

15

Takes, Uses and Diversions of Water, and Bores*

15.1A

Objectives

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

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

- (a) the Values and management objectives in Schedule AB, and
- (b) the objectives and policies of Chapter 6 as they relate to surface water^ and groundwater use and allocation.

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^ or groundwater the Regional Council will must:

- (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, including takes allowed by s14(3)(b) of the RMA, and groundwater takes from properly-constructed, efficient and fully-functioning bores (as described in Policies 15-2A and 15-2B),
- (ba) enable non-consumptive uses of water^ including the use and recycling of water^, and
- (c) have regard to the objectives and policies of Chapters 2, 3, 4, 6, and 7, 10 and 11A to the extent that they are relevant to the activity.

Policy 6-14 15-1A: 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, water^ harvesting (including during periods of high flow in a river^) and the recycling of water^ shall must be considered.

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 must:

- (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 relevant objective and policies in Chapter 12,
- (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 particularly on other surface water[^] takes, including those allowed by s14(3)(b) of the RMA and groundwater takes from properly-constructed, efficient and fully-functioning bores (as described in Policies 15-2A and 15-2B), and
- (f) have regard to the objectives and policies of Chapters 3, 4, 6, 10 and 11A to the extent that they are relevant to the activity.

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 6-22 15-2A: Bore* construction development and management

- (a) New bores* shall must be sited to ensure adequate separation from existing bores*, and to avoid an over-concentration of bores* in a particular area, wherever practicable, to avoid adverse effects[^] on the reliability of supply from properly-constructed, efficient and fully-functioning existing bores*.
- (b) New bores* shall must 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 bores* shall must be designed to ensure a high degree of efficiency with respect to bore* development, bore* depth and diameter, and screen depth and length.
- (d) New Bores* shall must 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 situations.
- (e) Bores* that are no longer required shall must be decommissioned in general accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock.

Policy 6-24 15-2B: Effects of groundwater takes on other groundwater takes

- (a) Consent applicants wishing applications to take groundwater shall must include generally be required to undertake pumping tests and hydrogeological assessments in order to determine the likely impact on existing groundwater takes in the vicinity.
- (b) Consent conditions[^] restricting the rate and/or duration of pumping shall must be imposed on new takes of groundwater where this is necessary to avoid significant drawdown impacts on existing groundwater takes from good quality properly-constructed, efficient and fully-functioning bores* in the vicinity. A groundwater take is considered to be from a good quality properly-constructed, efficient and fully-functioning 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 pump and bore* is are 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.
- (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 on existing bores* that are not of a good quality properly-constructed, efficient and fully-functioning, in order to allow sufficient time for such bores* to be upgraded* or replaced.
- (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 (b) or (c).

Policy 6-25 15-2C: Effects of groundwater takes on surface water bodies[^]

The effects of groundwater takes on surface water bodies[^], including wetlands[^], shall must be managed in the following manner:

- (a) An appropriate scientific method shall must be used to calculate the likely degree of connection between the groundwater and surface water[^] at the location of the groundwater take eg., using Targets for the Assessment of Groundwater Abstraction Effects on Stream Flow prepared by Environment Canterbury (Environment Canterbury Report R00/11, ISBN 1-86937-387-1, First Edition, June 2000).
- (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.
- (ba) Subject to (a), the potential adverse effects[^] of groundwater takes on surface water[^] depletion must be managed in accordance with Table 15-1.

