Water-take and use policy assessment

The Resource Management Act 1991 requires you to make your own assessment of your proposal against relevant policies.

Table 1 below contains a list of objectives and policies relevant to water take consent applications. There is space in the table for your comments, or alternatively you can provide your own policy assessment. Please note: this is not a full list of potentially relevant policies however these are applicable for the majority of applications.

Some more general objectives and policies will contain pre-filled comments and will ask whether or not you agree with these.

Other policies are more specific to individual applications and therefore require you to demonstrate whether your proposal is consistent with them. Please comment in the table for below in these cases and also refer to any assessment documents where necessary.

Regional planning documents

Bay of Plenty Regional Natural Resources Plan[*Bay of Plenty Regional Natural Resources Plan*](https://www.boprc.govt.nz/plans-policies-and-resources/plans/regional-natural-resources-plan/)*;* and Tarawera Catchment Plan [*Tarawera River Catchment Plan*](https://atlas.boprc.govt.nz/api/v1/edms/document/A3517976/content); and the Regional Policy Statement[*https://www.boprc.govt.nz/your-council/plans-and-policies/policies/regional-policy-statement*](https://www.boprc.govt.nz/your-council/plans-and-policies/policies/regional-policy-statement)

Please click the above links to ensure you have looked at all relevant objectives or policies.

Table 1 Objectives and policies relevant to water take consent applications.

| Bay of Plenty Regional Natural Resources Plan (2008) |
| --- |
| Relevant provisions  | Policy, Objective or Method  | Assessment  |
| Kaitiakitanga |
| KT P1 (Policy 1) | To recognise that tangata whenua, as indigenous peoples, have rights protected by the Treaty of Waitangi (Te Tiriti o Waitangi) and that consequently the Act accords Maori a status distinct from that of interest groups and members of the public. | **Agree:** **[ ]  Y /** **[ ]  N****Comment:**  |
| KT P2 (Policy 2) | To take into account the principles of the Treaty of Waitangi in the management of land, water and geothermal resources. | **[ ]  Y /** **[ ]  N****Comment:** |
| KT P10 (Policy 10) | To identify the extent of cultural values associated with rivers, streams, lakes, wetlands, geothermal resources and land, where this is considered appropriate by tangata whenua. | **Comment:**       |
| KT Policy 13 (Policy 13) | To advise and encourage resource consent applicants to consult directly with tangata whenua where it is necessary to identify the relationships of Maori and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga, and the actual and potential adverse effects of proposed activities on that relationship. | **Consultation undertaken with tangata whenua:****[ ]  Y /** **[ ]  N****Comment:**       |
| KT Policy 16 (Policy 16) | To recognise that different iwi and hapu may have different water, land and geothermal resource management concerns, practices and management methods. | **Comment:**       |
| KT Policy 18 (Policy 18) | To avoid, remedy or mitigate adverse effects on water, land and geothermal resources or sites of spiritual, cultural or historical significance to tangata whenua, where these resources and sites have been identified by tangata whenua. | **Comment:**       |
| KT Policy 19 (Policy 19) | To encourage tangata whenua to recommend appropriate measures to avoid, remedy or mitigate the adverse environmental effects of the use and development of water, land and geothermal resources. | **Comment:**       |
| KT Policy 20 (Policy 20) | To assess effects of proposed development activities on the cultural and historic values and sites of water, land and geothermal resources in consultation with tangata whenua. | **Consultation undertaken with tangata whenua:****[ ]  Y /** **[ ]  N****Comment:**      |
| KT Method 20 (Method 20) | Where appropriate to the scale and magnitude of effects, or location of the activity, require resource consent applicants to supply a record of consultation with all tangata whenua who are affected by the proposed activity. | **Record of consultation with all tangata whenua supplied:****[ ]  Y /** **[ ]  N****Comment:**      |

| Bay of Plenty Regional Natural Resources Plan (2008) |
| --- |
| Relevant provisions | Policy, Objective or Method | Assessment |
| Water  |
| RNRP Method 168, Objective 39, Policy 73Efficient Use  | Efficient use of water resources in the Bay of Plenty.Assess the efficiency of the water use of a proposed activity on a case by case basis relative to the proposed use with consideration to the following:1. For irrigation activities – soil moisture deficit, evapotranspiration, and reasonable water coverage for crop type. Efficient irrigation use is the minimum volume of water required to optimise production while avoiding or mitigating adverse effects on the environment, using current best management practices.
2. For commercial, trade and industrial processes – sufficient to meet the needs of the use with minimal waste of water.
3. For municipal or community water takes – sufficient to meet the needs of the urban area, including projected population growth based on Census figures.
4. Efficient allocation as well as use of water resources in the Bay of Plenty.
 | I have provided an assessment of the efficiency of my water use relative to the proposed use(s) and based on best management practices.**[ ]  Y /** **[ ]  N****Comment:**       |
| RNRP Objective 43 and Policy 70Sustainability  | Abstraction of groundwater at a volume and rate that does not:1. Permanently or unsustainably lower water levels or decrease groundwater quality in aquifer systems.
2. Permanently or unsustainably lower water levels in streams or rivers where groundwater and surface water bodies are linked.

