁵⁴

- (1) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
- (2) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of the people and communities as affected by their secondary contact with fresh water; and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of the people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.

Explanation and Reasons

5.4.7A Policy 72A was inserted in accordance with the direction stated in Policy A4 of the National Policy Statement for Freshwater Management 2014 and took effect on 1 August 2014.

5.5 Surface Water Quantity

Insert under heading

The provisions of Chapter 5.5 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

POL 74 IMPLEMENTATION OF ENVIRONMENTAL GUIDELINES - SURFACE WATER QUANTITY

- (a) **Resource Allocation:** To define the allocatable volume as being the difference between the summer 7-day Q95 and the minimum flow.
- (b) To implement the environmental guidelines for surface water quantity predominantly in the process of making decisions on **resource consents** in accordance with section 104 (1)(b) of the RMA, through Table 9.

⁵⁴ NOTE 1: Policy 72A applies to the following discharges (including a diffuse discharge by any person or animal):

(a) a new discharge or

(b) a change or increase in any discharge –

of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

NOTE 2: Pol 72A(1) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

NOTE 3: Pol 72A(2) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

Table 9. Minimum Flow and Allocatable Volumes for Specified Rivers

River name	Minimum Flow Site Name	Minimum Flow (l/s)	Allocatable Volume (m ³ /week)	Map Reference
Awanui Stream	At The Flume	120	0	V21:357613
Awanui Stream	At Paki-Paki Culvert	35	0	V21:351608
Esk River	At Shingle Works	1,400	355,018	V20:432945
Esk River	At SH2	1,000		V20:438939
Irongate Stream	At Clarks Weir	100	0	V21:367666
Karamū River	At Floodgates	1,100	18,023	V21:427708
Karewarewa River	At Turamoe Road	75	-	V21:341622
Louisa Stream	At Te Aute Road	30	0	V21:410625
Mangateretere Stream	At Napier Road	100	0	V21:438659
Maraekakaho River	At Taits Road	100	5,443	V21:170668
Maraetotara River	At Te Awanga Bridge	220	30,974	W21:520664
Ngaruroro River	At Fernhill Bridge	2,400	956,189	V21:330729
Nuhaka River	At Valley Road	80	41,731	X19:225329
Ongaru Drain	Wenley Road	5	0	V21:234653
Pouhokio Stream	At Allens Bridge	80	-	V22:498441
Poukawa Inflow	Site No. 4 (d/s dam)	10	0	V22:282504
Poukawa Inflow	Site No. 1a (u/s dam)	10	0	V22:285502
Poukawa Inflow	Site No. 6	3	0	V22:266478
Poukawa Stream	At Douglas Road	20	0	V22:298533
Raupare Stream	At Ormond Road	300	83,844	V21:398713
Te Waikaha Stream	At Mutiny Road	25	-	V22:361572
Trib. of Kauhauroa Stream	(Taylors)	5	0	X19:970397
Tutaekuri River	At Puketapu	2,000	928,972	V21:357812
Tutaekuri-Waimate	At Goods Bridge	1,200	367,114	V21:384751
Waimaunu Stream	At Duncans	10	15,304	X19:229300

POL 74A Water Permits – Matters for consideration in catchments other than the Tukituki River catchment **and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments**

- (1) When considering any application the consent authority must have regard to the following matters:
- the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and
 - the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.⁵⁵

⁵⁵ NOTE 1: Pol 74A applies to:

- any new activity and

Explanation and Reasons

5.5.6A Policy 74A was inserted in accordance with the direction stated in Policy B7 of the National Policy Statement for Freshwater Management 2014 and took effect from 1 August 2014.

(b) any change in the character, intensity or scale of any established activity – that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

NOTE 2: Pol 74A does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management took effect on 1 July 2011.

5.6 Groundwater Quality

Insert after Heading

The provisions of Chapter 5.6 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

OBJECTIVES

OBJ 42 No degradation of existing groundwater quality in aquifers ~~in the Heretaunga Plains aquifer system.~~

POLICIES

POL 75 ENVIRONMENTAL GUIDELINES - GROUNDWATER QUALITY

- Other than in the productive aquifer systems in the Tukituki River catchment **and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments**, to manage the effects of activities affecting the quality of groundwater in accordance with the environmental guidelines set out in Table 10.

Table 10. Environmental Guidelines – Groundwater Quality

CONFINED, PRODUCTIVE AQUIFERS IN THE HERETAUNGA PLAINS AQUIFER SYSTEM (as shown in Schedule IV)	
1.—No degradation	There should be no degradation of existing water quality.
OTHER PRODUCTIVE AQUIFERS	
1. Human consumption	The quality of groundwater should meet the “Drinking Water Quality Standards for New Zealand” (Ministry of Health, 1995) without treatment, or after treatment where this is necessary because of the natural water quality.
2. Irrigation	The quality of groundwater should meet the guidelines for irrigation water contained in the “Australian Water Quality Guidelines for Fresh and Marine Waters” (Australian and New Zealand Environment and Conservation Council, 1998) without treatment, or after filtration where this is necessary because of the natural water quality.

POL 76A Discharge Permits – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments⁵⁶

- (1) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.
- (2) When considering any application for a discharge the consent authority must have regard to the following matters:
- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of the people and communities as affected by their secondary contact with fresh water; and
 - (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of the people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.

Explanation and Reasons

- 5.6.5A Policy 76A was inserted in accordance with the direction stated in Policy A4 of the National Policy Statement for Freshwater Management 2014 and took effect on 1 August 2014.

⁵⁶ NOTE 1: Policy 76A applies to the following discharges (including a diffuse discharge by any person or animal):

- (a) a new discharge or
- (b) a change or increase in any discharge –

of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

NOTE 2: Pol 76A(1) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

NOTE 3: Pol 76A(2) does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 1 August 2014.

5.7 Groundwater Quantity

Insert after the heading

The provisions of Chapter 5.7 do not apply within the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River catchments

POL 78A Water Permits – Matters for consideration in catchments other than the Tukituki River catchment and the Tūtaekurī, Ahuriri, Ngaruroro and Karamū River Catchments

- (1) When considering any application the consent authority must have regard to the following matters:
- (a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and
 - (b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.⁵⁷

Explanation and Reasons

- 5.7.4A Policy 78A was inserted in accordance with the direction stated in Policy B7 of the National Policy Statement for Freshwater Management 2014 and took effect from 1 August 2014.

⁵⁷ NOTE 1: Pol 78A applies to:

- (a) any new activity and
- (b) any change in the character, intensity or scale of any established activity –

that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

NOTE 2: Pol 78A does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management took effect on 1 July 2011.