

REQ.581172**CONDITIONS APPLICABLE TO ALL CONSENTS:**

To take groundwater for the purpose of horticultural irrigation on ~~that property:~~ the below properties:

<Note: each consent approved by the commissioners will be individually issued and linked to the legal description(s) listed in the relevant application>

Water Extraction Volumes

1 The rate of taking shall not exceed the limits set out in the following table:

| Consent | Holder | Annual Limit (m ³), being 1 July to 30 June: | Daily rate of taking (m ³ /day), being any 24 consecutive hours: |
|-----------------------------|--|--|--|
| APP.038328.01.01 | Bernard Kim & Sheryl Dianne Shine | 40,000 | 268 |
| APP.039332.01.01 | Candy Corn Ltd, C/- Bryan Candy | 80,000 | 537 |
| APP.038471.01.01 | Honeytree Farms Limited, C/- Tony Hayward | 200,000 <u>285,000</u> | 2,200 <u>3,000</u> |
| APP.038589.01.01 | Neil & Alma Violet Thompson and Steven & Josephine Suzanne Thompson | 39,350 | 320 |
| APP.039345.01.01 | Ongare Trust, C/- Ian McLarnon & Jason McLarnon | 23,370 | 200 |
| APP.038610.01.01 | Mapua Avocados Ltd, C/- Murray Forlong | 624,000 <u>627,000</u> | 5000 |
| APP.038591.01.01 | Cypress Hills Ltd, C/- Alan Anderson & Carolyn Dawn Smith | 41,720 | 280 |
| APP.038650.01.01 | Tony and Diane Hewitt | 40,230 | 270 |
| APP.027391.01.02 | Ivan Anthony Stanisich | 64,070* | 1150* |
| APP.038454.01.01 | Elbury Holdings Limited, C/- Kevin and Fiona King | 113,700 | 763 |
| APP.038380.01.01 | Daimen & Katherine Holloway | 14,900 | 100 |
| APP.039381.01.01 | Johno and Carol Brien (Lamb Road) | 14,900 | 100 |
| APP.039244.01.01 | Kevin and Dani Thomas | 59,600 | 400 |

| Consent | Holder | Annual Limit (m ³), being 1 July to 30 June: | Daily rate of taking (m ³ /day), being any 24 consecutive hours: |
|------------------|---|--|--|
| APP.038420.01.01 | Largus Orchard Ltd Partnership, C/- Murray Forlong (Changed from Matijevich) | 193,700 | 1,300 |
| APP.038513.01.01 | Te Rūnanga o Ngai Takoto, C/- Rangitane Marsden | 193,700 | 1,300 |
| APP.038410.01.01 | Georgina Tui and Mate Nickolas Covich | 223,500 | 1,500 |
| APP.038732.01.01 | Kathy Valadares | 22,350 | 150 |

~~***Note to Commissioners** – Stanisich application was for a change to an existing consented take to increase the existing authorized volume from 720 m³/day to 1,150 m³/d (a change of 430 m³/day), while keeping the annual volume the same as existing (120,000 m³/annum). The volumes expressed in the application documents for the annual equivalent reflect the implied annual change associated with the daily increase for the purposes of the model in the AEE assessment.~~

1a Notwithstanding Condition 1, the annual rate of taking shall not exceed the limits set out in the following table for the following periods:

- (a) Stage one from the date of commencement of this consent to 30 June 2019;
- (b) Stage two from 1 July 2019 to 30 June 2022;
- (c) Stage three from 1 July 2021 to 30 June 2024;
- (d) Stage four from 1 July 2024 to date of expiry of consent

<include table 1 from Schedule 1>

Prior to exercise of Conditions 1a(b), 1a(c) and 1a(d) the Consent Holder shall provide to the Council's Compliance Manager for approval an environmental assessment of the effects of the Consent Holder's activities to date (individually and cumulatively) prepared by a suitably qualified and experienced expert. The assessment shall include, but not be limited to, the following:

- A review of all monitoring data required in accordance with conditions of this consent;
- Appropriate State of Environment Monitoring results, and meteorological data;
- Appropriate water quality standards;
- Comparison to the effects modelled in the assessment of effects submitted in support of the application, prepared by Williamson Water Advisory dated 19th May 2017;

Progress to the next stage shall only be undertaken following prior written approval from the Regional Council's Monitoring Manager.

Notification of Irrigation

- 2 The Consent Holder shall advise the council's assigned Monitoring Officer in writing when irrigation is to commence for the first time each season, at least five days beforehand.