Table 15-1 - Surface water[^] depletion

Classification of Surface Water[^] Depletion Effect[^]	Magnitude of Surface Water[^] Depletion Effect[^]	Management Approach
<u>Riparian</u>	<u>Any groundwater take screened within the geologically recent bed strata of a surface water body[^].</u>	The groundwater take is subject to the same restrictions as a <u>surface water[^] take</u> , unless there is clear hydrogeological evidence that demonstrates that the <u>effect[^]</u> of pumping will not impact on the <u>surface water body[^]</u> .
<u>High</u>	<u>The surface water[^] depletion effect[^] is calculated as 90% or greater of the groundwater pumping rate after seven days of pumping, or 50% or greater of the average groundwater pumping rate after 100 days of pumping.</u>	<u>The groundwater take is subject to the same restrictions as a <u>surface water[^] abstraction</u>.</u>
<u>Medium</u>	<u>The surface water[^] depletion effect[^] is calculated as 20% or greater and less than 50% of the groundwater pumping rate after 100 days of pumping.</u>	<u>The calculated loss of surface water[^] is included in the surface water[^] allocation regime, but no specific minimum flow restrictions are imposed on the groundwater take.</u>
<u>Low</u>	<u>The surface water[^] depletion effect[^] is calculated as less than 20% of the groundwater pumping rate after 100 days of pumping.</u>	<u>The calculated loss of surface water[^] is not included in the surface water[^] allocation regime and no specific minimum flow restrictions are imposed on the groundwater take.</u>

Policy 6-26 15-2D: Saltwater intrusion

Saltwater intrusion along the coastal margins of the Region arising from groundwater takes shall must be managed by the following measures:

- (a) Consent applicants[^] wishing to take groundwater within 5 km of the coastal mean high water springs line shall must be required to carry out pumping tests and hydrogeological assessments in order to determine the level of drawdown at the coast and the likelihood of inducing saltwater intrusion.
- (b) In cases where saltwater intrusion might occur, the consent application may be declined or the amount of water[^] that can be taken shall must be limited to an amount that restricts the likelihood of saltwater intrusion.
- (c) In addition, consents to take groundwater within 5 km of the east coastal mean high water springs line shall must contain conditions[^] relating to the monitoring of electrical 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.

Policy 15-4: Monitoring requirements of consent holders

~~Water^ takes shall~~ must 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 telemetered 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* as identified in Schedule DAA 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. At the time of consent review or expiry the Regional Council will allocate water resources within each water management zone* 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 set in this Plan for the subject water management zone*~~
- (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~~
 - (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 reapplyed 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 domestic use, hospitals and freezing works~~
 - (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 generally be approved in terms of s136(2)(b)(ii) of the RMA, providing:

- (a) the transferred take is exercised within the same *Water Management Zone** 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, and
- (d) there are no more than minor adverse *effects^* on any other take or use of *water^*.

