Report To: Regional Direction and Delivery Committee

Meeting Date: 30 November 2017

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Regional Policy Statement Implementation Strategy - Water Quantity Work Stream

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Executive Summary

This report presents the implementation work stream for the Regional Policy Statement (RPS) Water Quantity provisions. It sets out how implementation of the RPS Water Quantity policies and methods is tracking and progress in achieving Objective 30.

The RPS Water Quantity provisions are well on track to be implemented. Proposed Plan Change 9 to the Regional Water and Land Plan contains provisions that give effect to the RPS Water Quantity provisions at a regional plan level. The second stage of this process involves working with tangata whenua and communities to set limits at a localised level to meet water quality and quantity targets at a Freshwater Management Unit level. This work is already underway for the Kaituna Maketū, Pongokawa, Waitahanui and Rangitāiki Water Management Areas. These second stream Water Management Area plan changes will further implement the RPS Water Quantity provisions.

The RPS Water Quantity provisions are being considered in consents processes while water reduction and efficient water use methodologies are being implemented or advocated to stakeholders and water users region wide.

It is encouraging implementation of the RPS Water Quantity provisions is high as it was identified as the top priority RPS implementation work stream by Council in 2016.

Recommendations

That the Regional Direction and Delivery Committee under its delegated authority:

1 **Receives the report, Regional Policy Statement Implementation Strategy - Water Quantity Work Stream;**

2 **Notes the Water Quantity provisions in the operative Regional Policy Statement are well on-track to be implemented prior to the review of the second generation Regional Policy Statement in 2024.**

1 Purpose

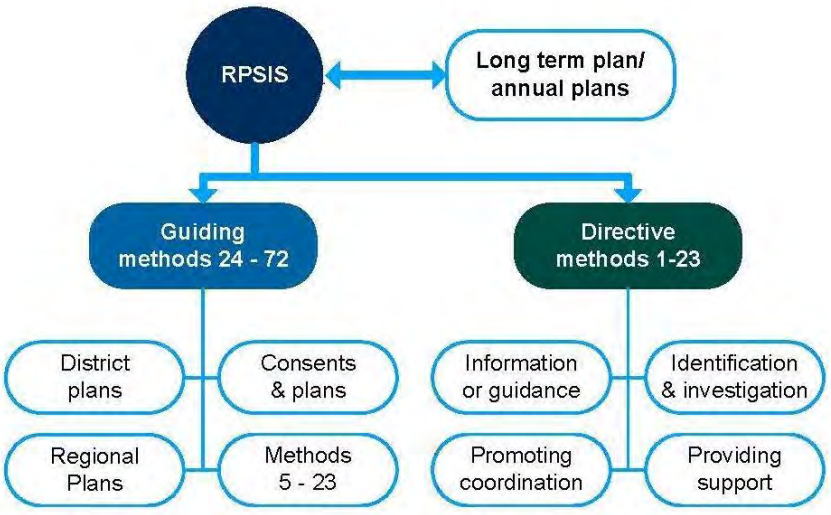
The purpose of this report is to present the implementation work stream for the Regional Policy Statement (RPS) Water Quantity provisions. It sets out how implementation is tracking, identifies key actions, timeframes, responsibilities and any resourcing gaps necessary in order to ensure the water quantity provisions are implemented during the life of the second generation RPS.

2 Background

The Bay of Plenty Regional Policy Statement became operative on 1 October 2014. It sets out a long term, integrated, strategic policy framework to assist with achieving the sustainable management of the region's natural and physical resources over its 10 – 15 year lifetime.

To be effective, the RPS policy framework relies upon a consistent implementation process. That process is outlined in this RPS Implementation Strategy (RPSIS) which was approved at the Regional Direction and Delivery Committee meeting on 17 November 2015.

The primary focus of the RPSIS is ensuring all policies and methods are implemented. Resourcing is required by local authorities to develop plan changes and other projects required to implement the RPS. A range of methods will be used to implement the RPS. Methods include directive (statutory) and guiding (non–statutory) approaches shown on the following diagram.



2.1 Water Quantity Provisions

Water Quantity is one of 12 topics or chapters in the RPS, and accorded a high priority for implementation. The Water Quantity chapter identifies five significant resource management issues being:

1. Increasing pressure on finite water resources
2. Competing demands
3. Over-abstraction
4. Inefficient use
5. Understanding water use.

