

19 October 2009 – Track changes incorporating recommendations from Collins evidence.

Notes for track changes. Recommendations made by the Historic Heritage officer are shown in **Blue**. Recommendations made by the Water officer are shown in **Green**. Changes in **Red** are draft Mighty River Power changes. Words recommended to be added are shown in underline, words recommended to be removed are shown in ~~strike through~~

Terms defined within the Proposed One Plan Glossary are *italicised* and marked with an asterisk (*). Terms defined in the Resource Management Act 1991 are *italicised* and marked with a caret (^) symbol.

15 Takes, Uses and Diversions of *Water*[^], and *Bores*^{*}

15.1 Policies

Policy 15-1: Consent decision-making for takes and uses of surface *water*[^] and groundwater

When making decisions on *resource consent*[^] applications, and setting consent *conditions*[^], for takes and uses of surface *water*[^] and groundwater¹ the Regional Council will:

- (a) recognise and provide for the provisions of Chapters 2, 3, 4 and 6, in particular the Policies in Section 6.4.3.
- (b) seek to avoid any adverse *effects*[^] on other lawful activities, particularly on other surface water[^] takes and groundwater takes from properly constructed bores (as described in Policies 6-22 and 6-24).¹
- (c) ~~have regard to the objectives and policies of Chapters 2, 3 and 7⁴ to the extent that they are relevant to the activity.~~

Policy 15-2: Consent decision-making for diversions and drainage

When making decisions on *resource consent*[^] applications, and setting consent *conditions*[^], for the diversion of *water*[^], including diversions associated with drainage, the *Regional Council*[^] will:

- (a) recognise and provide for the provisions of Chapter 6 and Chapter 3
- (b) manage *effects*[^] on *rare and habitats*^{*2}, *threatened habitats*^{*} and *at-risk habitats*^{*} in accordance with Chapter 7 and the decision-making policies in Chapter 12³

¹ Water officers report - recommendation WTR 112

² Consequential change as a result of the preliminarily determinations by the Hearing Panel

³ Water officers report - recommendation WTR 113

- (c) manage *effects*[^] on the natural character of *water_bodies*[^] in accordance with Chapter 7
- (d) recognise and provide for the provisions of Chapter 10, in relation to flood risk
- (e) seek to avoid any adverse *effects*[^] on any other lawful activity, including *water*[^] takes.

Policy 15-3: Consent decision-making for bores*

When making decisions on *resource consent*[^] applications and setting consent *conditions*[^], for the development and management of *bores*^{*}, the Regional Council will recognise and provide for Policy 6-22.

Policy 15-4: Monitoring requirements of consent holders

Water[^] takes shall generally be subject to the following monitoring requirements:

- (a) the installation of a pulse-count capable *water*[^] meter on all *water*[^] takes that are allowed by way of a *resource consent*[^], in order to monitor the amount of *water*[^] taken
- (b) the installation of a Regional Council compatible telemetry system on surface *water*[^] takes greater than 750 m³/d, and on groundwater takes greater than 750 m³/d where the groundwater is highly interconnected with surface *water*[^]
- (c) the installation of a Regional Council compatible telemetry system on other groundwater takes greater than ~~4000~~ 750 m³/d⁴
- (d) the installation of Regional Council compatible telemetred conductivity meters on groundwater takes located within 5 km of the coast, or on a nearby monitoring *bore*^{*}
- (e) the installation of a Regional Council compatible telemetry system on consented surface takes where:
 - (i) the amount of *water*[^] taken, when assessed in combination with all other *water*[^] takes upstream, exceeds 15% of the estimated one-day mean annual low flow, or
 - (ii) the amount of *water*[^] taken from a *Water Management Sub-zone*^{*} as identified in Schedule ~~DBa~~⁵ exceeds 15% of the one-day mean annual low flow for that sub-zone.

