E7.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

(1) all restricted discretionary activities:

(a) the extent to which any effects on Mana Whenua values are avoided, remedied or mitigated;

(b) the extent to which the proposal will be consistent with the management of allocation of freshwater within the guidelines provided by Appendix 2 River and stream minimum flow and availability and Appendix 3 Aquifer water availabilities and levels, and give priority to making fresh water available for the following uses (in descending order of priority):

(i) existing and reasonably foreseeable domestic and municipal water supply and animal drinking water requirements;

(ii) existing lawfully established water users;

(iii) uses of water for which alternative water sources are unavailable or unsuitable;

(iv) all other uses

(2) whether the proposal promotes the efficient use of freshwater and geothermal water by:

(a) ensuring the amount of water taken and used is reasonable and justifiable with regard to the intended use, and where appropriate:

(i) municipal water supplies are supported by a water management plan

(ii) an industrial and irrigation supply implements best practice in respect of the efficient use of water for that particular activity or industry

(iii) all takes (other than for municipal water supply from dams) are limited to a maximum annual allocation based on estimated water requirements

(b) considers water conservation and thermal efficiency methods

(c) encourages the shared use and management of water within a water user groups or other arrangement where it will results in an increased efficiency in the use and allocation of water.

(3) whether the proposal to take and use water from lakes, rivers, streams, springs or wetlands demonstrates that:

(a) the taking of surface water from any river or stream is within the guideline in Table 1 River and stream minimum flow and availability in Appendix 2 River and stream minimum flow and availability except in accordance with E2 Water quantity, allocation and use, Policy E2.3(9).

(b) appropriate water levels and downstream flow regimes will be maintained, including:

(i) low flows in rivers and streams to protect in-stream values;

(ii) flow variability in rivers, streams and springs;

(iii) water levels and flows in wetlands ensure the vegetation and habitat values of the wetland are protected throughout the year;

(iv) water levels in lakes maintain the ecological values and water quality of the lake and its shoreline stability, and enable recreational use (except for dams used for municipal water supply); and

(v) existing lawfully established taking of water is not adversely affected

(c) the taking of water will be at times of the day or year that will safeguard the identified freshwater values of the waterbody

(d) intake structures will be designed, constructed, operated and maintained to avoid adverse effects on biota, including the entrainment and impingement of fish

(e) there are options for implementing water conservation measures in times of water shortage.

(4) Whether the proposal to take and use groundwater from any aquifer demonstrates that:

(a) the take is within the water availabilities and levels for the aquifer in Table 1 Aquifer water availabilities and Table 2 Aquifer groundwater levels, in Appendix 3 Aquifer water availabilities and levels and:

(i) recharge to other aquifers is maintained;

(ii) aquifer consolidation and surface subsidence is avoided;

(b) the taking will avoid, remedy or mitigate adverse effects on surface water flows, including:

(i) base flow of rivers, streams and springs;

(ii) any river or stream flow requirements;

(c) the taking will avoid, remedy or mitigate adverse effects on terrestrial and freshwater ecosystem habitat;

(d) the taking will not cause saltwater intrusion or any other contamination;

(e) the taking will not cause adverse interference effects on neighbouring bores to the extent their owners are prevented from exercising their lawfully established water takes;

(f) E7.8.2(5)(e) above will not apply in the following circumstances:

(i) where it is practicably possible to locate the pump intake at a greater depth within the affected bore;

(ii) where it can be demonstrated that the affected bore accesses, or could access, groundwater at a deeper level within the same aquifer, if drilled or cased to a greater depth;

(g) the proposed bore is capable of extracting the quantity of groundwater applied for;

(h) the proposal avoids, remedies or mitigates any ground settlement that may cause distress, including reducing the ability of an existing building or structure to meet the relevant requirements of the Building Act 2004 or the New Zealand Building Code, to existing:

(i) buildings;

(ii) structures; and

(iii) services including roads, pavements, power, gas, electricity, water supply and wastewater networks and fibre optic cables.

(5) Whether the proposal provides mitigation options where there are significant adverse effects on the matters identified in E7.8.2(4) and (5) above, including the following:

(a) consideration of alternative locations, rates and timing of takes for both surface water and groundwater;

(b) use of alternative water supplies;

(c) use of water conservation methods when water shortage conditions apply;

(d) provision for fish passage in rivers and streams;

(e) wetland creation or enhancement of existing wetlands;

(f) riparian planting; and

(g) consideration of alternative designs for groundwater dewatering proposals.