The RPS includes Objective 30 *"The quantity of available water"* alongside eight policies and nine methods of implementation that collectively seek to manage the region's water quantity.

Regional Council is responsible for implementing the Water Quantity policies and methods (refer to Appendix 1 for excerpt of these). All the policies are required to be given effect to through either regional plans or had regard to in resource consents processes.

In order to assess how we are tracking towards implementing these policies consultation was undertaken with various internal staff, including Consents and Compliance, Water Policy and Māori Policy staff.

3 Implementation

The table below summarises the considerable progress made in implementing the Water Quantity provisions in the RPS to date.

The Water Quantity chapter contains two policies (i.e. WQ 1A and WQ2A) giving direction to regional plans and the remaining six policies are specific directive policies for resource consents or when changing, varying or reviewing a regional plan.

A traffic light system is used to identify progress implementing the Water Quantity policies and methods.

Symbol	Description
	Implementation well on track
	Implementation underway but issues/problems will impede progress
	Not implemented/started.

Water Quantity Policies and Methods of the RPS	Implementation progress
Policy WQ 1A: Promoting efficient water use, water harvesting and water transfers	
Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater	
Policy WQ 3B: Allocating water	
Policy WQ 4B: Establishing common review dates for the taking of water	
Policy WQ 5B: Reviewing resource consents for the taking of water	
Policy WQ 6B: Ensuring water availability	
Policy WQ 7B: Reducing water demand	
Policy WQ 8B: Managing consented water takes to ensure efficient use	
Method 2 (Regional Plans)	
Method 3 (Resource consents and plan changes)	

Method 30 – Research and Monitor water allocation and abstraction	
Method 31: Voluntary water user groups and agreements	
Method 32: Prepare and provide information to reduce water demand	
Method 41: Promote consultation with potentially affected tangata whenua	
Method 43: Promote the enhancement of mauri	
Method 44: Developing Mauri Models	

4 Discussion

In reporting on the implementation of the Water Quantity provision, some key components are highlighted. Implementation is primarily through appropriate policies and rules in the regional plan (Regional Water and Land Plan now referred to as the Regional Natural Resources Plan), and through resource consenting and monitoring of water take and water use activities.

4.1 Proposed Plan Change 9 – Water Quantity

Proposed Plan Change 9 (Region-wide Water Quantity) to the Operative Bay of Plenty Regional Water and Land Plan (Plan Change 9) is a key regional plan delivery mechanism for implementing the RPS Water Quantity policies and methods.

Plan Change 9 is the first step in a two stage approach to improving rules for water quantity in the region. It contains rules and policies designed to strengthen water allocation limits and water management. It aims to improve water allocation in the region by reinforcing existing limits to allocation while 'holding the line' until local limits are set in the second stage Water Management Area project plan changes. It also addresses existing problems with unauthorised water use on some dairy farms, lack of data, and enhances efficiency of allocation and use of water.

Plan Change 9 was notified for public submissions on 18 October 2016. A total of 82 submissions and 32 further submissions were received. A hearing panel has been appointed with hearings scheduled to commence in March 2018. The Hearing Committee comprises Councillors Nees, Thompson and Tahana and two independent commissioners Antoine Coffin and Andrew Fenemor.

4.2 Soil Plant Atmosphere System Model

Bay of Plenty Regional Council (along with other councils) use the Soil Plant Atmosphere System Model (SPASMO) to assist with assessing water take applications. Efficiency of the volume of water applicants are applying for are tested by assessing volumes of water against the area of land water is to be applied to, to check the application rate is efficient for the soil and crop. Council currently uses SPASMO as a best practice tool to determine efficiency of use for irrigation only. SPASMO is one of the support tools used to achieve the efficiency objectives of the NPS-FM and Plan Change 9.

The SPASMO model has been under continual development for around 20 years. Models are tailored according to the individual needs of the end user. End users are councils at regional and district levels as well as consultants, Plant and Food Research and the model accounts for a range of on-farm and within-orchard practices.