Policy 15-5: Consent review and expiry

Resource consents[^] to take *water*[^] shall generally be reviewed, and shall generally expire, in accordance with the dates set out in Table 11.1, except municipal takes – long term, which will be reviewed rather than expired on catchment dates. At the time of consent review or expiry the

⁴ Water officers report - recommendation WTR 115

⁵ Consequential change from recommendations and changes to Schedule D, including the development of the new Schedule Ba

Regional Council will allocate *water* resources within each *Water Management Sub-zone*⁵ in accordance with Policy 15-1 and in a manner which:

- (a) allows for the taking of *water* ~~by as many resource users as possible~~, within the allocable limits and minimum flow provisions⁶ set in this Plan for the subject *Water Management Sub-zone*⁵
- (b) allows takes in the following order of priority:
 - (i) takes permitted under Rule 15-1 of this Plan and takes for the purpose of fire-fighting
 - (ia) resource consents for takes or portions of takes for public water supplies which are predominantly for domestic use, that are due for review or that are expiring⁶
 - (ii) current *resource consents* that are due for review, taking into account records of past actual *water* usage
 - (iii) current *resource consents* that are expiring and have been reapplied for at least 6 months prior to the expiry date for that consent, taking into account records of past actual *water* usage
 - (iv) new *resource consent* applications for essential takes, being takes providing for the reasonable need for domestic or stock drinking water use, hospitals and freezing works, other facilities providing medical treatment, marae, schools or other education facilities, defence facilities or, correction facilities or electricity generation⁶
 - (v) all other new *resource consent* applications based on the date of lodgement of the application.

Policy 15-6: Transfer of *water permits*

On the application of any consent holder, the transfer of a permit to take *water* will be approved in terms of s136(2)(b)(ii) of the RMA, providing:

- (a) the transferred take is exercised within the same *Water Management Sub-zone*⁶ as the original consent
- (b) the rate and quantity of *water* taken are consistent with the provisions of Chapter 6 regarding the need for *water* and efficient use of *water*
- (c) the transferred take complies with all relevant *water* allocation requirements of Chapter 6 at the site of transfer
- (d) there are no more than minor adverse *effects* on any other take or use of *water*.

⁶ Water officers report - recommendation WTR 116

15.2

Rules[^] – Takes and Uses of Water[^]

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-1 Minor takes and uses of surface water[^]	The taking and use of surface water [^] pursuant to s14(1) RMA, excluding those rivers[^] protected under Rule 15-7 ⁷ and except where the water [^] take is controlled under Rule 13-1.	Permitted	<p>(a) The rate of take shall not exceed:</p> <p>(i) 30 m³/d per <i>property</i>[*] where the water[^] is required for an individual's reasonable domestic needs and/or the reasonable needs of an individual's animals for drinking water[^].</p> <p>(ii) 15 m³/d per <i>property</i>[*] where the water[^] is for any other use.</p> <p>The rates of take allowed under <u>subsections</u> (i) and (ii) cannot be added: the maximum allowable rate of take under this rule[^] is 30 m³/d per <i>property</i>[*].</p> <p>(b) The rate of take shall not exceed 0.5 <u>2.0</u> l/s.⁸</p> <p>(c) An intake screen with a mesh aperture size not exceeding 3 mm in diameter shall be used and the intake velocity shall not exceed 0.3 m/s.</p> <p>(d) The take shall not be from any wetland[^] that is a <i>rare habitat</i>[*]² or <i>threatened habitat</i>[*].</p> <p>(e) The water[^] shall be used on the subject <i>property</i>[*].</p> <p>The Regional Council shall be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of water[^].</p>	
15-2 Minor takes and uses of groundwater	The taking and use of groundwater pursuant to s14(1) RMA, except where the water [^] take is controlled under Rule 13-1.	Permitted	<p>(a) The rate of take shall not exceed 50 m³/d per <i>property</i>[*].</p> <p>(b) The take shall not be located within 50 m of any other bore[*] unless written approval is obtained from the bore owner.⁹</p> <p>(c) The take shall not be located within 100 m of any river[^], lake[^] or spring, or within 200 m of any wetland[^] that is a <i>rare habitat</i>[*] or <i>threatened habitat</i>[*]. <u>Further, the take shall not be located within 1000 metres of any river or lake that is upstream of any hydro-electricity scheme.</u></p>	