(6) Whether the proposal to take and use surface water and groundwater will monitor the effects of the take on the quality and quantity of the freshwater resource to:

(a) measure and record water use and rate of take;

(b) measure and record water flows and levels;

(c) sample and assess water quality and freshwater ecology; and

(d) measure and record the movement of ground, buildings and other structures.

(7) Whether it is appropriate to address water availability effects where water allocation exceeds or is close to exceeding the guidelines in Table 1 River and Stream Minimum Flow and Table 2 Aquifer Groundwater Levels in Appendix 3 Aquifer water availabilities and levels by:

(a) not granting new consent applications to take water;

(b) reducing existing takes over time by:

(i) encouraging voluntary reductions in water allocations;

(ii) reviewing existing consents to align water allocations to the actual historical use of water;

(c) reviews of existing allocations under b(ii) above must not apply to takes for municipal water supply, where a water management plan demonstrates a necessary increase in abstraction to cater for planned urban growth; and

(d) reviewing existing consents to require the efficient use of water.

(8) Refuse the proposal where the take exceeds the guidelines in Table 1 River and stream minimum flow in Appendix 2 River and stream minimum flow and availability unless the river or stream flow is greater than the median flow, provided the total take does not exceed 10 per cent of the flow in the river or stream at the time of abstraction, and natural flow variability is maintained.

(9) The matters listed in E2 Water quantity, allocation and use, Policies E2.3(13) and (14) which reflect the direction of the National Policy Statement for Freshwater Management.

(10) Whether the proposal to divert groundwater will ensure that:

(a) the proposal avoids, remedies or mitigates any adverse effects on:

(i) scheduled historic heritage places and scheduled sites; and

(ii) people and communities;

(b) the groundwater diversion does not cause or exacerbate any flooding;

(c) monitoring has been incorporated where appropriate, including:

(i) measurement and recording of water levels and pressures; and

(ii) measurement and recording of the movement of ground, buildings and other structures;

(d) mitigation has been incorporated where appropriate including:

(i) minimising the period where the excavation is open/unsealed;

(ii) use of low permeability perimeter walls and floors;

(iii) use of temporary and permanent systems to retain the excavation; and

(iv) re-injection of water to maintain groundwater pressures;

(11) Whether the proposal to drill holes or bores demonstrates that the location, design and construction:

(a) complies with the New Zealand Standard on the Environmental Standard for Drilling of Soil and Rock (NZS 4411:2001);

(b) prevents contaminants from entering an aquifer;

(c) prevents cross-contamination between aquifers with different pressure, water quality or temperature;

(d) prevents leakage of groundwater to waste;

(e) avoids the destruction, damage or modification of any historic heritage place; and

(f) avoids disturbance of wetlands.

E26.6.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

(1) all regional restricted discretionary activities [rp]:

(a) the relevant assessment criteria in E26.5.7.2(1);

(b) the extent to which the earthworks are minimised and adverse effects on the ecological and indigenous biodiversity values of the vegetation are able to be avoided, remedied or mitigated;

(c) whether the earthworks will have an adverse effect on threatened species or ecosystems;

(d) the extent to which the earthworks will adversely affect soil conservation, water quality and the hydrological function of the catchment and measures to avoid remedy or mitigate any adverse effects;

(e) whether the earthworks will improve the reliance and security of the network utility;

(f) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location;

(g) the extent of the benefits derived from infrastructure;

(h) whether the effects from the earthworks can be minimised through works being undertaken on an alternative location on the site, and/or method of undertaking the works;

(i) the extent to which re-vegetation can remedy or mitigate adverse effects;

(j) whether conditions of consent can avoid remedy or mitigate adverse effects including the imposition of bonds, covenants or similar instruments; and

(k) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.

(2) all district restricted discretionary activities [dp]:

(a) the relevant assessment criteria in E26.5.7.2(2);

(b) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

(c) whether, taking into account the characteristics and qualities of the site of the proposed earthworks, that the proposed location has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

(d) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:

(i) amenity values or views, both from land and sea;

(ii) landscape and natural character values; and

(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

(e) whether the siting of the earthworks adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories;

(f) whether the earthworks will be visually obtrusive from any public road or public place, including from beaches and the sea;

(g) the extent of adverse visual or ecological effects from the proposed earthworks and landform modification;

(h) the extent to which the proposed earthworks will impact on Mana Whenua values;

(i) whether the earthworks will improve the reliance and security of the network utility;

(j) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location; and

(k) the extent of the benefits derived from infrastructure.