4.3 Data Availability Challenge

Data availability is hampering efforts to establish the extent of water allocation and availability across the region. There is very limited information on 'permitted' water use. Consented take records are migrating between information systems and there is poor communication between our different systems. This is hampering delivery projects required to comply with the NPS-FM due to the extra time it is taking to compile information.

5 Water Quantity Policies

The Water Quantity chapter contains two policies (i.e. WQ 1A and WQ2A) giving direction to regional plans and the remaining six policies are specific directive policies for resource consents or when changing, varying or reviewing a regional plan.

The following is an assessment of progress being made toward their implementation.

5.1 Policy WQ 1A: Promoting efficient water use, water harvesting and water transfers

Plan Change 9 includes several provisions that collectively give effect to RPS Policy WQ 1A either directly or indirectly. Of most relevance are Objectives WQ O1, WQ O11 and Policies WQ P3, WQ P6, WQ P10, WQ P28 and Methods WQ M2, WQ M3, WQ M4, and Rule WQ R7, WQ R8, WQ R9. There are no apparent gaps and it is expected once operative PC9 will give effect to RPS Policy WQ 1A.

Plan Change 9 provisions also seeks to reinforce the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 which came into effect on 10 November 2010. Council's annual plan includes a KPI to achieve a certain percentage of compliance with these regulations. Consequently there has been a drastic increase in online and telemetry metering. In 2013 no telemetry data was supplied to Council on water use. By 2017 160 landowners were supplying water usage records via telemetry or entering the data online.

5.2 Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater

The primary purpose of Plan Change 9 is to set and apply instream flows and allocation limits for freshwater. Policy WQ P5 sets interim allocation limits until permanent limits are set through regional or sub-regional plans within each Water Management Area (WMA). In addition policies WQ P10 and WQ P11 provide guidance for when to generally decline an application or when to grant an application based on these interim limits.

Despite Plan Change 9 providing comprehensive implementation coverage for Policy WQ 2A issues associated with data availability are challenging the project and have potential impacts on Council's ability to set efficient limits.

5.3 Policy WQ 3B: Allocating water

Policy WQ 3B contains 10 matters to be given regard to when allocating and reallocating freshwater including:

(b) Ensuring water in a water body is not over allocated;

(e) The benefits of maintaining instream flows to protect and enhance the cultural values of a waterbody, including its mauri;

(h) The availability of the water for other uses, including cultural uses;

(j) The benefits to be derived from the use of water for rural production activities.

Proposed Policy WQ P15 in Plan Change 9 requires most matters in RPS Policy WQ 3B to be given regard to when considering a resource consent application to take and use water. Presently there is no specific provision which provides regard to (j) 'the benefits to be derived from the use of water for rural production activities.' Again, limited access to high quality data and information will likely hamper allocation decision-making.

5.4 Policy WQ 4B: Establishing common review dates for the taking of water

The establishment and implementation of common review dates for the taking and use of surface and groundwater is provided for in Plan Change 9. Proposed Policy WQ P16(f) seeks:

(f) Common review dates within specified catchments or WMAs.

It is expected this will become clearer in Stage 2 of the process of working with communities to set limits at a localised level to meet water quality and quantity targets for specific areas and waterways. This is underway in the Kaituna Maketū, Pongakawa Waitahanui and Rangitāiki catchments. It will roll out to other parts of the region in the coming years.

The Resource Management Act 1991 allows for consent conditions to be reviewed at any time under certain circumstances.

5.5 Policy WQ 5B: Reviewing resource consents for the taking of water

Proposed Policy WQ P2(m)[1] in Plan Change 9 provides Council with the direction to initiate a collective review of resource consents, in accordance with section 128(b) of the Act, once a rule imposing environmental flows and levels is made operative. This is currently a work in progress with the stage 2 WMA's process still to come. Steps to phase out over allocation by 1 October 2027 are identified in Proposed Policy WQ P3.

5.6 Policy WQ 6B: Ensuring water availability and Policy WQ 7B: Reducing water demand

RPS Policies WQ 6B and WQ 7B are particularly relevant to over allocated catchments. Applicants are asked to consider alternative water sources or water conservation measures (e.g. water storage, harvesting of surface water and deep aquifer).