⁷ Water officers report - recommendation WTR 126

⁸ Water officers report - recommendation WTR 120

⁹ Water officers report - recommendation WTR 121

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			(d) The take shall not lower the <i>water^</i> level in any <i>wetland^</i> that is a <i>rare habitat*</i> or <i>threatened habitat*</i> . (e) There shall be a means of controlling the rate of flow where a <i>bore*</i> would otherwise be free-flowing, and no <i>water^</i> shall be allowed to run to waste. (f) The <i>water^</i> shall be used on the subject <i>property*</i> . (g) The Regional Council shall be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of <i>water^</i> .	
15-3 Use of heat or energy from surface water^	The use of heat or energy from surface <i>water^</i> pursuant to s14(1) RMA.	Permitted		
15-4 Bore* and groundwater testing	The taking, and use <i>and discharge^</i> ¹⁰ of groundwater for <i>bore*</i> or groundwater testing purposes pursuant to s14(1) RMA, and any consequential <i>discharge^</i> into <i>water^</i> or onto <i>land^</i> pursuant to s15(1) RMA.	Permitted	(a) The Regional Council shall be notified in writing at least 5 <i>working days^</i> prior to commencement of the test. (b) The rate of take shall not exceed 60 l/s. (c) The duration of any single test shall not exceed 7 days. (d) The activity shall be carried out in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. (e) The take shall not lower the <i>water^</i> level in any <i>wetland^</i> that is a <i>rare habitat*</i> or <i>threatened habitat*</i> . (f) Where the <i>discharge^</i> is into <i>water^</i> the <i>discharge^</i> shall not: (i) change the receiving <i>water^</i> temperature by more than 3°C after reasonable mixing (ii) cause erosion of the <i>bed^</i> of the receiving <i>water_body^</i> (iii) alter the natural course of the receiving <i>water_body^</i> (iv) cause visibly noticeable iron flocculation in the receiving <i>water_body^</i> . (g) Where the <i>discharge^</i> is onto <i>land^</i> the <i>discharge^</i> shall not increase <i>land^</i> instability or the risk of erosion. (h) The <i>discharge^</i> shall not cause or contribute to flooding on	

¹⁰ Water officers report - recommendation WTR 123

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>any other <i>property</i>[*].</p> <p>(i) Following completion of the test the <i>bore</i>[*] shall be covered and secured as soon as practicable.</p> <p>(j) Records of all pumping and recovery tests shall be kept by the <i>owner</i>[^], including the location of the pumped <i>bore</i>[*] and any monitoring <i>bores</i>[*], the flow rate during pumping, the <i>water</i>[^] level at the pumped <i>bore</i>[*] and any monitoring <i>bores</i>[*], and the time at which all measurements are taken. These records shall be forwarded to the Regional Council within 1 month of completion of the tests.</p>	
<p>15-5 Takes and uses of surface <i>water</i>[^] complying with core allocations</p>	<p>The taking and use of surface <i>water</i>[^] from a <i>river</i>[^] pursuant to s14(1) RMA, except where the <i>water</i>[^] take is controlled under Rule 13-1.</p>	<p>Controlled</p>	<p>(a) The take shall not be from those <i>rivers</i>[^] protected under Rule 15-7.¹¹</p> <p>(b) <i>Water</i>[^] shall only be taken when the <i>river</i>[^] is at or above its minimum flow, as assessed in accordance with Schedule B- <u>except as provided for by:</u></p> <p><u>(ba) takes or portions of takes which are for the purposes of stock drinking water and domestic needs, or public water supplies predominantly for domestic use may continue below minimum flow provided the rates and volumes of takes do not exceed the maximum takes of low flow set out in Policy 6-19.</u>¹²</p> <p>(c) The amount of <i>water</i>[^] taken, when assessed in combination with all other <i>water</i>[^] takes within the same <u>W</u><i>water M</i><u>management S</u><i>sub-zone</i>^{*5} shall not exceed the relevant core allocation set out for <u>W</u><i>water M</i><u>management S</u><i>sub-zones</i>^{*5} in Schedule B.</p> <p>(d) The amount of <i>water</i>[^] taken, when assessed in combination with all other <i>water</i>[^] takes within the same catchment, shall not exceed the cumulative allocation for each <u>W</u><i>water M</i><u>management S</u><i>sub-zone</i>^{*5} in the same catchment.</p> <p>(e) The take shall not lower the <i>water</i>[^] level in any <i>wetland</i>[^] that is a <i>rare habitat</i>^{*2} or <i>threatened habitat</i>[*].</p> <p>(f) The take shall not reduce the amount of water available to</p>	<p>Control is reserved over:</p> <p>(a) the volume and rate of <i>water</i>[^] taken, and the timing of the take</p> <p>(b) the location of take</p> <p>(c) intake velocity and screening requirements</p> <p>(d) measures to avoid, remedy or mitigate any adverse <i>effects</i>[^] on the values of the <i>water body</i>[^] at the point of abstraction, including restrictions on the volume and rate of abstraction</p> <p>(e) the efficiency of <i>water</i>[^] use</p> <p>(f) <i>effects</i>[^] on other <i>water</i>[^] takes</p> <p>(g) <i>effects</i>[^] on <i>rare habitats</i>^{*2}, <i>and threatened habitats</i>[*] and <i>at-risk habitats</i>[*] <u>and Sites of Significance – Aquatic.</u>¹²</p> <p>(h) compliance with minimum flow requirements</p> <p>(i) duration of consent</p> <p>(j) review of consent <i>conditions</i>[^]</p> <p>(k) compliance monitoring.</p>