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 <u>take and</u> or use of surface <i>water^</i> pursuant to s14(24) and s14(3)(b) RMA, excluding these rivers protected under Rule 15-7 and except where the water take is controlled under Rule 13-1.	Permitted	<ul style="list-style-type: none"> (a) The rate of take <u>shall must</u> not exceed: <ul style="list-style-type: none"> (i) <u>400 l/ha per day for animal farming up to a maximum of 30 m³/day per property*</u> (ii) <u>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,</u> (ii) <u>15 m³/day per property* where the water is for any other use.</u> The rates of take allowed under subsections (i) (ia) and (ii) cannot be added: the maximum allowable rate of take under this rule is <u>30 m³/day per property*</u>. (b) The rate of take <u>shall must</u> not exceed <u>0.5 2.0 l/s.</u> (c) An intake screen with a mesh aperture size not exceeding 3 mm in diameter <u>shall must</u> be used and the intake velocity <u>shall must</u> not exceed 0.3 m/s. (d) The take <u>shall must</u> not be from <u>any wetland that is a rare habitat*, or threatened habitat* or at-risk habitat*.</u> (e) The <i>water^</i> <u>shall must</u> be used on the <u>subject property*.</u> 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			(f) The Regional Council shall must be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of water^.	
15-2 Minor takes and uses of groundwater	The taking take and or use of groundwater pursuant to s14(24) and s14(3)(b) RMA, except where the water take is controlled under Rule 13-1.	Permitted	<p>(a) The rate of take shall must not exceed 50m³/d per property:</p> <ul style="list-style-type: none"> (i) 400 l/ha per day for animal farming up to a maximum of 50 m³/day per property* (ii) 50 m³/day per property* where the water is for any other use. <p>The rates of take allowed under (i) and (ii) cannot be added: the maximum allowable rate of take under this rule^ is 50 m³/day per property*.</p> <p>(b) The take shall must not be located within 50 m of any other bore* on any other property* unless written approval is obtained from the bore owner.</p> <p>(c) The take shall must not be located within 100 m of any river^, or lake^ or spring, or within 200 m of any wetland^ that is a rare habitat* or threatened habitat*.</p> <p>(ca) The take must not be from any rare habitat*, threatened habitat* or at-risk habitat*.</p> <p>(d) The take shall must not lower the water^ level in any wetland^ that is a rare habitat* or threatened habitat*.</p> <p>(e) There shall must be a means of controlling the rate of flow where a bore* would otherwise be free-flowing, and no water^ shall must not be allowed to run to waste.</p> <p>(f) The water^ shall must be used on the subject property*.</p> <p>(g) The Regional Council shall must be notified in writing of the location of the take, the maximum instantaneous rate of take and the intended use of water^.</p>	
15-3 Use of heat or energy from surface water^	The use of heat or energy from surface water^ pursuant to s14(24) RMA.	Permitted		
15-4 Bore* and	The taking take and use of groundwater for bore* or groundwater testing purposes	Permitted	(a) The Regional Council shall must be notified in writing at least 5 working days^ prior to commencement of the test.	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
groundwater testing	pursuant to s14(24) RMA, and any consequential ancillary discharge ^A of groundwater or contaminants ^A into water ^A or onto or into land ^A pursuant to ss15(1) or 15(2A) RMA.		<ul style="list-style-type: none"> (b) The rate of take shall must not exceed 60 l/s. (c) The duration of any single test shall must not exceed 7 days. (d) The activity shall must be carried out in accordance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock. (da) The take must not be from any rare habitat*, threatened habitat* or at-risk habitat*. (e) The take shall must not lower the water^A level in any wetland^A that is a rare habitat* or threatened habitat*. (f) Where the discharge^A is into water^A the discharge^A shall must not: <ul style="list-style-type: none"> (i) change the receiving water^A temperature by more than 3°C after reasonable mixing^A (ii) cause erosion of the bed^A of the receiving water body^A (iii) alter the natural course of the receiving water body^A (iv) cause visibly noticeable iron flocculation in the receiving water body^A. (g) Where the discharge^A is onto land^A the discharge^A shall must not increase land^A instability or the risk of erosion. (h) The discharge^A shall must not cause or contribute to flooding on any other property*. (i) Following completion of the test, the bore* shall must be covered and secured as soon as practicable. (j) Records of all pumping and recovery tests shall must be kept by the owner^A, including the location of the pumped bore* and any monitoring bores*, the flow rate during pumping, the water^A level at the pumped bore* and any monitoring bores*, and the time at which all measurements are taken. These records shall must be forwarded to the Regional Council within 1 month of completion of the tests. 	
15-5 Takes and uses of surface water^A complying with core allocations	Except as permitted by Rule 15-1, the taking take and or use of surface water ^A from a river ^A pursuant to s14(24) RMA, except where the water take is controlled under Rule 13-1.	Controlled	<ul style="list-style-type: none"> (a) The take shall not be from these rivers protected under Rule 15-7. (b) Water^A shall must only be taken when the river^A is at or above its minimum flow, as assessed in accordance with Schedule B₁, except for permitted or essential takes complying with Policy 6-19(a) or (b). (c) The amount of water^A taken, when assessed in combination with all 	Control is reserved over: <ul style="list-style-type: none"> (a) the volume and rate of water^A taken, and the timing of the take (b) the location of take