[1] *(m) Consider initiating a collective review of resource consents, in accordance with section 128(b) of the Act, once a rule imposing environmental flows and levels is made operative.*

Proposed Policies WQ P27 and WQ P28 in Plan Change 9 specifically implement RPS Policy WQ 7B. Proposed Policy WQ P27 encourages landowners, developers, and city council and district councils to take into account any water resource limitations before making any land use changes.

Proposed Policy WQ P28 in Plan Change 9 promotes investigating enhanced water availability options, including water harvesting, water storage and managed aquifer recharge that provide for the social, economic or cultural well-being of communities while remedying existing adverse effects and avoiding further adverse effects on water resources.

5.7 Policy WQ 8B: Managing consented water takes to ensure efficient use

Similar to Policy WQ 1A, Policy WQ 8B is given effect to by a number of Plan Change 9 provisions and the efforts taken to implement the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010. Schedule 7 of Plan Change 9 'Reasonable and efficient use criteria' includes a list of criteria for municipal water supplies and other uses. For other uses, the amount calculated in accordance with good management practices for efficient use of water in relation to that use or by demonstrating that water is not being wasted, such as by means of water use audit by an independent party to identify any wastage and any opportunities for re-use or conservation.

6 Methods of Implementation

There are several methods of implementation linked to the Water Quantity policies namely methods 2, 3, 30, 31, 32, 41, 43, 44 and 45.

6.1 Methods 2 (Regional Plans) and 3 (Resource consents and plan changes)

Method 2 is linked to Policies WQ 1A and 2A while Method 3 is linked to all the remaining Water Quantity policies. As has been established earlier, Plan Change 9 essentially implements all the Water Quantity policies. If and when Plan Change 9 becomes made operative the Regional Water and Land Plan will become the primary mechanism for the ongoing implementation of the RPS Water Quantity policies and methods.

They in turn are reliant on Plan Change 9 and the application of its regulatory framework to consents processes to achieve the overriding Water Quantity Objective 30. In the interim the RPS Water Quantity policies are had regard to when considering water take resource consents.

6.2 Method 30 – Research and Monitor water allocation and abstraction

A BOPRC technical report *"Assessment of water availability and estimates of current allocation levels October 2016"*, undertaken for Plan Change 9, details how the estimates of water availability were made, how much water is available for allocation and how much of that water is already allocated, or available for allocation. The report essentially provides information to ensure the values of water bodies are not unacceptably compromised by abstraction.

Water metering is already operational and in place, and Plan Change 9 has since firmed up the requirements for metering and telemetry.

Data limitations means 'true' allocation status is often unable to be determined requiring complex additional assessment to be made before consents are determined.

RPS policies given effect to through this report and its associated research are Policies WQ 1A, WQ 2A, WQ 3B, WQ 4B, WQ 5B, WQ 6B, WQ 7B and WQ 8B.

6.3 Method 31: Voluntary water user groups and agreements.

Method 31 is linked to Policies WQ 1A, WQ 3B, WQ 7B and WQ 8B.

Voluntary water user groups and agreements will be established in stage 2 of the RWLP review for each Water Management Area. Plan Change 9 provides for these user groups in Proposed Policy WQ P3(d) and Method M8 of that plan change.

Proposed Policy WQ P3(d) states:

Encouraging the establishment of water user groups and voluntary agreements between water users, provided that does not enable an increase in the actual volume of water abstracted.

Proposed Method WQ M8 states:

Support the establishment of water user groups to assist Council and water users in the management of water through the following:

(a) Co-ordinating the take and use of water authorised by resource consent.

(b) Voluntary rostering or rationing of water takes during times of low water availability.

(c) Pro rata reduction of water allocated by resource consent.

(d) Recording and reporting information to Council.

Advice Note: Support may include provision of staff time, co-ordination and administration to help establish and maintain groups

6.4 Method 32: Prepare and provide information to reduce water demand

Method 32 is linked to Policies WQ 1A, WQ 6B and WQ 7B.

Consents staff promote the use of water efficiencies and water demand techniques in pre-application consultation meetings. The SPASMO model is used to provide appropriate information on water quantity relative to the characteristics of the site/land area and land use proposed as a best practice tool to ensure efficient water use while reducing water demand. From time to time staff consult various stakeholders, including Irrigation New Zealand, about the importance of efficient water use.