¹¹ Water officers report - recommendation WTR 126

¹² Water officers report - recommendation WTR 124

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<u>existing lawfully established takes and uses</u>	Resource consent [^] applications under this rule [^] will not be notified and written approval of affected persons will not be required (notice of applications need not be served [^] on affected persons).
15-6 Takes of surface water[^] not complying with core allocations	<p>The taking of surface water[^] from a river[^]: (aa) which, when assessed in combination with all other water[^] takes, exceeds the relevant core allocation set out in Schedule B or¹³ (ab) at or below minimum flow (unless allowed by Rule 15-5(b))¹³</p> <p>This rule[^] does not include:</p> <ul style="list-style-type: none"> (a) takes permitted under Rule 15-1 (b) takes in circumstances where water[^] is only taken when the river[^] flow is greater than the median flow (these are a discretionary activity[^] under Rule 15-8) (c) lawfully established takes for hydroelectricity generation (these are discretionary activities under Rule 15-8). (d) <u>New takes for hydroelectricity generation (these are discretionary activities under Rule 15-8)</u> 	Non-complying		
15-7 Takes from rivers[^] protected by water conservation orders^{^14}	(a) The taking and use of surface water[^] pursuant to s 14(1) RMA from: <ul style="list-style-type: none"> (i) the Upper Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993 (ii) The Manganui-o-To-Ao River upstream of its confluence with the Waimarino Stream, the Makatote River or the Mangaturuturu River. (b) The taking and use of surface water[^] pursuant to s	Prohibited		

¹³ Water officers report - recommendation WTR 124

¹⁴ Water officers report - recommendation WTR 126

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>14(1) RMA from the Middle Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993 in a manner that causes the rate of flow of the natural waters[^] in the middle river[^] to be less than 95% of the river[^] flow (where "river[^] flow" is determined in accordance with the definition in the Water Conservation (Rangitikei River) Order 1993).</p> <p>(c) The taking and use of surface water[^] pursuant to s 14(1) RMA from the Manganui-o-Te-Ao River downstream of its confluence with the Waimarino Stream, the Waimarino Stream or the Orautoha Stream in a manner that causes the rate of flow of the natural waters[^] to differ from the normal flow by more than 5% or to fall below the minimum flow (where "normal flow" and "minimum flow" are determined in accordance with the definitions in the Water Conservation (Manganui-o-Te-Ao River) Order 1988).</p> <p>This rule does not prevent:</p> <p>(d) the taking and use of water[^] for an individual's reasonable domestic needs and/or the reasonable needs of an individual's animals for drinking water[^], which are allowed in accordance with s 14(3)(b) RMA provided the taking or use does not, or is not likely to, have an adverse effect on the environment[^]</p> <p>(e) the taking and use of water[^] for fire-fighting purposes, which are allowed under s 14(3)(e) RMA</p> <p>(f) the renewal of any resource consent[^] to take and use water[^] from the Upper or Middle Rangitikei River that was current at the commencement of the Water Conservation (Rangitikei River) Order 1993.</p>			
15-8 Other takes	The taking and use of surface water [^] or groundwater pursuant to s14(1) RMA, except as regulated by any	Discretionary		

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
and uses of water [^]	other rule [^] , and the taking and use of groundwater at a rate exceeding 50 m ³ /d per property*, except takes for bore [^] or groundwater testing permitted under Rule 15-4.			