Allocate groundwater at a sustainable yield … | **Comment:**       |
| RNRP Policies 166, 72 and 67Existing Consents  | To ensure that any allocation of water does not derogate from any existing consents.Give preference to existing holders of resource consents for the take and use of water when allocating water in pressure abstraction catchments and existing consent are being replaced…To take into account adverse effects of water abstraction from rivers and streams on existing downstream water users, including non-consumptive users.  | I acknowledge that existing authorised water abstractors will be given priority when considering the renewal of resource consents and when allocating water in pressure catchments. **[ ]  Y/** **[ ]  N****Comment:**       |
| RNRP Policy 74Groundwater Linked to Surface Water | To investigate the linkage between groundwater and surface water bodies to determine if groundwater takes are adversely affecting water flows in streams, rivers and springs.  | **Comment:**       |
| RNRP Objectives 41, 42, 45 and 46Policies 64, 65, 79 and 80Instream Values, Flow Variability and Low Flow  | Water flows in streams and rivers are maintained to:1. Provide protection for existing aquatic life in the water body
2. Maintain identified significant ecological values, landscape values, Māori customary values and traditional instream uses of rivers and streams.
3. Maintain water quality relative to the assimilative capacity and water quality classification of the water body.
4. Avoid or mitigate adverse effects on downstream environments, and existing uses of the water resource.

Instream flow variability is maintained to sufficient levels to allow for instream biota and steam flushing requirements. Water abstractions account for water availability limitations during drought events. Adequate flows are restored to rivers, streams, including individual reaches where allocation or diversion causes water flow to be at or below the Instream Minimum Flow Requirements set in Schedule 7.To allow for flow variation in streams and rivers when allocating water, and controlling the effects of damming and diversion activities.  | **Comment:**       |

Tarawera River Catchment Plan

If your activity is located in the Tarawera Catchment, please consider the relevant objectives and policies of the [*Tarawera River Catchment Plan*](https://atlas.boprc.govt.nz/api/v1/edms/document/A3517976/content).

Regional Policy Statement

Regional Policy Statement (RPS)[*Operative Regional Policy Statement*](https://www.boprc.govt.nz/plans-policies-and-resources/policies/operative-regional-policy-statement/)*.*

| Regional Policy Statement (RPS) |
| --- |
| Reference | Summary/Theme | Comment |
| Iwi Resource Management |
| Policies IW 2B, IW 3B, IW 4B, IW, 5B and IW 6B. | Proposals which may affect the relationship of Māori and their culture and traditions must … recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.Recognise matters of importance to Maori, avoid adverse effects of matters of significance to Maori and involve tangata whenua in the cultural effects assessment process. | **Comment:**       |