6.5 Method 41: Promote consultation with potentially affected tangata whenua

Method 41 is linked to Policy WQ 3B 'Allocating Water'. Applicants seeking an allocation of water are advised to consult directly with tangata whenua in order adequately address cultural effects. Especially where the water body affected has a statutory acknowledgement resulting from a Treaty Settlement Claim Act.

6.6 Method 43: Promote the enhancement of mauri

Plan Change 9 contains a number of provisions which specifically recognise and provide for the mauri of water bodies. Consultation with tangata whenua is promoted at early stages of the resource consent process to ensure matters of significance to Māori, including mauri, can be adequately addressed when the consent is lodged. The Mauri of the water body is one of the matters which control or discretion is reserved for the take and use of water for municipal water supply consents under Proposed Rule WQ R6.

6.7 Method 44: Developing Mauri Models

A specific project has been undertaken in order to implement Method 44 under the Iwi Resource Management RPS implementation work stream. The findings of this research will be reported to the December Komiti Māori meeting.

In summary a literature review was undertaken which collated existing mauri assessment models used throughout the country to assess the mauri of natural resources. Iwi and hapū were invited to participate and fourteen hui with held across the region.

The report findings include a number of recommendations for Council to consider. They identify key elements or principles a mauri model framework should entail, and what matters or actions need to be considered to further develop a Mauri framework. These include developing a pool of iwi technical advisors and developing at least three mauri pilot projects to test and assess the mauri framework.

The report recommends the initial basis for developing a framework to use for assessing mauri in relation to applications for resource consents, monitoring consented activities and monitoring the efficiency and effectiveness of plan provisions where they are of significance to iwi.

The Boffa Miskell Ltd report recommendations are to be considered further alongside the Matauranga Māori Framework when this is delivered in December 2017. Staff will then report next year on options to implement Method 44 in consenting, monitoring and planning.

7 Objective 30

Water Quantity Objective 30 states:

The quantity of available water:

(a) provides for a range of uses and values;

(b) is allocated and used efficiently;

(c) safeguards the mauri and life supporting capacity of water bodies; and

(d) meets the reasonably foreseeable needs of future generations.

It is evident from the preceding assessment that the Plan Change 9 provisions collectively contribute to the implementation of the RPS Water Quantity policies and methods. Plan Change 9 includes plan provisions that provide for a range of uses, promotes efficient allocation and use, seek to safeguard mauri and to meet the needs

of future generations. The second generation RPS is scheduled for review in 2024 and it is expected Plan Change 9 should be operative by 2019/20.

Stage 2 of this process to implement the Water Management Area plan changes (2015-2025) involves establishing limits developed with tangata whenua and the community. These will assist further implementing these RPS provisions in line with the NPS Freshwater Management requirements on a catchment by catchment basis.

Council's knowledge of the state of the region's water resources is continually improving with better technology and real time data on water usage. Council publishes information on its website of known well and bores, water take and water use consents in the region. Council also collects data on water availability and estimates of current allocation levels.

While implementation is tracking well the question remains whether Objective 30 will be achieved even if Plan Change 9 and the Stage 2 WMA plan changes are made operative and implemented in Council's resource management decision making processes.

8 Implications for Māori

Resource management issues of significance to iwi authorities in the region are required by section 62(1)(b)(i) of the Act to be identified and included in the RPS. Virtually all iwi and hapū resource management plans in the region identify the importance of water and the degradation of its mauri as an issue of resource management significance.

The water quantity policies and methods of the RPS have implications for Māori within the region. The Freshwater Futures Programme, Water Management Areas work and Plan Change 9 to the Regional Water and Land Plan are key processes in which input from tangata whenua has been sought.

9 Conclusion

It is evident the RPS Water Quantity provisions are well on track to be implemented, particularly by Plan Change 9 and the second stream of regional plan changes required to implement the WMAs for each catchment. Council has set in place a priority ordering of when the catchment works will be rolled out.

The RPS Water Quantity provisions are being considered in consents processes and water reduction, and efficient water use methodologies are being implemented or advocated to stakeholders and users region wide.

10 Council's Accountability Framework

10.1 Community Outcomes

This project directly contributes to the Water Quality and Quantity Community Outcome/s in the council's Long Term Plan 2015-2025.