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>Advice Note:</p> <p><u>Information regarding the volume of core allocation that is still available may be found on the Regional Council's website.</u></p>		<p>other water^ takes within the same water management zone, shall must not exceed the relevant cumulative core allocation limits set out for water management zones in Schedule B.</p> <p>(d) The amount of water taken, when assessed in combination with all other water takes within the same catchment, shall not exceed the cumulative allocation for each water management zone in the same catchment.</p> <p>(da) The take amount of water taken from a river^ shall must not lower the water^ level in any wetland^ that is a rare habitat* or threatened habitat*.</p> <p>(e) The take must not be from any rare habitat*, threatened habitat* or at-risk habitat*.</p>	<p>(c) intake velocity and screening requirements</p> <p>(d) measures to avoid, remedy or mitigate any adverse effects^ on the Values of the water body^ at the point of abstraction take, including restrictions on the volume and rate of abstraction</p> <p>(da) effects^ on the natural flow regime, the magnitude of the median flow and the frequency of flushing flows</p> <p>(e) the efficiency of water^ use</p> <p>(f) effects^ on other water^ takes</p> <p>(g) effects^ on rare habitats*, and threatened habitats*, and at-risk habitats* and Sites of Significance - Aquatic</p> <p>(h) compliance with minimum flow requirements</p> <p>(i) duration of consent</p> <p>(j) review of consent conditions^</p> <p>(k) 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)</p>

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-5A Replacement consents for takes and uses of surface water^A by existing hydroelectricity schemes	The take, use or diversion of surface water ^A pursuant to s14(2) RMA by existing consented hydroelectricity generation schemes for which replacement consents are sought.	Controlled	(a) The consent application is to replace existing consents that are expiring and there is no increase to the existing volume or rate of take or diversion. (b) The take must not be from any rare habitat*, threatened habitat* or at-risk habitat*.	need not be served ^A on affected persons). Control is reserved over: (a) the volume and rate of water ^A taken and the timing of the take (b) the location of take (c) intake velocity and screening requirements (d) measures to avoid, remedy or mitigate any adverse effects ^A on the Values of the water body ^A at the point of take (e) effects ^A on rare habitats*, threatened habitats* and at-risk habitats* and Sites of Significance - Aquatic (f) compliance with minimum flow requirements (g) measures to avoid, remedy or mitigate adverse effects ^A on tangata whenua ^A matters (h) duration of consent (i) review of consent conditions ^A (j) compliance monitoring.
15-5B Takes and uses of surface water^A from reservoirs and storage lakes^A	Except as permitted by Rule 15-1, the take or use of surface water ^A pursuant to s14(2) RMA from a storage lake ^A or reservoir situated on a river ^A for the purposes of public water supply* or hydroelectricity generation.	Controlled	(a) A residual flow must be maintained in the river ^A below the storage lake ^A or reservoir.	Control is reserved over: (a) the volume and rate of water ^A taken (b) the location of take (c) intake velocity and

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				<p>Non-Notification</p> <p><u>screening requirements</u></p> <p>(d) <u>the efficiency of water^A use</u></p> <p>(e) <u>adequacy of the residual flow below the storage lake^A or reservoir to avoid, remedy or mitigate any adverse effects^A on the Values of the river^A below the storage lake^A or reservoir</u></p> <p>(f) <u>duration of consent</u></p> <p>(g) <u>review of consent conditions^A</u></p> <p>(h) <u>compliance monitoring.</u></p> <p><u>Resource consent^A applications under this rule^A will not be notified and written approval of affected persons will not be required (notice of applications need not be served^A on affected persons).</u></p>
15-6 <u>Takes and uses of surface water^A not complying with core allocations or takes and uses of water^A taken at or below minimum flow</u>	<u>Except as regulated by Rules 15-1, 15-5A, 15-5B or 15-8, the taking take or use of surface water^A from a river^A pursuant to s14(2) RMA:</u> <u>(aa) which, when assessed in combination with all other water^A takes, exceeds the relevant cumulative core allocation limits set out in Schedule B, or</u> <u>(ab) which is taken at or below the minimum flow (unless the take is a permitted or essential take complying</u>	Non-complying		

