

Getting consent for your water take



What you need to know



As Bay of Plenty's economy continues to grow, so too does the pressure on this region's natural resources. This is especially the case with water, with an increasing number of people taking freshwater from our rivers, lakes, streams and groundwater to live or help to run their businesses.

Bay of Plenty Regional Council manages water allocation. This includes people's extraction of water for irrigation. Put simply, we manage the natural freshwater that's in and on the ground, so that there's enough for people and wildlife to thrive, now and in the future.

In the Bay of Plenty we currently have more than 1,300 consents to take and use water from ground and surface water sources. We know there are many more users out there, including hundreds taking water as a permitted activity. You can carry out permitted activities without resource consent, as long as you comply with the conditions outlined in our plans.

Do I need a consent?

If you're reading this, chances are you're aware that you need resource consent or are likely to need one in the near future. Depending on how you source your water there are a number of conditions that must be met, but to summarise you will need a consent: Prior to drilling a new bore, or

- For groundwater takes:
 - Taking more than 15 m³/day for properties less than 5 ha in size, or
 - Taking more than 35 m³/day for properties 5 ha or greater in size.
- For surface water takes (streams/river):
 - Taking more than 15 m³/day, or
 - Taking at a rate of 2.5 L/s or more, or
 - In conjunction with other abstractors, taking more water than what the instream minimum flow requirement requires.

Important planning rules and policies - Plan Change 9

There are regional rules people need to factor in too and these are being updated as we get a better understanding of how much water is in each catchment and how much is available. One of the most recent updates to the rules is called Plan Change 9 and brings in some big changes for those taking water. To learn about this, visit www.boprc.govt.nz/PlanChange9.

How do I know how much water I'm taking?

So we can all get an accurate understanding of just how much water is being taken throughout the Bay, we encourage landowners to install water meters and record how much they're using. Once we have an accurate understanding of how much water people are taking we can compare this against the available water for that particular river, stream or groundwater aquifer. This also enables us to determine allocation limits.

Metering requirements

The Ministry for the Environment introduced rules around metering in 2010. These rules say those taking five litres per second or more need to install and maintain an accurate water meter, and importantly, keep accurate records of the daily take. Check out www.boprc.govt.nz/watermetering to learn about the Ministry for the Environment's Water Take Regulations.

To see whether your water take data will need to be metered and reported on a daily or monthly basis visit www.boprc.govt.nz/PlanChange9 and scroll to pages 23 and 24 of the Policy.

If daily recording and reporting is required, installation of telemetry is the most practical way to meet this. You can do this yourself or through a third party provider.

If monthly recording and reporting is required consent holders will need to enter their water use data in to Bay of Plenty Regional Council Water Users Data Management System (WUDMS). See www.boprc.govt.nz/watermetering for information on WUDMS.

Getting consent

The resource consent process follows the requirements of the Resource Management Act 1991. You can learn more about this at www.boprc.govt.nz/resourceconsents. The clearer you describe what you want to do and where you want to do it, the easier the process of lodging an application will be. There are specific application forms for each activity and you will need to use the correct application form in order for it to be processed.

You're likely to need one of the forms detailed below, otherwise visit www.boprc.govt.nz/applicationforms to find the correct form for your activity.

- If you currently take groundwater above the permitted levels (or plan to) you will need to complete application form 5B - Take and Use Groundwater.
- If you currently take surface water (or plan to) above the permitted levels you will need to complete form 5A - Take and Use Surface Water (including intake structure).

It's important that prior to submitting your application you understand what is required, have checked the relevant rules and plans and consulted those who could be affected by the activity, including tangata whenua. The application forms will guide you through this but remember our Consents Team are here to help too. Contact the Duty Consents Officer for help on 0800 884 880.

Importantly, an incomplete application form will not be accepted for processing, so it is important to make sure you have all the information required before lodging your consent application.

Assessment of Environmental Effects

There is a requirement under the Resource Management Act to undertake an Assessment of Environmental Effects (AEE) for all consent applications. Information that needs to be included in this AEE is guided by the policies of the regional planning documents and includes:

For groundwater takes

- Efficiency and reasonableness of abstraction rate and volume.
- Aquifer sustainability.
- Water availability and allocation within the groundwater catchment.
- Bore interference/existing users.
- Saltwater intrusion.
- Water quality and assimilative capacity.
- On surface water and associated values.
- Tangata whenua values.
- On the Tauranga geothermal resource.

If the application is for a previously unconsented take, an analysis of a 24 hour pump test which has been undertaken by a pump test consultant is required to establish the likely level of some of the actual and potential adverse effects listed above.