10.2 Long Term Plan Alignment

The cost of implementing the Regional Policy Statement is budgeted for in the Long Term Plan (2015-2025) in the Regional Planning activity. The 2017/18 budget for

implementation of the RPS is $42,091. Costs for analysing and reporting on the RPS Water Quantity provisions are staff time only.

Current Budget Implications

Costs in setting up, analysing and reporting on the implementation of the RPS Water Quantity provisions are staff time only. These costs are met within the wider Regional Policy Statement implementation budget for 2017/18.

Future Budget Implications

The RPS Implementation Strategy costs are provided for under the Long Term Plan 2015-2025 within the RPS Monitoring and Implementation budget under the Regional Planning activity.

Nassah Steed
Programme Leader (Statutory Policy)

for Regional Integrated Planning Manager

22 November 2017

Water Quantity Policies

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.

Explanation

Efficient use of water can minimise water waste. Efficient use can enable better utilisation and desired environmental results. Using water more efficiently will also make water available when water supply is short, particularly in pressure catchments.

Water harvesting means taking and storing water when the availability is high and using it at a later time. Water harvesting should be consistent with sustainable management. Recognising the seasonal demand for water enables efficient use and complementary management.

Providing the ability to transfer water take and use entitlements between users will maximise the value from water. Transfer of permits should be consistent with sustainable management.

*Table reference: **Objective 30**, Methods 2, 30, 31 and 32*

Policy WQ 2A: Setting and applying instream flows and allocation limits for taking freshwater

(a) Set and apply limits for instream flows for surface water bodies to safeguard their life-supporting capacity, and take into account Māori cultural values and other values where relevant;

(b) Set and apply allocation limits for the total amount of water that can be taken from surface water bodies to ensure a reliable and accessible amount of water is available for users; and

(c) Set and apply allocation limits for groundwater (excluding geothermal water) which take into account, among other things:

(i) The interaction between groundwater and surface water;

(ii) Sustaining groundwater-fed streams and wetlands;

(iii) Preventing the contamination of aquifers by geothermal bore water and saltwater intrusion; and

(iv) Water levels in aquifers.

Explanation

Policy WQ 2A directs the establishment and application of *instream flows* and total allocation limits.

Part (a) provides for instream flow requirements in surface water bodies to sustain the life-supporting capacity and other non-consumptive values of the waterbodies.

Part (b) refers to the maximum rate that water can be taken from a surface water body.

Part (c) concerns the total volume that can be taken from groundwater. Establishing total allocation capacity for groundwater aquifers safeguards dependent ecosystems in groundwater-fed streams and wetlands. It also ensures that the aquifer is not depleted, enabling supply of the groundwater resource for consent holders and permitted provisions. Establishing total allocation capacity for groundwater aquifers also helps prevent contamination of aquifers by geothermal bore water and saltwater intrusion.

Setting and applying instream flows and allocation limits for taking water should be carried out in collaboration with tangata whenua, the community and industry stakeholders.

It may be appropriate to set different allocation limits for groundwater aquifers and surface waterbodies for different periods of the year.

*Table reference: **Objectives 30, 17, 20** and **21**, Methods 2, 3, 30 and 45*

Policy WQ 3B: Allocating water

Have regard to the following matters when allocating and reallocating freshwater:

(a) The demands and availability of water within catchments or areas;

(b) Ensuring water in a water body is not over allocated;

(c) Making water available to meet existing and reasonably foreseeable domestic, marae or municipal water supply needs with priority for essential drinking and sanitation requirements;

(d) The relative economic benefits of the proposed end use of the water, when allocation limits are exceeded, or are close to being exceeded;

(e) The benefits of maintaining instream flows to protect and enhance the cultural values of a waterbody, including its mauri;

(f) Requiring the volume of water allocated and taken to be reasonable and justifiable with regard to its intended use;

(g) The value of investments that existing consent holders have made which depend on the water abstracted;

(h) The availability of the water for other uses, including cultural uses;

(i) The benefits to be derived from the use of water for, or directly associated with electricity generation from renewable sources; and

(j) The benefits to be derived from the use of water for rural production activities.

Explanation

Policy WQ 3B should be considered in conjunction with Policy WQ 2A which sets instream flows and allocation limits. Water allocation is also to be considered in conjunction with other relevant policies in this Statement.