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	<p><u>with Policy 6-19(a) or (b)).</u></p> <p>This rule does not include:</p> <p>(a) takes permitted under Rule 15-1</p> <p>(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).</p> <p>(c) lawfully established takes for hydroelectricity generation (these are discretionary activities under Rule 15-8).</p> <p>Advice Note:</p> <p><u>Information regarding the volume of cumulative core allocation that is still available may be found on the Regional Council's website.</u></p>			
15-7 Takes from rivers protected by water conservation orders	<p>(a) The taking and use of surface water pursuant to s 14(1) RMA from:</p> <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 Te Ao River upstream of its confluence with the Waimarino Stream, the Makatote River or the Mangaturuturu River. <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</p>	Prohibited		

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>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 Orauteha 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</p>			

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	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.			
15-8 Other takes and uses of water^	The taking and <u>take</u> or use of surface <u>water^</u> or groundwater pursuant to s14(24) RMA, <u>which is not regulated by any other rules^ in this chapter or which does not comply with the permitted activity^ or controlled activity^ rules^ in this chapter except as regulated by any other rule, and or the taking <u>take</u> and or use of groundwater at a rate exceeding 50 m³/day per property*</u> , except takes for bore* or groundwater testing permitted under Rule 15-4.	Discretionary		

Rule guide:

Takes or uses of water from rare habitats*, threatened habitats* or at-risk habitats* are regulated by Rule 12-6.