Metering and Abstraction Reporting

- 3 The Consent Holder shall install a meter to measure the volume of water taken, in cubic metres, from each production bore. Each meter shall:
 - (a) Be able to provide data in a form suitable for electronic storage;
 - (b) Be sealed and as tamper-proof as practicable;
 - (c) Be installed at the location from which the water is taken; and
 - (d) Have an accuracy of +/-5%.

The Consent Holder shall, at all times, provide safe and easy access to each meter installed for the purposes of undertaking visual inspections and water take measurements.

- 4 The Consent Holder shall verify that the meter required by Condition 3 is accurate. This verification shall be undertaken prior to 30 June:
 - (a) Following the first taking of water from each production bore; and
 - (b) At least once in every five years thereafter.

Each verification shall be undertaken by a person, who in the opinion of the council's Compliance Manager, is suitably qualified. Written verification of the accuracy shall be provided to the council's Assigned Monitoring Officer by 31 July following the date of each verification.

- 5 The Consent Holder shall, using the meter required by Condition 3, keep a record of the daily volume of water taken from each production bore in cubic metres, including all nil abstractions.
- 6 If the instantaneous rate of taking is equal to or greater than 10 litres per second, then the water meter required by Condition 3 shall have an electronic datalogger for automatic logging of meter data. A copy of the electronic data records shall be forwarded to council's assigned monitoring officer assigned monitoring officer by the 7th of the following month, and immediately on written request from the assigned monitoring officer.~~be telemetered so that council can freely access the information at any point in time. The telemetry connection shall be agreed to by the council's Hydrology Manager.~~
- 7 The Consent Holder shall measure, and keep a record of, the static water level in each production bore at least once each month. This measurement shall be taken at least 12 hours after cessation of pumping.
- 8 A copy of the records required to be kept by Conditions 5, 6 and 7 for the period 1 July to 30 June (inclusive) shall be forwarded each year to the council's ~~assigned Monitoring Officer~~ assigned monitoring officer by the following 31 July. In addition, a copy of these records shall be forwarded immediately to the council's ~~assigned Monitoring Officer~~ Compliance Manager on written request. The records shall be in an electronic format that has been agreed to by the council.

Advice Note: *If no water is taken during the period 1 July to 30 June (inclusive) then the Consent Holder is still required to notify the council's Monitoring Manager in writing of the nil abstraction. Water use record sheets in an electronic format are available from the council's website at www.nrc.govt.nz/wur.*

- 9 Easy access for a water level probe shall be provided and maintained at the production bore well head to enable the measurement of static water levels in the bore.

Water Use Efficiency

- 10 The Consent Holder shall prepare an Irrigation Scheduling Plan (ISP) which outlines how irrigation decisions will be made. The ISP shall be prepared by a suitably qualified and experienced person and submitted to the council's Compliance Manager for written approval. The ISP shall, as a minimum, address:

- Water balance and crop water requirements;
- Subsurface drainage; and
- Overall irrigation strategy.

For each irrigation area, the ISP should include:

- (a) A description of how water requirement for each irrigation cycle is calculated;
- (b) Method(s) for assessing current soil moisture levels;
- (c) Method(s) for assessing potential evapotranspiration (PET) and rainfall to date;
- (d) Assessment of other inputs such as effluent irrigation and effect on irrigation requirement;
- (e) Soil moisture target to be maintained in each zone by irrigation;
- (f) How measured data will be used to assess irrigation requirements over the next irrigation cycle; and
- (g) A description of proposed method(s) for remaining within consent limits at each borehole or group of boreholes.

Advice Note: *The ISP seeks to ensure that an irrigation efficiency of a minimum 80% is achieved.*

- 11 The Consent Holder shall not exercise this consent until approval for the ISP required to be prepared in accordance with Condition 10 has been approved by the council's Compliance Manager.
- 12 The ISP approved in accordance with Condition 11 shall be implemented prior to the first irrigation season, unless a later date has been approved in writing by the council's Compliance Manager.

- 13 The Consent Holder shall, within six months of the first exercise of this consent, undertake an audit of the irrigation system using a suitably qualified and experienced person. The irrigation system audit shall be prepared in accordance with Irrigation New Zealand's "Irrigation Evaluation Code of Practice" (dated 12 April 2010), including recommendations on any improvements that should be made to the system to increase water efficiencies. The results of the audit and its recommendations shall be submitted in writing to the council's assigned Monitoring Officer within one month of the audit being undertaken.
- 14 The Consent Holder shall, within three months of notification in writing by the council's Compliance Manager, implement any recommendations of the audit referred to in Condition 13.
- 15 The reticulation system and components shall be maintained in good working order to minimise leakage and wastage of water.
- 16 There shall be no significant ponding of irrigated water within any irrigated area, or significant runoff from either surface or subsurface drainage to a water body, as a result of the exercise of these consents.