Section 30 of the Act provides regional councils with the ability to allocate natural resources such as water other than on a first-come/first-served basis. Policy WQ 3B sets out those matters that the regional council will have regard to when directing allocation and reallocation of water. The matters listed are not in order of priority.

Section 14 of the Act allows for the taking of water for fire fighting purposes, and for an individual's reasonable domestic needs or the needs of an individual's animals for drinking water, provided there are no adverse effects on the environment.

This policy recognises that ensuring water is not over allocated leads to a reliable water supply. Access to water for reasonable drinking and sanitation needs is a basic human right. Domestic or municipal water supply is a principal user of water in the region and drinking water and sanitation requirements are to be given priority over other water takes as it is essential for the health and welfare of people and communities. However, the scope of this priority is not unlimited and must be considered in relation to other matters listed in Policy WQ 3B, especially efficient use and the availability of water for other uses.

Demands on domestic or municipal water supply must not be seen as unlimited and should be constrained to avoid waste, uncontrolled consumption and associated costs. This should be accomplished by the development of a water management plan to achieve effective domestic or municipal water supply and demand efficiencies.

Consideration may be given to the community, regional or national benefits of the allocation of freshwater.

Protecting the cultural values of a water body sustains those values.

Requiring efficient use may include good industry practice, ensuring minimum waste and any other relevant aspects of efficiency.

Section 124A-C of the Act also allows for priority to be given to renewal of existing consents over new applications subject to matters of efficient use, good practice and enforcement history.

Section 7 of the RMA requires particular regard to be given to the benefits derived from the use and development of renewable energy. The National Policy Statement for Renewable Electricity Generation promotes the use and development of renewable energy sources such as water to generate electricity.

With regard to Policy WQ 3B(a) the nature of water demand and availability for a range of values may vary across the region, and may necessitate an area-based approach to water allocation.

*Table reference: **Objectives 30, 10, 17** and **21**, Methods 3, 30, 31, 41, 43 and 44*

Policy WQ 4B: Establishing common 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.

Explanation

Establishing common review dates for resource consents for a particular catchment allows for consideration of all water takes at the same time. Any allocation for existing and proposed uses need to ensure that the taking and use of water continues to be efficient and sustainable, having regard to the matters in Policy WQ 3B. This also ensures that the taking of water is appropriate within a changing environment.

Different catchments may have different common review dates depending on the catchment's pressures and environmental characteristics.

This policy does not apply to the taking of geothermal fluid by requiring authorities.

*Table reference: **Objectives 30, 10** and **21**, Methods 3 and 30*

Policy WQ 5B: Reviewing resource consents for the taking of water

Review existing resource consents for the taking and use of surface and ground water on a catchment by catchment basis to implement allocation limits and instream flows.

Explanation

A review of resource consent conditions will address any adverse environmental effects which have arisen since consent was issued, or will enable allocation limits and instream flows to be set (as provided for by Policy WQ 2A). A review also ensures that the taking and use of water continues to be efficient and sustainable as environmental circumstances change.

*Table reference: **Objectives 30, 10** and **21**, Methods 3 and 30*

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.

*Table reference: **Objectives 30, 10, 20** and **26**, Methods 3, 30 and 32*

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.

Explanation

New subdivisions and developments increase the demand on water bodies. Initiatives such as rainwater collection from roofs, use of rain gardens, water recycling and greywater reuse can reduce this demand. A reduction in demand can result in positive environment effects such as recharge of the groundwater resource.

*Table reference: **Objectives 30** and **20**, Methods 3, 30, 31 and 32*

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:

(a) The extent to which water users have demonstrated a reasonable need for the rates and volumes sought;

(b) The extent to which water users have demonstrated that the water will be used efficiently;

(c) The extent of potential adverse effects on other authorised users;

(d) Specifying the maximum allowable water use as well as maximum abstraction rates;

(e) Requiring the consent holder to measure and report the actual amount of water taken;

(f) Whether water is able to be taken within pressure catchments and aquifers that are nearing full allocation;

(g) Preventing saltwater intrusion;

(h) The reasonably foreseeable impacts of climate change;

(i) Establishing and applying a consent term of no more than 15 years, unless:

(i) The take and use of water is necessary to enable the use or development of regionally significant infrastructure;

(ii) 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

(iii) A longer term is demonstrated by the applicant to be appropriate in the circumstances;

(j) The benefits to be derived from the use of water for, or directly associated with electricity, generation from renewable sources.