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	The take, diversion and <u>or discharge^</u> of surface <u>water^</u> and any <u>associated ancillary</u> damming of <u>water^</u> , or <u>discharge^</u> of sediment or other <u>contaminants^</u> in the <u>water^</u> into <u>water^</u> or onto or into <u>land^</u> pursuant to s14(24) and ss15(1) or 15(2A) RMA arising from:	Permitted	<ul style="list-style-type: none"> (a) The diversion or <u>discharge^</u> shall <u>must</u> be to the same <u>Water Management Sub-zone*</u> to which the <u>water^</u> would naturally flow, except diversions associated with existing <u>land^</u> drainage. (b) <u>Effects^</u> on <u>land^</u> instability, erosion risk, flooding and soil resources (including drained peat soils) shall <u>must</u> remain the same as or similar in character, intensity and scale to those which existed before this <u>rule^</u> became <u>operative^</u>. 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>(a) a diversion that was lawfully established prior to as at the date of this rule^A becoming operative^A, or</p> <p>(b) a diversion that has been lawfully established by way of resource consent^A after the operative^A date of this rule^A</p> <p>including diversions associated ancillary to with the operation* of existing drainage networks.</p> <p>Rule Guide Advice Note:</p> <p>This rule^A means that, once diversions have been lawfully established, including diversions for land^A drainage purposes, their continued operation* is permitted under this rule^A. No ongoing consent is required for the operation* of existing diversions provided the conditions^A of this rule^A are met.</p>		<p>(c) The diversion shall must not prevent the passage of fish in water bodies^A containing fish.</p> <p>(d) For diversions lawfully established by way of a resource consent^A, the diversion shall must continue to comply with all conditions^A of the consent.</p>	
15-10 New drainage	The take, diversion and or discharge ^A of drainage water ^A , and any associated ancillary damming of water ^A , or discharge ^A of sediment or other contaminants ^A in the drainage water ^A into water ^A or onto or into land ^A pursuant to s14(24) and ss15(1) or 15(2A) RMA arising from the establishment and operation* of new land ^A 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.</p> <p>(b) The diversion or discharge^A shall must not cause or exacerbate the flooding of any property*, unless written approval is obtained from the affected property owner or the flooding is in accordance with an approved Regional Council drainage scheme design.</p> <p>(c) The diversion or discharge^A shall must not cause any scouring or erosion of any land^A or water body^A beyond the point of discharge^A.</p> <p>(d) The diversion or discharge^A shall must not alter the natural course of any natural water body^A.</p> <p>(e) There shall must be no diversion or discharge^A to or from any natural lake^A, rare habitat*, or threatened habitat*, or at-risk habitat*, or reach of river^A or its bed^A with a Schedule AB Value of Natural State</p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p>water management zone*.</p> <p>(f) The activity shall must not result in the lowering of water^ levels in any wetland^ classified as that is a rare habitat* or threatened habitat*.</p> <p>(g) The diversion or discharge^ shall must be to the same Water Management sub- Zone* to which the drainage water^ would naturally flow.</p> <p>(h) The diversion or discharge^ shall must not cause, after reasonable mixing*, any of the following effects^ in the receiving water body^:</p> <ul style="list-style-type: none"> (i) the production of conspicuous oil^ or grease films, scums or foams, or floatable or suspended materials (ii) any conspicuous change in the colour or visual clarity of the receiving water^ (iii) any emission of objectionable odour (iv) the rendering of fresh water^ unsuitable for consumption by farm animals (v) the natural temperature of the receiving water^ to change by more than 3°C (vi) toxicity to aquatic ecosystems. <p>(i) The diversion or discharge^ shall must not, after reasonable mixing*, cause the dissolved oxygen of the receiving water body^ to fall below 80% saturation concentration, unless the dissolved oxygen is already below this limit in which case the discharge^ shall must not lower it further.</p> <p>(j) The diversion or discharge activity shall must not be to any archaeological site, waahi tapu or koiwi remains historic heritage^ as identified in any district plan^, or regional 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>	
15-11 New diversions	The following activities where they are associated with the establishment and operation* of a new diversion, except as	Permitted	<p>(a) The activity shall must involve:</p> <ul style="list-style-type: none"> (i) a diversion of groundwater, 	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion
				Non-Notification
	<p>expressly provided for by other <i>rules</i>^A within this Plan:</p> <p>(a) the take, diversion and or <i>discharge</i>^A of <i>water</i>^A and any <i>associated ancillary</i> damming of <i>water</i>^A pursuant to s14(1-2) and ss15(1) or 15(2A) RMA</p> <p>(b) any <i>associated ancillary</i> <i>discharge</i>^A of sediment or other <i>contaminants</i>^A in the <i>water</i>^A into <i>water</i>^A or onto or into <i>water land</i>^A pursuant to ss15(1) or 15(2A) RMA</p> <p>(c) any <i>associated ancillary</i> excavation or disturbance of <i>the a-riverbed</i>^A of a <i>river</i>^A pursuant to ss13(1) and 13(2) RMA.</p>		<ul style="list-style-type: none"> (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 is within the RMA definition of "river"^A, or (iv) a diversion wholly contained within the <i>bed</i>^A of a <i>river</i>^A provided the diversion is no more than two times the <i>bed</i>^A width of the <i>river</i>^A in any 2 km length of <i>river</i>^A in any 12 month period. <p>(b) The activity shall must not involve the diversion of <i>water</i>^A associated with new drainage which is regulated under Rule 15-10.</p> <p>(c) The diversion shall must not be located within 200 m of any <i>wetland</i>^A that is a <i>rare habitat</i>* or <i>threatened habitat</i>* and shall must not lower the <i>water</i>^A level in any <i>wetland</i>^A that is a <i>rare habitat</i>* or threatened habitat*.</p> <p>(ca) <i>The diversion must not be to or from any rare habitat*, threatened habitat* or at-risk habitat*</i>.</p> <p>(d) The diversion shall must not increase <i>land</i>^A instability or the risk of erosion.</p> <p>(e) The diversion shall must not cause or contribute to flooding on any other <i>property</i>*</p> <p>(f) The diversion shall must not adversely affect any lawfully established <i>water</i>^A take or use which existed at the time that the diversion commenced.</p> <p>(g) The diversion shall must not prevent the passage of fish in <i>water bodies</i>^A containing fish.</p> <p>(h) The diversion shall must not be undertaken where without the prior written approval of authorities responsible for any <i>infrastructure</i>^A is located in, on, under or over the <i>bed</i>^A within 1 km upstream or downstream of the diversion.</p> <p>(i) Any realigned <i>bed</i>^A shall must have at least the same capacity as the original <i>bed</i>^A to carry the diverted flow.</p> <p>(j) For diversions of surface <i>water</i>^A from an <i>artificial watercourse</i>* or drain, the diverted <i>water</i>^A shall must not cause a reduction in the <i>water</i>^A quality of any downstream natural <i>water body</i>^A.</p> <p>(k) Any <i>discharge</i>^A of sediment associated with ancillary to the activity</p>	