Please provide a map showing the irrigation/frost area and the area in hectares of each crop.

You can access information on how a pump test should be undertaken as well as a list of approved pump test consultants under 'Water' at www.boprc.govt.nz/consentforms.

For surface water takes

- Efficiency and reasonableness of abstraction rate and volume.
- Surface water availability and allocation.
- Ecological effects from the water take and use of the intake structure.
- Effects on existing users.
- Water quality and assimilative capacity.
- Tangata whenua values.

Please provide a map showing the irrigation/frost area and the area in hectares of each crop.

Efficiency of use

All water take resource consent applications in the Bay of Plenty are assessed for the efficiency of the resource use.

When it comes to irrigation, the efficiency assessment model used is called "SPASMO-IR", which stands for Soil, Plant, Atmosphere, System Model - Irrigation. Under this model the crop type, soil data, irrigation area and climate station information are entered to determine the maximum recommended allocation on a weekly and seasonal basis.

SPASMO has been designed with an efficiency of application value of 80% and a probability of water volume requirements of 90%. The 80% efficiency value is the level used for the design of irrigation systems as a minimum requirement for varying types of sprinkler system. Using a probability of 90% assumes that nine out of every ten years, the irrigation amount will be sufficient to meet the crop's requirements. Consent conditions will limit weekly and seasonal volumes and include seasonal durations.

When it comes to frost protection, an allowance of 3 mm per hectare per hour is a general guide for application depths to protect crops from up to -3 degree frost. Water volumes are usually calculated on requiring water for 15 days each frost season, unless the applicant can provide property specific information that shows a trend of there being more than 15 days of frosts.

Assessment of effects on tangata whenua values (cultural effects)

An assessment of cultural effects is required to fully understand the potential effects of your proposal on Maori cultural values, interest and associations with an area or a resource. Please note: Your application will be returned if no cultural effects assessment is provided.

How do I find out the potential cultural effects of my activity?

The best way to learn about any potential impacts on cultural values is to contact the relevant iwi and hapu in your area for comment. You can access a list of contacts for these iwi and/or hapu by phoning the Consents Duty Planner on 0800 884 880. Whether you are contacting them by phone or email, make sure you have a copy of your proposal and application handy so you can answer any questions they may have.

Please keep a record of all communications so you can provide them as part of your cultural effects assessment with your application.

How do I assess the potential cultural effects against my proposed activity?

Our plans and policy statements provide an overview of the resource management issues for our region and set out how we plan to manage these natural and physical resources. Throughout these plans and policy statements is a commitment to understand and take into account cultural values in relation to natural resources.

When it comes to assessing the potential cultural effects in regards to water take, Chapter 3 of the Natural Resources Plan is a good place to start. Check out www.boprc.govt.nz/naturalresourcesplan.

You can then put the comments you receive from the iwi and hapu identified (as above) in the context of the policies of the plans to undertake an Assessment of Effects in relation to cultural values.

Summary of how to prepare cultural effects assessments

- Consult with tangata whenua directly to determine actual/potential cultural effects, and
- Provide an assessment of your proposed activity using the comments/assessments from tangata whenua against the policies of the plans, outlining why you think your proposal is in line with the policies (or does not contravene the above policies), or
- Engage a suitably qualified and experienced consultant to prepare a cultural impact assessment.

What is it going to cost me?

A deposit fee is required at the time of lodging your consent application and it won't be received and processed by Council until this has been paid. You can find the current deposit fees, staff charges and other information about consent application costs at www.boprc.govt.nz/resourceconsents.

Because every application is different, it's not possible to estimate what it will cost to get your water take consent.

A well prepared application costs the processing officer less time; therefore it makes sense to spend some time getting your application right before you lodge it. Any costs incurred over an above the deposit fee will be invoiced to the applicant upon a decision being made on the application.

Bay of Plenty Regional Council provides one hour's free planning advice to consent applicants. It may also be useful to have a discussion with a pump test consultant, hydrologist or planner to help ensure you provide a good application.

Notification of resource consent applications

Under the Resource Management Act 1991, the consent authority must assess the adverse effects of the activity on people or the environment to determine whether the application will be processed on a non-notified or notified basis. This will also determine the costs to process your consent application.

He taonga tuku iho te wai nā papatūānuku raua ko Ranginui, tiaki aronuitia e tātau katoa

Water is lent to us by the earth and
sky, we must use it wisely

Who do I contact for more information or iwi authority details?

The Maori Policy Advisors at the Regional Council can provide further information or contact details for the relevant iwi or hapu authority. In some instances, this may involve more than one iwi or hapu authority.

Contact: 0800 884 880 or info@boprc.govt.nz

