

Notes for track changes: This is the final recommendation for wording of One Plan provisions made by Regional Council officers at the conclusion of the Water Hearing. It uses the Proposed One Plan provisions as notified as the base document and consolidates recommendations from the Planning Evidence and Recommendations Report (August 2009), Supplementary Report (November 2009) and End of Hearing Report (April 2010).

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 (*) symbol. 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*

15.1A Objective 15-1: Regulation of takes, uses and diversions of water^

The regulation of takes, uses and diversions of water^ in a manner that:

- (a) recognises and provides for the water^ management values set out in Schedule Ba; and
- (b) recognises and provides for the objectives and policies of Chapter 6 as they relate to surface water^ and groundwater use and allocation, including the construction and management of bores*.¹

15.1 Policies

Policy 15-1: Consent decision-making for takes and or² uses of surface water^ and groundwater

When making decisions on resource consent^ applications, and setting consent conditions^, for takes ~~and~~ or² uses of surface water^ or groundwater² the Regional Council will:

- (a) recognise and provide for the provisions of Chapter 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 15-13 and 15-15)³
- (c) have regard to the objectives and policies of Chapters 2, 3 and ~~7~~ 4⁴ to the extent that they are relevant to the activity.

¹ Scope for this recommendation is found in "Report on scope for Water Chapter recommendations" Clause (ii).

² WTR 112 – 357/132.

³ Consequential change as a result of changes to Chapter 6 – section 6.7.

⁴ WTR 112 – 180/73

This policy implements Objective 15-1.¹

Policy 6-12 15-2: Takes and allocations Reasonable and justifiable need for water⁹

~~The amount of water taken by resource users shall be reasonable and justifiable for the intended use.~~ In addition,¹The following specific measures for ensuring reasonable and justifiable use of *water*[^] shall ~~shall~~ must⁵ be taken into account when considering consent applications to take *water*[^] for irrigation, *public water supply*^{*}, animal drinking water[^], dairy shed washdown⁶ or industrial use, and during reviews of consent *conditions*[^] for these activities.

- (a) For irrigation, *resource consent*[^] applications shall ~~shall~~ must³ be required to meet a reasonable use test in relation to the maximum daily rate of abstraction, the irrigation return period and the seasonal or annual volume of the proposed take. When making decisions on the reasonableness of the rate and volume of take sought, the Regional Council will:
- (i) consider *land*[^] use, crop *water*[^] use requirements, on-site physical factors such as soil *water*[^]-holding capacity, and climatic factors such as rainfall variability and potential evapo-transpiration
 - (ii) assess applications either on the basis of an irrigation application efficiency of 80% (even if the actual system being used has a lower application efficiency), or on the basis of a higher efficiency where an application is for an irrigation system with a higher efficiency
 - (iii) link actual irrigation use to soil moisture measurements in consent *conditions*[^].
- (aa) For animal drinking *water*[^] and washdown *water*[^] for dairy sheds the following must be considered to be reasonable:
- (i) 70 litres per day for stock drinking *water*[^]
 - (ii) 70 litres per day for dairy shed washdown.⁶
- (b) For industrial uses, *water*[^] allocation shall ~~shall~~ must⁵ be calculated where possible in accordance with best management practices for *water*[^] efficiency for that particular industry.
- (c) For *public water supplies*^{*}, the following shall ~~shall~~ must be considered to be reasonable:
- (i) an allocation of 300 litres per person per day for domestic needs, plus
 - (ii) an allocation for commercial use equal to 20% of the total allocation for domestic needs, plus
 - (iii) an allocation for industrial use calculated, ~~where possible,~~¹ in accordance with best management practices for *water*[^] efficiency for that particular industry, plus
 - (iv) any allocation necessary to cater for the reasonable needs of livestock or agricultural practices that are connected to the *public water supply*^{*} system, plus

⁵ Consequential change as a result of the Provisional Determinations.

⁶ WTR 34 – 180/33.

- (v) an allocation necessary to cater for growth, where urban growth of the municipality is zoned and is reasonably forecast, plus
- (vi) an allocation for leakage equal to 15% of the total of ~~subsections~~⁷ (i) to (v) above.

Where the existing allocation for a *public water supply** exceeds the allocation calculated in accordance with ~~subsections~~⁷ (i) to (vi) above, ~~the Regional Council will establish, in consultation with the relevant Territorial Authority, consideration will be given to~~⁸ a timeframe by which the existing allocation ~~shall~~ can⁵ be reduced to the calculated amount.⁹

This policy implements Objective 15-1.¹

Policy ~~6-13~~ 15-3: Efficient use of water[^]

Water[^] must be used efficiently¹ including by the following measures:

- (a) requiring *water[^]* audits and *water[^]* budgets to check for leakages and *water[^]* use efficiency
- (b) requiring the use of, or progressive *upgrade** to, *infrastructure[^]* for *water[^]* distribution that minimises use and loss of *water[^]* to the level set out in Policy 15-7¹⁰
- (c) enabling the transfer of *water permits[^]*
- (d) raising awareness about *water[^]* efficiency issues and techniques
- (e) undertaking *water[^]* use monitoring, including by installing *water[^]* metering and telemetry to monitor *water[^]* use.^{11 12}

This policy implements Objective 15-1.¹

~~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.~~^{13 1}

⁷ Minor change – Schedule 1, Clause 16(2) RMA.