| Regional Policy Statement (RPS) |
| --- |
| Reference | Summary/Theme | Comment |
| Water Quantity |
| Policy WQ 1A | Promoting efficient water use, water harvesting and water transfers.Promote the efficient use of water, enable water harvesting where adverse effects on the environment can be avoided, remedied or mitigated, and enable the transfer of water permits in whole or in part. | **Comment:**       |
| Policy WQ 3B | *Allocating water*Have regard to the following matters when allocating and reallocating freshwater: 1. The demands and availability of water within catchments or areas;
2. Making water available to meet existing and reasonably foreseeable domestic, marae or municipal water supply needs with priority for essential drinking and sanitation requirements;
3. The relative economic benefits of the proposed end use of the water, when allocation limits are exceeded, or are close to being exceeded;
4. The benefits of maintaining instream flows to protect and enhance the cultural values of a waterbody, including its mauri;
5. Requiring the volume of water allocated and taken to be reasonable and justifiable with regard to its intended use;
6. The value of investments that existing consent holders have made which depend on the water abstracted;
 | **Comment:**       |
|  | 1. The availability of the water for other uses, including cultural uses;
2. The availability of water for other uses, including cultural uses;
3. The benefits to be derived from the use of water for, or directly associated with electricity generation from renewable sources; and
4. The benefits to be derived from the use of water for rural production activities.
 |  |
| Policy WQ 4B | *Establishing common expiry review dates for the taking of water*Establish and implement common review dates for the taking and use of surface and groundwater within specified catchments. | **Comment:**       |
| Policy WQ 6B | *Ensuring water availability*When applying for designations, plan changes, land use and/or subdivision consent the applicant should ensure that there is sufficient water available at the location to support the activity.**Explanation:** Before seeking consent for a new development or particular activity the applicant should check that there is sufficient water available to sustain it. The Regional Council can advise a potential applicant regarding the availability of water at the location of their proposed development so they can make an informed decision about whether or not to proceed with their proposal. | **Comment:**       |
| Policy WQ 7B | *Reducing water demand*When applying for land use and/or subdivision consent the applicant shall consider alternative sources of water, and where reasonable, implement water conservation measures and the benefits of water collection and reuse and/or recycling. | **Comment:**       |
| Policy WQ 8B | *Managing consented water takes to ensure efficient use*When considering an application for resource consent to take water, regard shall be given to:1. The extent to which water users have demonstrated a reasonable need for the rates and volumes sought;
2. The extent to which water users have demonstrated that the water will be used efficiently;
3. The extent of potential adverse effects on other authorised users;
4. Specifying the maximum allowable water use as well as maximum abstraction rates;
5. Requiring the consent holder to measure and report the actual amount of water taken;
6. Whether water is able to be taken within pressure catchments and aquifers that are nearing full allocation;
7. Preventing saltwater intrusion;
8. The reasonably foreseeable impacts of climate change;
 | **Comment:**       |
|  | 1. Establishing and applying a consent term of no more than 15 years, unless:
2. The take and use of water is necessary to enable the use or development of regionally significant infrastructure;
3. The take and use of water is for a non-typical activity such as dewatering and the access to, and use and development of mineral resources; or
4. A longer term is demonstrated by the applicant to be appropriate in the circumstances;
5. The benefits to be derived from the use of water for, or directly associated with electricity, generation from renewable sources.
 |  |

National planning documents

National Environmental Standard for Sources of Human Drinking Water *(link here)* [*NES for Sources of Human Drinking Water*](http://www.mfe.govt.nz/fresh-water/regulations/national-environmental-standards/national-environmental-standard-sources-of)

Does your proposed activity affect, or potentially affect, a drinking water supply that provides for between 25 and 501 people or more for at least 60 days of the year?

**[ ]  Y / [ ]  N**

National Policy Statement for Freshwater Management *(link here)* [*NPS for Freshwater Management*](http://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/npsfreshwater-management-jul-14.pdf)

Does your proposed activity involve taking and/or using water or discharging a contaminant to water (e.g. stormwater, dewatering water, land drainage water)?

**[ ]  Y / [ ]  N**

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 *(link here)* [*Resource Management Regulations - Measurement and Reporting of Water Takes*](http://www.mfe.govt.nz/fresh-water/regulations/regulations-measurement-and-reporting-of-water-takes)

Does your proposed activity involve the taking of water at a rate of 5 litres per second or more?

**[ ]  Y / [ ]  N**

Resource Management Act (RMA)

Part II Sections 5, 6, 7 and 8

* Purpose and principles
* s6 Matters of national importance
* s7 Other matters
* s8 Treaty of Waitangi

Please review Part II Sections 5, 6, 7 and 8 of the RMA which can be viewed at the below link.

[*Part II - Resource Management Act 1991*](http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231904.html?search=sw_096be8ed8169b70e_section+5_25_se&p=1)

Do you consider that the matters relevant to your application listed in Part II of the RMA, have been given adequate regard in the above documents (Bay of Plenty Regional Natural Resources Plan and the Regional Policy Statement (RPS) and therefore agree it is not necessary to provide a separate assessment of the application against Part II of the RMA?

**[ ]  Y / [ ]  N**

If no, and you think there are matters relevant to your application listed in Part II of the RMA, which have not been given adequate regard in the above documents (Bay of Plenty Regional Natural Resources Plan and the Regional Policy Statement (RPS) please provide a separate assessment of the application against Part II of the RMA.

s124 of the RMA Assessments of investment values (renewal of existing, current consents only)

Important: you must complete this question if your application is intended to replace a current resource consent, and this application will be lodged with Bay of Plenty Regional Council at least 6 months before that consent expires.

Provide an assessment of the value of your investment. You need to:

Specify the value of investment of the activities/infrastructure that are reliant on the resource consent/s you are applying for here.

This must be the ‘book value’ of the investment (not the replacement value).

|  |  |  |
| --- | --- | --- |
| [ ]  < $10,000 | [ ]  $10,000 to $50,000 | [ ]  $50,000 to $250,000 |
| [ ]  $250,000 to $1,000,000 | [ ]  $1 Million to $5 Million | [ ]  $5 Million to $50 Million |
| [ ]  > $50 Million |  |  |

Include evidence that supports the assessment.