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
			<p><u>shall</u> <u>must</u> not, after <i>reasonable mixing*</i>, cause a conspicuous change in the colour or visual clarity of the receiving <u>water^</u>.</p> <p>(l) The construction of a new diversion located within a <u>river^</u> <u>shall</u> <u>must</u> comply with the <u>standard general conditions^</u> listed in Section 16.2 Table 16.1.</p>	
15-12 Diversions that do not comply with <u>permitted activity^</u> and <u>controlled activity^</u> rules^	Any diversion pursuant to s14(4 2) RMA that does not comply with one or more <u>conditions^</u> , standards or terms of a <u>permitted activity^</u> or <u>controlled activity^</u> rule^ in this Plan chapter, but which is not expressly classified as a discretionary activity^, non-complying or prohibited activity^.	Discretionary	<p>(a) <u>The diversion must not be to or from any rare habitat*, threatened habitat* or at-risk habitat*.</u></p>	

Rule Guide:

Diversions, including drainage, in rare habitats*, and threatened habitats* and at-risk habitats* are regulated by Rules 15-5 and 15-6 12-6.

Diversions of surface water allocated to existing consented hydroelectricity generation schemes are dealt with in Rule 15-5A.

15.4 Rules - **Bore* Drilling and Bore* Sealing**

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
15-13 Drilling and bore construction-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^ into water^ or onto land^ pursuant to ss15(1) or 15(2A) RMA.	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^ into water^ or onto land^ pursuant to ss15(1) or 15(2A) RMA.	<u>Restricted</u> <u>discretionary</u> <u>Controlled</u>	<p>(a) <u>The activity must not be within any rare habitat*, threatened habitat* or at-risk habitat*.</u></p>	<p>Discretion is restricted to Control is reserved over:</p> <p>(a) compliance with the NZS 4411:2001 Environmental Standard for Drilling of Soil and Rock and any other relevant standard</p> <p>(b) bore* location, size</p>

Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion
Non-Notification				
				(including diameter of the <i>bore</i> * casing) and depth
15-14 Unsealed bores*	<p>Pursuant to ss9(2), 14(2), 15(1) or 15(2A) <u>RMA</u> any <i>bore</i>* that:</p> <ul style="list-style-type: none"> (a) is no longer used and is unsealed, or (b) is in use and is constructed in a manner that allows <i>contaminants</i>^ to enter the <i>bore</i>* from the <i>land</i>^ surface, or <u>allows</u> the wastage of <i>water</i>^ in artesian <i>conditions</i> situations. 	Prohibited		(c) <i>bore</i> * screening <u>depth</u> and <u>type</u>
				(d) backflow prevention
				(e) information requirements including <i>bore</i> * logs, piezometric levels, groundwater tests, and <i>bore</i> * construction details
				(f) duration of consent
				(g) review of consent <i>conditions</i> ^
				(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).

Rule Guide:

The drilling, construction or alteration of any *bore** and any ancillary *discharge*^ of *water*^ or *contaminants*^ in *rare habitats**, *threatened habitats** and *at-risk habitats** is regulated by Rule 12-6.