⁸ WTR 34 – 172/43.

⁹ Policy 15-2 has been incorporated in part from Chapter 6 (Policy 6-12).

¹⁰ WTR 35 – 280/47.

¹¹ WTR 35 – 426/59.

¹² Policy 15-3 has been incorporated in part from Chapter 6 (Policy 6-13).

¹³ Policy 15-3 (as notified) has been deleted

Policy 15-4: Monitoring requirements of consent holders

Water[^] takes shall must⁵ 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 m³/d
- (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 *water*[^] 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*^{*} ¹⁴ as identified in Schedule *DBa*¹⁴ exceeds 15% of the one-day mean annual low flow for that sub-zone.

This policy implements Objective 15-1.¹

Policy 15-5: Consent review and expiry

Resource consents[^] to take *water*[^] shall must⁵ generally be reviewed, ~~and or shall must~~⁵ generally expire, in accordance with the dates set out in Table 11.1.⁷ At the time of consent review or expiry the Regional Council will allocate *water*[^] resources within each *Water Management Sub-zone*^{*14} 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 provisions¹⁵ set in this Plan for the subject *Water Management Sub-zone*^{*14}
- (b) ~~allows~~ takes account of the demand for the resource and the need to provide for that demand based on¹ in the following order of priority:
 - (i) takes permitted under Rule 15-1 of this Plan and takes for the purpose of fire-fighting

¹⁴ Consequential change from recommendations and changes to Schedule D, including the development of the new Schedule Ba.

¹⁵ WTR 116 – 151/175.

- (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 expiring¹⁵
- (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 needs for domestic or animal drinking water-use, hospitals and freezing works, other facilities providing medical treatment, marae, schools or other education facilities, defence facilities or correction facilities¹⁵
- (v) all other new resource consent^ applications based on the date of lodgement of the application.

This policy implements Objective 15-1.¹

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^{*14} 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^.

This policy implements Objective 15-1.¹

Policy 6-14 15-7: Consideration of alternative water^ sources

When making decisions on consent applications to take surface water^, the opportunity to utilise alternative sources such as groundwater or water^ storage, including water^ harvesting during periods of high flow in a river^ and recycling of water^¹⁶ shall must⁵ be considered.¹⁷

This policy implements Objective 15-1.¹

¹⁶ WTR 36 – 359/53.

¹⁷ Policy 15-7 has been incorporated in its entirety from Chapter 6 (Policy 6-14).

Policy 6-19 15-8: Apportioning, restricting and suspending takes in times of low minimum¹⁴ flow

During times of low flow, ~~When the river[^] is at or below its minimum flow~~¹⁴ takes ~~from rivers[^]~~ shall ~~must~~⁵ be managed in the following manner:

- (a) **Permitted takes** – Takes that are permitted by this Plan (surface *water[^]* and groundwater takes) or are for fire-fighting purposes shall ~~must~~⁵ be allowed to continue regardless of *river[^]* flow.
- (b) **Essential takes** – The following core *water[^]* allocation takes shall ~~must~~⁵ be deemed essential and shall ~~must~~⁵ be managed in the manner described:
- (i) ~~(iv)~~ takes greater than permitted by this Plan (and therefore subject to *resource consent[^]*) that are required to meet an individual's reasonable domestic needs or the reasonable needs of an individual's animals for drinking water shall ~~must~~ be allowed to continue regardless of *river[^]* flow. Reasonable needs must⁵ be calculated as follows:
- (A) up to 250 litres per person per day for domestic needs
- (B) up to 70 litres per animal per day for stock drinking *water[^]*¹⁸
- (ii) ~~(v)~~ takes required to meet the reasonable needs of hospitals, other facilities providing medical treatment, marae, schools or other education facilities, defence facilities¹⁹ or correction facilities shall ~~must~~⁵ be allowed to continue regardless of *river[^]* flow
- (iii) ~~(vi)~~ takes which were lawfully established at 31 May 2007⁵ which are ²⁰ required for the ~~operation[^]~~ of industries which, if their take were to cease, would significantly compromise a community's ability to provide for its social, economic or cultural well-being or for its health or safety, shall ~~must~~⁵ be allowed to continue regardless of *river[^]* flow, but shall ~~must~~⁵ be required to minimise the amount of *water[^]* taken to the extent reasonable
- (iv) ~~(vii)~~ public water supply^{*} takes shall ~~must~~⁵ be restricted to a total public *water[^]* consumption calculated as follows:
- (A) an allocation of 250 litres per person per day for domestic needs, plus
- (B) an allocation for commercial use equal to 20% of the total allocation for domestic needs, plus
- (C) an allocation which meets the reasonable needs of those facilities and industries listed under ~~subsections~~ (b)(ii) and (b)(iii) where such facilities and industries are connected to the *public water supply^{*}* system, plus
- (D) any allocation necessary to cater for the reasonable needs of livestock that are connected to the *public water supply^{*}* system, plus
- (E) an allocation for leakage equal to 15% of the total of ~~subsections~~⁷ (A) to (D) above.
- (c) **Non-essential takes** – Other core *water[^]* allocation takes, including irrigation takes but excluding the essential takes described under ~~subsection~~⁷(b), shall ~~must~~⁵ be managed in the following manner:
- (i) *water[^]* takes shall ~~must~~⁵ be required to cease when the *river[^]* drops to or below¹ its minimum flow, as set out in Policy 6-16
- (ii) *water[^]* takes shall ~~must~~⁵ be allowed to recommence once the *river[^]* flow has risen above its minimum flow

¹⁸ WTR 41 – 182/19.