15.3 Rules[^] – Diversions of Water[^] including Drainage

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-9 Lawfully established diversions, including existing drainage	<p>The take^{ing}, diversion and discharge[^] of surface water[^] and any associated ancillary² damming of water[^], or discharge[^] of sediment or other contaminants[^] in the water[^] into water[^] or onto or into land[^] pursuant to s14(1) and s15(1) RMA arising from:</p> <p>(a) a diversion that was lawfully established prior to this rule[^] becoming operative[^], or</p> <p>(b) a diversion that has been lawfully established by way of resource consent[^] after the operative[^] date of this rule[^]</p> <p>including diversions associated ancillary² to with the operation[*] of existing drainage networks.</p> <p>Rule[^] Guide: This rule[^] means that, once diversions have been lawfully established, including diversions for land[^] drainage purposes, their continued operation[*] is permitted under this rule[^]. No ongoing consent is required for the operation[*] of existing diversions provided the conditions[^] of this rule[^] are met.</p>	Permitted	<p>(a) The diversion or discharge[^] shall be to the same water[^] management sub-zone to which the water[^] would naturally flow, except diversions associated with existing land[^] drainage.</p> <p>(b) Effects[^] on land[^] instability, erosion risk, flooding and soil resources (including drained peat soils) shall remain the same as or similar in character, intensity and scale to those which existed before this rule[^] became operative[^].</p> <p>(c) The diversion shall not prevent the passage of fish in water bodies[^] containing fish.</p> <p>(d) For diversions lawfully established by way of a resource consent[^], the diversion shall continue to comply with all conditions[^] of the consent.</p>	
15-10 New drainage	<p>The take^{ing}, diversion and discharge[^] of drainage water[^], and any associated ancillary² damming of water[^], or discharge[^] of contaminants[^] in the drainage water[^] into water[^] or onto or into land[^] pursuant s14(1)</p>	Permitted	<p>(a) The drainage water[^] shall not be diverted or discharged into any drain or other watercourse that forms part of a flood control or drainage scheme.¹⁵</p> <p>(b) The diversion or discharge[^] shall not cause or exacerbate</p>	

¹⁵ Water officers report - recommendation WTR 130

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	and s15(1) RMA arising from the establishment and operation* of new land^ drainage.		<p>the flooding of any <i>property</i>^, unless written approval is obtained from the affected property owner^ or¹⁵ the flooding is in accordance with an approved Regional Council drainage scheme design.</p> <p>(c) The diversion or <i>discharge</i>^ shall not cause any scouring or erosion of any <i>land</i>^ or <i>water body</i>^ beyond the point of <i>discharge</i>^.</p> <p>(d) The diversion or <i>discharge</i>^ shall not alter the natural course of any natural <i>water body</i>^.</p> <p>(e) There shall be no diversion or <i>discharge</i>^ to any natural <i>lake</i>^, <i>rare habitat</i>^ 2, or threatened habitat^ or <i>at-risk habitat</i>^, or Nnatural Sstate Wwater Mmanagement Ssub-zone⁵.</p> <p>(f) The activity shall not result in the lowering of <i>water</i>^ levels in any <i>wetland</i>^ classified as a <i>rare habitat</i>^ 2 or <i>threatened habitat</i>^.</p> <p>(g) The diversion or <i>discharge</i>^ shall be to the same Wwater Mmanagement Ssub-zone⁵ to which the drainage <i>water</i>^ would naturally flow.</p> <p>(h) The diversion or <i>discharge</i>^ shall not cause, after <i>reasonable mixing</i>^, any of the following <i>effects</i>^ in the receiving <i>water body</i>^:</p> <ul style="list-style-type: none"> (i) the production of conspicuous <i>oil</i>^ or grease films, scums or foams, or floatable or suspended materials (ii) any conspicuous change in the colour or visual clarity of the receiving <i>water</i>^ (iii) any emission of objectionable odour (iv) the rendering of <i>fresh water</i>^ unsuitable for consumption by farm animals (v) the natural temperature of the receiving <i>water</i>^ to change by more than 3°C (vi) toxicity to aquatic ecosystems. <p>(i) The diversion or <i>discharge</i>^ shall not, after <i>reasonable mixing</i>^, cause the dissolved oxygen of the receiving <i>water body</i>^ to fall below 80% saturation concentration, unless</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>the dissolved oxygen is already below this limit in which case the discharge shall not lower it further.</p> <p>(j) The The diversion or discharge activity shall not be to any archaeological site, waahi tapu or koiwi remains <i>Historic heritage</i>[^] as identified in any District or Regional plan Schedule or database, or proposed plan[^], in the New Zealand Archaeological Association's Site Recording Scheme, or by the Historic Places Trust except where Historic Places Trust approval has been obtained.</p>	
<p>15-11 New diversions</p>	<p>The following activities where they are associated with the establishment and operation of a new diversion, except as expressly provided for by other rules[^] within this Plan[^]:</p> <p>(a) the take, diversion and discharge of water[^] and any <i>associated ancillary</i>² damming of water[^] pursuant to s14(1) and s15(1) RMA</p> <p>(b) any <i>associated ancillary</i>² discharge of sediment or other contaminants[^] in the water[^] into water[^] or onto or into water[^] pursuant to s15(1) RMA</p> <p>(c) any <i>associated ancillary</i>² excavation or disturbance of the a river bed <i>of a river</i>^{^16} pursuant to s13(1) RMA.</p>	<p>Permitted</p>	<p>(a) The activity shall involve:</p> <p>(i) a diversion of groundwater</p> <p>(ii) a diversion from or within an artificial watercourse</p> <p>(iii) a diversion from or within an existing drain that is considered to fall under the RMA definition of "river[^]", or</p> <p>(iv) a diversion wholly contained within the bed[^] of a river[^] provided the diversion is no more than two times the bed[^] width of the river[^] in any 2-km length of river[^] in any 12-month period.</p> <p>(b) The activity shall not involve the diversion of water[^] associated with new drainage.</p> <p>(c) The diversion shall not be located within 200 m of any wetland[^] that is a rare <i>habitat</i>^{*2} or <i>threatened habitat</i>[*] and shall not lower the water[^] level in any wetland[^] that is a rare <i>habitat</i>^{*2} or threatened habitat[*].</p> <p>(d) The diversion shall not increase land[^] instability or the risk of erosion.</p> <p>(e) The diversion shall not cause or contribute to flooding on any other property[*].</p> <p>(f) The diversion shall not adversely affect any lawfully established take which existed at the time that the diversion commenced.</p> <p>(g) The diversion shall not prevent the passage of fish in water</p>	