Explanation

The policy outlines those matters that the Regional Council will have regard to when determining water permit applications. Efficient water use relies on taking only the amount of water that is needed and having systems in place to avoid waste. Specifying the maximum allowable amount and rate discourages over-abstraction.

The amount of water should be measured and reported on to allow assessment as to whether the allocation limits and instream flows have been set at appropriate levels. Regard should also be given to whether the water resource is nearing over allocation.

Saltwater intrusion should be prevented. Climate change may reduce the amount of water available. Restricting the terms of consent granted ensures the taking and use of water is sustainable and efficient. Giving regard to a maximum consent term of 15 years may still allow for longer consent terms in appropriate circumstances, determined on a case by case basis.

Table reference: ***Objectives 30, 17*** *and* ***20****, Methods 3, 30 and 31*

Methods to implement policies

Method 2: Regional plan implementation

Regional plans shall give effect to Policies AQ 2A, AQ 3A, CE 1B, CE 2B, CE 3A, CE 4A, CE 5A, GR 1A, GR 2A, GR 3A, GR 9B, IR 8C, MN 1B, MN 7B, MN 8B, WL 2B, WL 3B, WL 4B, WL 5B, WL 6B, WQ 1A and WQ 2A.

If a regional plan does not currently give effect to these policies, then Bay of Plenty Regional Council shall notify a variation or change as soon as reasonably practicable, but within two years from the date on which the Bay of Plenty Regional Policy Statement is made operative, to give effect to them as required by the Resource Management Act 1991.

Implementation responsibility: Regional council.

Method 30: Research and monitor water allocation and abstraction

Research and/or monitor:

(a) The amount of available water in catchments, having regard to the interconnection between groundwater and surface water, using accepted and appropriate hydrological methods;

(b) The rate and/or quantity of water allocated;

(c) The quantity of actual use; and

(d) The cumulative effects of water abstraction.

Implementation responsibility: Regional council.

Method 31: Voluntary Water User Groups and agreements

(a) Promote voluntary water user groups, or agreements between water users, to assist the management of water allocation and use;

(b) Provide, where available, accurate technical information on which user groups can make decisions; and

(c) Investigate how water user groups can be used to:

(i) assist with management of water allocated to abstractors;

(ii) provide opportunities for shared investment in, and optimal use of water transport and storage infrastructure; and

(iii) make best use of available water.

Implementation responsibility: Regional council.

Method 32: Prepare and provide information to reduce water demand

Prepare and provide information to reduce water demand by:

(a) Providing information to water suppliers and water users on how to conserve water and use it as efficiently as possible; and

(b) Providing information about long term rainfall and drought predictions.

Implementation responsibility: Regional council.

Method 41: Promote consultation with potentially affected tangata whenua

Promote consultation with tangata whenua and any other parties affected:

(a) Early in a proposal development and, as appropriate, to continue this consultation during the implementation of any consented activity; and

(b) As the occasion may dictate, in accordance with tikanga Māori (consultation may be through tribal federations or runanga, iwi authorities, hapū or whānau, depending on the issue).

Implementation responsibility: Regional council and city and district councils.

Method 42: Evaluate matters of significance to tangata whenua

Include an evaluation of potential adverse effects on tangata whenua cultural values and interests in assessments prepared under Schedule 4 to the Act, where consultation undertaken under Method 41 identifies issues of concern to tangata whenua.

Implementation responsibility: Regional council, city and district councils and consent applicants.

Method 43 Promote the enhancement of mauri

Recognise the importance to tangata whenua of safeguarding, or enhancing where it is appropriate, the mauri of water, land, air and geothermal resources when a proposal involves matters of significance to Māori.

Implementation responsibility: Regional Council and city and district councils.

Method 44: Developing mauri models

Work with tangata whenua in the development of ways to assess the mauri of natural resources with the intent that such methods are implemented in regional plans for monitoring consented activities, the state of the environment, and the efficiency and effectiveness of

plan provisions, where these involve matters of significance to Māori.

Implementation responsibility: Regional council.