¹⁹ WTR 41 - 330/33.

²⁰ WTR 41 - 358/43.

- (d) **Meaning of 'core water[^] allocation take'** – For the purposes of this policy, a core water[^] allocation take means a take that has been granted consent in accordance with a core water[^] allocation made under Policy 6-16, or in accordance with a previous core water[^] allocation regime²¹.

This policy implements Objective 15-1.¹

Policy 6-20 15-9: Surface water[^] allocation – lakes[^]

Decisions on resource consent[^] applications to take water[^] from a lake[^] shall must⁵ ensure that there are no significant adverse effects[^] on the values of the lake[^], as shown in Schedule DBa¹⁴ and have regard to the policies for indigenous biodiversity in Chapter 12.^{22 23}

This policy implements Objective 15-1.¹

Policy 6-23 15-10: Groundwater Management Zones*

The total amount annual allocated volume¹ of groundwater taken from each Groundwater Management Zone* mapped in Schedule C¹⁴ shall must not exceed comply with¹ the annual allocable volume specified in Schedule C.^{14 24}

This policy implements Objective 15-1¹

Policy 6-24 15-11: Effects[^] of groundwater takes on other groundwater takes

- (a) ~~Consent applicants wishing applications¹ to take groundwater shall must⁵ be required to include²⁵ generally be required to undertake pumping tests and hydrogeological assessments in order to determine the likely²⁵ impact on existing groundwater takes in the vicinity.~~
- (b) ~~Consent conditions[^] restricting the rate and/or duration of pumping shall must¹ be imposed on new takes of groundwater where this is necessary to avoid significant drawdown impacts on existing groundwater takes from good quality bores* in the vicinity. A groundwater take is considered to be from a good quality bore* in circumstances where the bore* penetrates the aquifer from which water is being drawn at a depth sufficient to enable water to be drawn all year (ie., the bore* depth is below the range of seasonal fluctuations in groundwater level), the bore* is adequately maintained, the bore* is of sufficient diameter and is screened to reasonably minimise drawdown, and the bore* has a pump capable of drawing water from its base to the land surface. Significant drawdown impact occurs~~

²¹ Policy 15-8 has been incorporated in its entirety from Chapter 6 (Policy 6-19).

²² WTR 42 – 357/79.

²³ Policy 15-9 has been incorporated in its entirety from Chapter 6 (Policy 6-20).

²⁴ Policy 15-10 has been incorporated in its entirety from Chapter 6 (Policy 6-23).

²⁵ WTR 46 - 357/82.

where drawdown of more than 0.5 m within a 100-day period that, in combination with drawdown effects[^] greater than 0.5 m within a 100-day period from all other abstractions, would cause a more than minor reduction in the reliability of supply from any existing lawful groundwater take from a properly constructed bore* within 3 km in the same Groundwater Management Zone*^{27 1}

- (c) Consent *conditions*[^] specifying short-term restrictions on the rate and/or duration of pumping may also be imposed on new takes of groundwater where this is necessary to avoid ~~significant~~ drawdown impacts that cause a more than minor reduction in the reliability of supply of an existing bores* that are not of a good quality properly constructed in accordance with Policy 15-13, in order to allow sufficient time for such bores* to be upgraded* or replaced.^{27 1}
- (d) The Regional Council may encourage consent *applicants*[^] to consider the option of providing *water*[^] to neighbouring properties in circumstances where this would be more practical than meeting the requirements of ~~subsections~~⁷ (b) or (c).²⁶

This policy implements Objective 15-1¹

Policy 6-25 15-12: Effects of groundwater takes on surface water bodies^{*1}

The effects of groundwater takes on surface *water bodies*^{*}, ~~including wetlands,~~ shall must⁵ be managed in the following manner:

- ~~(a) An appropriate scientific method shall be used to calculate the likely degree of connection between the groundwater and surface water at the location of the groundwater take.~~
- ~~(b) To the extent justified by the calculation under subsection (a), the groundwater take shall be assessed and managed as if it were a surface take from the water management zone(s) to which it is connected.~~
- (a) The *effects*[^] of a groundwater abstraction on surface *water bodies*^{*} shall must be assessed according to the Guidelines for the Assessment of Groundwater Abstraction Effects on Stream Flow prepared by Pattle Delamore Partners Ltd and Environment Canterbury (Environment Canterbury Report R00/11, ISBN 1-86937-387-1, First Edition, June 2000).²⁷
- (b) Consent applications for new groundwater abstractions, lodged after the date that this Policy becomes *operative*[^], shall must have their surface *water*[^] depletion *effects*[^] classified and managed as per Table 15-1:²⁸

²⁶ Policy 15-11 has been incorporated in its entirety from Chapter 6 (Policy 6-24).