¹⁶ Water officers report - recommendation WTR 137

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>bodies^ containing fish.</p> <p>(h) The diversion shall not be undertaken <u>where without the prior written approval of authorities responsible for any infrastructure^ is¹⁷</u> located in, on, under or over the bed^ within 1 km upstream or downstream of the diversion.</p> <p>(i) Any realigned bed^ shall have at least the same capacity as the original bed^ to carry the diverted flow.</p> <p>(j) For diversions of surface water^ from an artificial watercourse or drain, the diverted water^ shall not cause a reduction in the water^ quality of any downstream natural water body^.</p> <p>(k) Any discharge of sediment associated with the activity shall not, after <i>reasonable mixing</i>*, cause a conspicuous change in the colour or visual clarity of the receiving water^.</p> <p>(l) The construction of a new diversion located within a river^ shall comply with the standard conditions^ listed in Section 16.2.</p>	
15-12 Diversions that do not comply with permitted activity^ and controlled activity^ rules^	Any diversion pursuant to s14(1) RMA that does not comply with one or more conditions^, standards or terms of a permitted activity^ or controlled activity^ rule^ in this Plan, but which is not expressly classified as a discretionary activity^, non-complying activity^ or prohibited activity^.	Discretionary		

Rule^ Guide:

Diversions, including drainage, in rare habitat², ~~and~~ *threatened habitats** and *at-risk habitats** are regulated by Rules 15-5 and 15-6.

¹⁷ Water officers report - recommendation WTR 131

15.4

Rules[^] – Bore* Drilling and Bore* Sealing

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>15-13 <u>Drilling and bore construction</u> <u>The drilling, construction or alteration of any bore* and any ancillary discharge[^] of water[^] or contaminants</u> ^{^18}</p>	<p>The drilling, construction or alteration of any bore* or hole that extends below the seasonally highest groundwater level, and any associated ancillary² discharge of water[^] or contaminants[^].</p>	<p>Restricted discretionary Permitted¹⁸</p>	<p>(a) <u>the activity shall be undertaken in accordance with NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock</u> (b) <u>the Regional Council shall be notified within 5 working days of:</u> (c) <u>the location of the bore*</u> (d) <u>size of the bore* and</u> (e) <u>depth of the bore*¹⁸</u></p>	<p>Discretion is restricted to: (a) compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock (b) bore location, size and depth (c) bore screening (d) backflow prevention (e) information requirements including bore logs, piezometric levels, groundwater tests, and bore construction details (f) duration of consent (g) review of consent conditions[^] (h) compliance monitoring.</p> <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).¹⁸</p>

¹⁸ Water officers report - recommendation WTR 134

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-14 Unsealed bores*	Any bore* that: (a) is no longer used and is unsealed, or (b) is in use and is constructed in a manner that allows contaminants^ to enter the bore* from the land^ surface, or the wastage of water^ in artesian conditions.	Prohibited		