

### **E7.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) general:
  - (a) the effects on Mana Whenua values.
- (2) take and use of surface water from a lake:
  - (a) the maximum rate and volume of the take;
  - (b) the location of the take;
  - (c) effects on other lawfully established takes and use of the surface waterbody;
  - (d) the imposition of restrictions at times of water shortage;
  - (e) metering (daily), monitoring and reporting requirements; and
  - (f) the duration of the consent and the timing and nature of reviews of consent conditions.
- (3) replacement of an existing resource consent to take and use surface water for municipal water supply purposes (excluding from a municipal water supply dam):
  - (a) maximum rate and volume of the take;
  - (b) the location of the take;
  - (c) downstream flow regimes;
  - (d) lawfully established down-stream takes and uses;
  - (e) the water management plan;
  - (f) metering, monitoring and reporting requirements and results; and
  - (g) the duration of the consent and the timing and nature of reviews of consent conditions.

(4) take and use of groundwater for dewatering or groundwater level control associated with groundwater diversion:

(a) refer to the matters listed in E7.8.1(6)(a)-(f) below.

(5) replacement of existing consent to take and use of groundwater for municipal supply purposes:

(a) the maximum rate and volume of the take;

(b) the location of the take;

(c) effects on other lawfully established groundwater and surface water takes and uses;

(d) mitigation measures to address any adverse effects on the aquifer;

(e) the water management plan;

(f) metering (daily), monitoring and reporting requirements; and

(g) the duration of the consent and the timing and nature of reviews of consent conditions.

(6) diversion of groundwater:

(a) how the proposal will avoid, remedy or mitigate adverse effects:

(i) on the base flow of rivers and springs;

(ii) on levels and flows in wetlands;

(iii) on lake levels;

(iv) on existing lawful groundwater takes and diversions;

(v) on groundwater pressures, levels or flow paths and saline intrusion;

(vi) from ground settlement on existing buildings, structures and services including roads, pavements, power, gas, electricity, water mains, sewers and fibre optic cables;

(vii) arising from surface flooding including any increase in frequency or magnitude of flood events;

(viii) from cumulative effects that may arise from the scale, location and/or number of groundwater diversions in the same general area;

(ix) from the discharge of groundwater containing sediment or other contaminants;

(x) on any scheduled historic heritage place; and

(xi) on terrestrial and freshwater ecosystems and habitats.

- (b) the need for mineral extraction within a Special Purpose - Quarry Zone to carry out dewatering or groundwater level control and diversion and taking of groundwater in the context of mineral extraction activity.
  - (c) monitoring and reporting requirements incorporating, but not limited to:
    - (i) the measurement and recording of water levels and pressures;
    - (ii) the measurement and recording of the settlement of the ground, buildings, structures and services;
    - (iii) the measurement and recording of the movement of any retaining walls constructed as part of the excavation or trench; and
    - (iv) requiring the repair, as soon as practicable and at the cost of the consent holder, of any distress to buildings, structures or services caused by the groundwater diversion.
  - (d) the duration of the consent and the timing and nature of reviews of consent conditions;
  - (e) the requirement for and conditions of a financial contribution and/or bond; and
  - (f) the requirement for a monitoring and contingency plan or contingency and remedial action plan.
- (7) Take and use of geothermal water for bathing purposes from the Waiwera and Parakai geothermal aquifers:
- (a) maximum rate and volume of the take;
  - (b) the location of the take;
  - (c) effects on other lawfully established takes and use of the aquifer;
  - (d) metering, monitoring and reporting requirements; and
  - (e) the duration of the consent and timing and nature of reviews of consent conditions.
- (8) Drilling holes or bores not meeting the permitted or controlled activity controls:
- (a) the options to locate and design the hole or bore to avoid adverse effects on areas in the Wetland Management Areas Overlay;
  - (b) the location, depth and design of the hole or bore and the design of the head works;
  - (c) the effects on any scheduled historic heritage place;
  - (d) the provision for bore or hole identification;
  - (e) maintenance of the hole or bore;

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- (f) monitoring and reporting requirements; and
- (g) the duration of the consent and the timing and nature of reviews of consent conditions.

#### **E26.6.7.1. Matters of discretion**

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) all regional restricted discretionary activities [rp]:
  - (a) the matters set out in E26.5.7.1(1);
  - (b) the effects that the earthworks will have on ecological values, including on threatened species and ecosystems;
  - (c) the effects the vegetation alteration or removal will have on soil conservation, water quality and the hydrological function of the catchment;
  - (d) the necessity of the earthworks to provide for the functional and operational needs of infrastructure;
  - (e) the minimisation of effects from land disturbance through alternative locations on the site and/or methods of undertaking the works;
  - (f) the remedy or mitigation of adverse effects, including through revegetation, or restoration of other areas and ongoing maintenance;
  - (g) the benefit of imposing bonds, covenants or similar instruments as conditions of consent in implementing any of the matters of discretion; and
  - (h) the effects on Mana Whenua values associated with a Significant Ecological Areas Overlay.
- (2) all district restricted discretionary activities [dp]:
  - (a) the matters set out in E26.5.7.1(2);
  - (b) effects on the characteristics and qualities that contribute to the natural character and/or landscape values of the area;
  - (c) landscape, visual and amenity effects;
  - (d) modification to landform;
  - (e) Mana Whenua values;
  - (f) the mitigation of effects; and
  - (g) the necessity of the earthworks to provide for the functional and operational needs of infrastructure.