²⁷ WTR 47 – 359/66.

²⁸ Policy 15-12 has been incorporated in its entirety from Chapter 6 (Policy 6-25).

Table 15-1 Surface *water*²⁹ depletion²⁷

Classification of Surface <i>Water</i>[^] Depletion <i>Effect</i>[^]	Magnitude of Surface <i>Water</i>[^] Depletion <i>Effect</i>[^]	Management Approach
Riparian	Any groundwater abstraction located within the geologically recent <i>river</i> [^] <i>bed</i> [^] strata of a surface <i>water</i> [^] <i>body</i> [^] .	The groundwater abstraction is subject to the same restrictions as a surface <i>water</i> [^] abstraction, unless there is clear hydrogeologic evidence that demonstrates that the <i>effect</i> [^] of pumping will not impact on the surface <i>water</i> [^] <i>body</i> [^] .
High	The surface <i>water</i> [^] depletion <i>effect</i> [^] is calculated as greater than or equal to 90% of the groundwater pumping rate after seven days of pumping, or greater than or equal to 50% of the average groundwater pumping rate after 100 days of pumping.	The groundwater abstraction is subject to the same minimum flows and allocation limits as in Schedule B.
Medium	The surface <i>water</i> [^] depletion <i>effect</i> [^] is calculated as less than 50% and greater than or equal to 20% of the groundwater pumping rate after 100 days of pumping.	The calculated loss of surface <i>water</i> [^] is included in the surface <i>water</i> [^] allocation regime, but no minimum flow conditions are imposed on the groundwater abstraction.
Low or Negligible	The surface <i>water</i> [^] depletion <i>effect</i> [^] is calculated as less than 20% of the groundwater pumping rate after 100 days of pumping.	No surface <i>water</i> [^] management <i>rules</i> [^] are required because the <i>effect</i> [^] is small and delayed.

This policy implements Objective 15-1.¹

Policy 6-26 15-13: Saltwater Seawater¹ intrusion

~~Salt~~Seawater¹ intrusion along the coastal margins of the Region arising from groundwater takes shall ~~shall~~ must⁵ be managed by the following measures:

- (a) Consent ~~applications~~ ~~applicants~~[^] wishing¹ to take groundwater within 5 km of the coastal mean high *water*[^] spring line shall ~~shall~~ must⁵ be required to ~~include~~ ~~carry out~~¹ pumping tests and hydrogeological assessments ~~in order~~¹ to determine the level of drawdown ~~at the coast~~ and the ~~likelihood of inducing salt~~ contribution of that drawdown to increasing the risk of ~~seawater~~ intrusion.²⁷
- (b) ~~In cases where saltwater intrusion might occur,~~ ~~the~~¹ consent application may be declined or the amount of *water*[^] that can be taken ~~may shall~~⁵ be limited to an amount that ~~restricts~~ lessens the ~~likelihood~~ risk of ~~salt~~ seawater intrusion.³⁰

²⁹ Table 15-1 has been incorporated in its entirety from Chapter 6 (Table 6-2a).

³⁰ WTR 48 – 426/72.

- (c) In addition, consents to take groundwater within 5 km of the coast shall must⁵ contain *conditions*[^] relating to the monitoring of groundwater levels and ¹electrical conductivity, and the restriction or suspension of takes if specified electrical conductivity thresholds are reached or exceeded. These monitoring requirements and electrical conductivity thresholds will be determined on a case by case basis.
- (d) Wherever possible, groundwater abstractions must be managed to avoid critical pumping rates that could draw seawater towards the pumping bore*. Groundwater pressures along the coastal margin should be maintained above mean sea level by an amount that is one-fortieth (1/40) of the depth of the base of the aquifer system.^{27 31}

This policy implements Objective 15-1.¹

Policy 6-22 15-14: Bore* construction development and management

- (a) ~~New bBores*~~ shall must⁵ be sited to ensure adequate separation from existing bores*, ~~and to avoid an over-concentration of bores* in a particular area, wherever practicable,~~ so as to avoid or mitigate effects[^] on the reliability of supply of properly constructed existing bores*. A bore* that is constructed in general accordance with (b)-(d) of this Policy, and is recorded on Horizons' groundwater database, must be considered to be a properly constructed bore*³².
- (b) ~~New bBores*³²~~ shall must⁵ generally be constructed, and bore* logs and other records prepared, in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock.
- (c) ~~New bBores*³²~~ shall must⁵ be designed to ensure a high degree of efficiency with respect to bore* development, bore* depth and diameter, and screen depth and length. A high degree of efficiency is achieved where:
- (i) the bore* adequately penetrates the aquifer from which water[^] is being drawn at a depth sufficient to enable water[^] to be drawn all year (i.e. the bore* depth allows for the placement of a pump below the depth of the lowest groundwater levels in any year with sufficient allowance for drawdown requirements).
 - (ii) the bore* is adequately maintained,
 - (iii) the bore* is of sufficient diameter and the bore* has a pump capable of drawing water[^] to the land[^] surface.¹
- (d) ~~New bBores*³²~~ shall must⁵ be sited, constructed and used in a manner that prevents:
- (i) contaminants[^] from entering the bore* from the land[^] surface
 - (ii) the wastage of water[^] in artesian conditions[^].
- (e) Bores* that are no longer required shall must⁵ be decommissioned in general accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock.³³

³¹ Policy 15-13 has been incorporated in its entirety from Chapter 6 (Policy 6-26).

³² WTR 44 – 357/80 and 426/69.

³³ Policy 15-14 has been incorporated in its entirety from Chapter 6 (Policy 6-22).

This policy implements Objective 15-1.¹

Policy 15-215: 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
- (b) manage *effects* on *rare and habitats*, *threatened habitats* and *at-risk habitats* in accordance with Chapter 7 and the decision-making policies in Chapter 12¹
- (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
- (f) have regard to the objectives and policies of Chapter 3.³⁴

This policy implements Objective 15-1.¹

³⁴ WTR 113 – 359/109.

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 or ⁵ use of surface water [^] pursuant to s14(21) and s14(3)(b) ¹ RMA, excluding those rivers protected under Rule 15-7 and except where the water take is controlled under Rule 13-1. ³⁵	Permitted	<p>(a) The rate of take shall must⁵ not exceed <u>200 l/h.a. up to a maximum of 30 m³/d per property[*].</u>³⁶</p> <p>(i) 30 m³/d per property[*] 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 property[*] where the water[^] is for any other use.</p> <p>The rates of take allowed under subsections (i) and (ii) cannot be added: the maximum allowable rate of take under this rule[^] is 30 m³/d per property[*].³⁶</p> <p>(b) The rate of take shall must⁵ not exceed 0.5 <u>2.0</u> l/s.³⁶</p> <p>(c) An intake screen with a mesh aperture size not exceeding 3 mm in diameter shall must⁵ be used and the intake velocity shall must⁵ not exceed 0.3 m/s.</p> <p>(d) The take shall must⁵ not be from any wetland[^] that is a rare habitat[*] ⁵ or threatened habitat[*].</p> <p>(e) The water[^] shall must⁵ be used on the subject⁵ property[*]. The Regional Council shall must⁵ 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 or uses of groundwater	The taking and or ¹ use of groundwater pursuant to s14(21) and s14(3)(b) ¹ RMA, except where the water take is controlled under Rule 13-1. ³⁵	Permitted	<p>(a) The rate of take shall must⁵ not exceed 50 m³/d per property[*].</p> <p>(b) The take shall must⁵ not be located within 50 m of any other bore[*] <u>on any other property[*] unless written approval is obtained from the bore owner.</u>¹</p> <p>(c) The take shall must⁵ not be located within 100 m of any</p>	

³⁵ Consequential changes as a result of changes to other rules.

³⁶ WTR 120 – 35/15.

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><i>river^_ or ^1lake^ or spring, ^1or within 200 m of any wetland^ that is a rare habitat^*³⁵ or threatened habitat^*.</i></p> <p>(d) The take shall <u>must</u>⁵ not lower the <i>water^</i> level in any <i>wetland^</i> that is a <i>rare habitat^*³⁵</i> or <i>threatened habitat^*</i>.</p> <p>(e) There shall <u>must</u>⁵ 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 <u>must</u>⁵ be allowed to run to waste.</p> <p>(f) The <i>water^</i> shall <u>must</u>⁵ be used on the subject⁵ <i>property^*</i>.</p> <p>(g) The Regional Council shall <u>must</u>⁵ be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of <i>water^</i>.</p>	
15-3 Use of heat or energy from surface <i>water^</i>	The use of heat or energy from surface <i>water^</i> pursuant to s14(24) RMA. ¹	Permitted		
15-4 <i>Bore^*</i> and groundwater testing	The taking, and use and <i>discharge^</i> ¹ of groundwater for <i>bore^*</i> or groundwater testing purposes pursuant to s14(21) RMA, and any ancillary consequential ⁵ <i>discharge^</i> of sediment or other <i>contaminants^*</i> ¹ into <i>water^</i> or onto or into ¹ <i>land^</i> pursuant to ss9, 15(1) or 15(2) or 15(2A) ¹ RMA.	Permitted	<p>(a) The Regional Council shall <u>must</u>⁵ be notified in writing at least 5 <i>working days^</i> prior to commencement of the test.</p> <p>(b) The rate of take shall <u>must</u>⁵ not exceed 60 l/s.</p> <p>(c) The duration of any single test shall <u>must</u>⁵ not exceed 7 days.</p> <p>(d) The activity shall <u>must</u>⁵ be carried out in accordance with the NZS4411:2001 Environmental Standard for Drilling of Soil and Rock.</p> <p>(e) The take shall <u>must</u>⁵ not lower the <i>water^</i> level in any <i>wetland^</i> that is a <i>rare habitat^*</i> or <i>threatened habitat^*</i>.</p> <p>(f) Where the <i>discharge^</i> is into <i>water^</i> the <i>discharge^</i> shall <u>must</u>⁵ not:</p> <ul style="list-style-type: none"> (i) change the receiving <i>water^</i> temperature by more than 3°C after <i>reasonable mixing^</i> (ii) cause erosion of the <i>bed^</i>¹ 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>. <p>(g) Where the <i>discharge^</i> is onto <i>land^</i> the <i>discharge^</i> shall</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>must</u>⁵ not increase <i>land</i>[^] instability or the risk of erosion.</p> <p>(h) The <i>discharge</i>[^] <u>shall</u> <u>must</u>⁵ not cause or contribute to flooding on any other <i>property</i>[*].</p> <p>(i) Following completion of the test the <i>bore</i>[*] <u>shall</u> <u>must</u>⁵ be covered and secured as soon as practicable.</p> <p>(j) Records of all pumping and recovery tests <u>shall</u> <u>must</u>⁵ 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 <u>shall</u> <u>must</u>⁵ be forwarded to the Regional Council within 1 month of completion of the tests.</p>	
<p>15-5 Takes <u>and</u> <u>or</u>¹ uses of surface <i>water</i>[^] complying with core allocations</p>	<p>The taking <u>and</u> <u>or</u>¹ use of surface <i>water</i>[^] from a <i>river</i>[^] or <i>lake</i>[^] pursuant to s14(24) RMA <u>except</u> takes or uses of surface <i>water</i>[^] permitted under Rule 15-1, <u>except</u> where the water take is controlled under Rule 13-1.³⁵</p>	<p>Controlled</p>	<p>(a) The take shall not be from those rivers protected under Rule 15-7.³⁵</p> <p>(b) <i>Water</i>[^] <u>shall</u> <u>must</u>⁵ only be taken when the <i>river</i>[^] is <u>at</u>^{or}¹ above its minimum flow, as assessed in accordance with Schedule B- <u>except</u> as provided for by:</p> <p>(i) <u>takes or portions of takes which are for the purposes of</u> <u>stock</u> animal drinking <i>water</i>[^] and domestic needs, or</p> <p>(ii) <u>public water supplies</u>[*] predominantly for domestic use which may continue at or below minimum flow provided the rates and volumes of takes do not exceed the <u>maximum takes at minimum flow set out in Policy 15-11.</u> ³⁷</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>Water Management Sub-zone</u>³⁷ <u>shall</u> <u>must</u>⁵ not exceed the relevant core allocation set out for <u>Water Management Sub-zones</u>³⁷ 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, <u>shall</u> <u>must</u>⁵ not exceed the cumulative allocation for each <u>Water Management Sub-zone</u>³⁷ in the same catchment.</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 rare <i>habitats</i>³⁵ <u>and</u> <i>threatened habitats</i>[*] and <i>at-risk habitats</i>[*] and <i>Sites of Significance – Aquatic</i>.³⁸</p> <p>(h) compliance with minimum flow requirements</p> <p>(i) duration of consent</p> <p>(j) review of consent <i>conditions</i>[^]</p>

³⁷ WTR 124 – 182/74.

³⁸ WTR 124 – 182/73.

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			(e) The take shall not ^{must} not lower the <i>water[^]</i> level in any <i>wetland[^]</i> that is a <i>rare habitat⁴⁵</i> or <i>threatened habitat[*]</i> .	(k) compliance monitoring. <i>Resource consent[^]</i> applications under this <i>Rule[^]</i> will not be notified and written approval of affected persons will not be required (notice of applications need not be <i>served[^]</i> on affected persons).
15-6 Takes <u>or uses</u> ¹ of surface <i>water[^]</i> not complying with core allocations <u>or takes or uses of <i>water[^]</i> taken at or below minimum flow</u> ³⁹	The taking <u>or use</u> of surface <i>water[^]</i> from a <i>river[^]</i> <u>or lake[^]</u> pursuant to s14(2) RMA: ¹ (aa) which, when assessed in combination with all other <i>water[^]</i> takes, exceeds the relevant core allocation set out in Schedule B <u>or</u> (ab) which is taken at or below minimum flow (except where the <i>water[^]</i> take is controlled by Rule 15-5(b)(i)) ³⁹ This <i>rule[^]</i> does not include: (a) takes <u>or uses</u> ¹ permitted under Rule 15-1 (b) takes <u>or uses</u> ¹ in circumstances where <i>water[^]</i> is only taken when the <i>river[^]</i> flow is greater than the median flow (these are a <i>Discretionary Activities[^]</i> under Rule 15-8) ¹ (c) lawfully established takes <u>or uses</u> ¹ for hydroelectricity generation (these are <i>Discretionary Activities[^]</i> ¹ under Rule 15-8).	Non-complying		
15-7 Takes from <i>river[^]</i> s [^] protected by <i>water conservation orders⁴⁰</i>	(a) The taking and use of surface water pursuant to s 14(1) RMA from: (i) the Upper Rangitikei River as defined in the Water Conservation (Rangitikei River) Order 1993 (ii) The Manganui o Te Ao River upstream of its confluence with the Waimarino Stream, the	Prohibited		

³⁹ WTR 125 – 182/75.

⁴⁰ WTR 126 – 358/89.

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p style="text-align: center;">Makatote River or the Mangaturuturu River.</p> <p>(b) The taking and use of surface water pursuant to s 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>			

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-8 Other takes and or ¹ uses of water [^]	The taking and or ¹ use of surface water [^] or groundwater pursuant to s14(24) RMA, which are not regulated by any other rules [^] in this Plan or which do not comply with the Permitted Activity [^] or Controlled Activity [^] Rules [^] in this Plan except as regulated by any other rule ¹ , and the taking and or ¹ 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.	Discretionary		

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 taking, diversion and or discharge[^] of surface water[^] and any associated ancillary⁵ damming of water[^], or discharge[^] of sediment or other contaminants[^] in the water[^] into water[^] or onto or into land[^] pursuant to s14(24) and ss15(1), 15(2) or 15(2A)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 ancillary to with⁵ 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</p>	Permitted	<p>(a) The diversion or discharge[^] shall must⁵ be to the same Water Management Sub-zone^{*1} 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 must⁵ 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 must⁵ 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 must⁵ continue to comply with all conditions[^] of the consent.</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	provided the <i>conditions[^]</i> of this <i>Rrule[^]</i> are met.			
15-10 New drainage	The taking, diversion and or <i>discharge[^]</i> of drainage <i>water[^]</i> , and any associated ancillary ⁵ damming of <i>water[^]</i> , or <i>discharge[^]</i> of sediment or other <i>contaminants[^]</i> in the drainage <i>water[^]</i> into <i>water[^]</i> or onto or into <i>land[^]</i> pursuant s14(24) and ss15(1), 15(2) or 15(2A) ¹ RMA arising from the establishment and <i>operation[*]</i> of new <i>land[^]</i> drainage.	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.⁴¹</p> <p>(b) The diversion or <i>discharge[^]</i> shall <i>must⁵</i> not cause or exacerbate the flooding of any <i>property[*]</i>, unless written approval is obtained from the affected property owner[^] or¹ the flooding is in accordance with an approved Regional Council drainage scheme design.</p> <p>(c) The diversion or <i>discharge[^]</i> shall <i>must¹</i> 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 <i>must¹</i> not alter the natural course of any natural <i>water_body[*]</i>.</p> <p>(e) There shall <i>must¹</i> be no diversion or <i>discharge[^]</i> to any natural <i>lake[^]</i>, <i>rare habitat[*]</i>, or threatened habitat[*] or⁵ <i>at-risk habitat[*]</i>, or natural state W<i>water Mmanagement Ssub-zone[*]</i>¹⁴ with the value of Natural State.¹⁴</p> <p>(f) The activity shall <i>must¹</i> not result in the lowering of <i>water[^]</i> levels in any <i>wetland[^]</i> classified as a <i>rare habitat[*]</i>⁵ or <i>threatened habitat[*]</i>.</p> <p>(g) The diversion or <i>discharge[^]</i> shall <i>must¹</i> be to the same W<i>water Mmanagement Ssub-zone[*]</i>¹⁴ to which the drainage <i>water[^]</i> would naturally flow.</p> <p>(h) The diversion or <i>discharge[^]</i> shall <i>must¹</i> 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 	

⁴¹ Water officers report - recommendation WTR 130.

⁴² Recommendation made by the Historic Heritage officers report.

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<ul style="list-style-type: none"> (iv) the rendering of <i>freshwater^</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. (i) The diversion or <i>discharge^</i> shall <u>must</u>¹ not, after <i>reasonable mixing</i>*, cause the dissolved oxygen of the receiving <i>water_body^</i> to fall below 80% saturation concentration, unless the dissolved oxygen is already below this limit in which case the discharge shall <u>must</u>¹ not lower it further. (j) The diversion or discharge-activity shall <u>must</u>¹ not be to any archaeological site, waahi tapu or koivi remains <i>historic heritage^</i> as identified in any <i>district plan^</i> or <i>regional plan^</i> schedule or database, or <i>proposed plan^</i>, 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.⁴² 	
<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 <i>rules^</i> within this <i>Plan^</i>:</p> <ul style="list-style-type: none"> (a) the take, diversion and discharge of <i>water^</i> and any associated <i>ancillary</i>⁵ damming of <i>water^</i> pursuant to s14(24) and s15(1) RMA (b) any associated <i>ancillary</i>⁵ discharge of sediment or other <i>contaminants^</i> in the <i>water^</i> into <i>water^</i> or onto or into land^ <i>water^</i>¹ pursuant to s15(1) RMA (c) any associated <i>ancillary</i>⁵ excavation or disturbance of the a river bed^ of a <i>river^</i>¹ pursuant to ss13(1) and 13(2)¹ RMA. 	<p>Permitted</p>	<ul style="list-style-type: none"> (a) The activity shall <u>must</u>⁵ involve: <ul style="list-style-type: none"> (i) a diversion of groundwater (ii) a diversion from or within an <i>artificial watercourse</i>* (iii) a diversion from or within an existing drain that is considered to fall under the RMA definition of "<i>river^</i>", or (iv) a diversion wholly contained within the <i>bed^</i> of a <i>river^</i> provided the diversion is no more than two times the <i>bed^</i> width of the <i>river^</i> in any 2 km length of <i>river^</i> in any 12-month period. (b) The activity shall <u>must</u>⁵ not involve the diversion of <i>water^</i> associated with new drainage <u>which is regulated under Rule 15-10.</u>¹ (c) The diversion shall <u>must</u>⁵ not be located within 200 m of any <i>wetland^</i> that is a <i>rare habitat</i>⁵ or <i>threatened habitat</i>⁵ and shall <u>must</u>⁵ not lower the <i>water^</i> level in any <i>wetland^</i> that is a <i>rare habitat</i>⁵ or <i>threatened habitat</i>⁵. 	

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>(d) The diversion shall not <u>must</u> not increase <i>land</i>^ instability or the risk of erosion.</p> <p>(e) The diversion shall not <u>must</u> not cause or contribute to flooding on any other <i>property</i>^*.</p> <p>(f) The diversion shall not <u>must</u> not adversely affect any lawfully established <i>water</i>^1 take which existed at the time that the diversion commenced.</p> <p>(g) The diversion shall not <u>must</u> not prevent the passage of fish in <i>water_bodies</i>^* containing fish.</p> <p>(h) The diversion shall not <u>must</u> not be undertaken where without the prior written approval of authorities responsible for any <i>infrastructure</i>^ <u>is</u>^1 located in, on, under or over the <i>bed</i>^ within 1 km upstream or downstream of the diversion.</p> <p>(i) Any realigned <i>bed</i>^ shall not <u>must</u> <u>have</u> at least the same capacity as the original <i>bed</i>^ to carry the diverted flow.</p> <p>(j) For diversions of surface <i>water</i>^ from an <i>artificial watercourse</i>^* or drain, the diverted <i>water</i>^ shall not <u>must</u> not cause a reduction in the <i>water</i>^ quality of any downstream natural <i>water body</i>^*.</p> <p>(k) Any discharge of sediment ancillary to associated with the activity shall not <u>must</u> not, after <i>reasonable mixing</i>^*, cause a conspicuous change in the colour or visual clarity of the receiving <i>water</i>^.</p> <p>(l) The construction of a new diversion located within a <i>river</i>^ shall not <u>must</u> comply with the standard <i>conditions</i>^ listed in Section 16.2.</p>	

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-12 Diversions that do not comply with permitted activity [^] or controlled activity [^] rules [^] and ¹	Any diversion pursuant to s14(24) ¹ RMA that does not comply with one or more <i>conditions[^]</i> , standards or terms of a <i>Permitted Activity^{^1}</i> or <i>Controlled Activity[^]</i> rule [^] in this Plan, but which is not expressly classified as a <i>Discretionary Activity^{^1}</i> , <i>Non-complying Activity^{^1}</i> or <i>Prohibited Activity[^]</i> .	Discretionary		

Rule[^] Guide:

Diversions, including drainage, in *rare habitats^{*}*, and⁵ *threatened habitats^{*}* and *at-risk habitats^{*}* are regulated by Rules 15-5 and 15-6.

15.4 Rules[^] – Bore^{*} Drilling and Bore^{*} Sealing

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-13 Bore Drilling and bore construction The drilling, construction or alteration of any bore [*] and any ancillary discharge [^] of water [^] or	The drilling, construction or alteration of any bore [*] or hole pursuant to s9(2) RMA that extends below the seasonally highest groundwater level, and any associated ancillary discharge of water [^] or contaminants [^] pursuant to ss15(1), 15(2) or 15(2A) RMA.	Restricted discretionary Permitted ⁴³	(a) The activity must be undertaken in accordance with NZS4411:2001 Environmental Standard for Drilling of Soil and Rock (b) The Regional Council must be notified at least five working days [^] prior to commencement of drilling, construction or alteration of the bore [*] of the proposed: (i) location of the bore [*] (ii) diameter of the bore [*] (iii) depth of the bore [*] (c) Records of the drilling, construction or alteration of the bore [*] shall be kept by the owner [^] , including:	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

Rule [^]	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<u>contaminants</u> ⁴³			(i) <u>bore*</u> log (ii) <u>piezometric levels</u> (iii) <u>groundwater tests</u> (iv) <u>bore*</u> construction details. These records shall be forwarded to the Regional Council within one month of completion of drilling, construction or alteration of the <u>bore*</u> . ⁴³	(f) duration of consent (g) review of consent conditions (h) compliance monitoring. 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). ⁴³
15-14 Unsealed <u>bores*</u>	<u>Pursuant to s14(2) and ss15(1) or 15(2) or 15(2A) RMA</u> Any <u>bore*</u> that: ¹ (a) is no longer used and is unsealed, or (b) is in use and is constructed in a manner that allows <u>contaminants</u> to enter the <u>bore*</u> from the <u>land</u> surface, or the wastage of <u>water</u> in artesian conditions.	Prohibited		

⁴³ WTR 134 – 182/79.