Monitoring and Contingency Measures

~~17 Prior to first exercise of this Consent, the Consent Holder shall submit a Groundwater Monitoring and Contingency Plan (GMCP) to the Northland Regional Council. The GMCP shall be prepared by a suitably qualified and experienced person and submitted to the council's Compliance Manager for written approval. The GMCP shall be generally in accordance with Schedule 1 of this consent and address the following matters:~~

17 Prior to the first exercise of this Consent, the Consent Holder shall submit a Groundwater Monitoring and Contingency Plan (GMCP) to the Northland Regional Council. The GMCP shall be prepared by a suitably qualified and experienced person and submitted to the council's Compliance Manager for written approval. The GMCP shall be in accordance with Schedule 1 attached to this consent and should further develop and confirm:

- The location and physical details of individual monitoring sites.
- Specific details of monitoring to be undertaken at each site including the parameters to be measured and the frequency (and/or duration) of monitoring.
- Methods/procedures/standards to be adopted for the collection, management, archiving and reporting of monitoring results.
- Details of any arrangements in place for the collection, analysis and reporting of monitoring results by third parties.
- The form, content and frequency at which monitoring results will be reported to the council.
- Specific triggers for groundwater level and/or groundwater quality at each individual monitoring site. Multiple triggers may be specified for individual sites, each linked to a specific set of mitigation actions.
- Requirements for the reporting of trigger level exceedances to the council.
- Specific details of mitigation to be initiated in the event of a trigger level exceedance including:
 - Review/evaluation of monitoring data (particularly with respect to the magnitude of anticipated environmental effects).

- Increases in the frequency and location of monitoring.
- Changes to parameters being monitored.
- Further hydrogeological, hydrological or water quality investigations to identify the potential causes of the trigger level exceedance.
- Specific reductions in the rate/volume of groundwater abstraction.
- Development of strategies to avoid future trigger level exceedances.
- A process for reviewing and summarising monitoring results to support the staged development approach.
- A timeline and procedure for periodic review and updating of the GCMP to account for future water use, variations to prevailing environmental conditions and changes in access to monitoring sites.

In the event that any of the requirements of Schedule 1 conflict with the requirements of conditions of consent, the conditions of consent shall prevail. Any changes to the approved GCMP shall be submitted to the Council's Compliance Manager for approval.

Advice Note: *It is anticipated that a single GCMP will be prepared and submitted on behalf of all consent holders within the Motutangi-Waiharara Water Users Group. Where the consent holder and Council's Compliance Manager do not agree on the terms and context of the GCMP, Council may seek independent technical advice at the consent holder's expense.*

17a In the event that the monitoring results demonstrate non-compliance with any condition of this consent, the Consent Holder shall notify the Council's Compliance Manager as soon as is practicable after the results are received by the Consent Holder.

17b The Consent Holder shall provide Council staff and/or their agents with adequate and safe access to all sites covered by these consents, including sampling sites identified in the GCMP approved under condition 17, to enable monitoring of the conditions of the consent.

17c New bores required to be installed for the purposes of monitoring the baseline effects in accordance with the GCMP approved under condition 17 shall be constructed, and all required equipment installed, prior to the exercise of this consent.

Advice Note: *The construction of new bores will require a bore permit from the Northland Regional Council.*

17d The Consent Holder shall monitor the consents in accordance with the Motutangi-Waiharara Water Users Group Groundwater Management and Contingency Plan required to be prepared in accordance with Condition 17. The consent Holder may request that any part of the monitoring programme be amended. Any such request shall be in writing and shall include supporting assessment, including all necessary supporting information and/or calculations, for the amendment. No amendment to the Groundwater Management and Contingency Plan shall take effect until written confirmation of the amendment from the Council has been obtained.

~~18 The exercise of this consent shall not prevent any other person who has consent to take groundwater, which was issued prior to 26 October 2017, from fully exercising that consent.~~

Advice Note: ~~The date specified in Condition 18 is the date that the application for this consent was notified.~~

- 18 In the event that monitoring shows that there are unanticipated adverse effects on other groundwater users and/or the environment as a result of the exercise of this groundwater take consent, the Consent Holder shall reduce and/or cease the abstraction rate(s) from any production bore(s) as directed in writing by the councils Compliance Manager. For the purposes of this condition, "monitoring" shall include monitoring required to be undertaken by the Consent Holder in accordance with any condition of this consent and/or any other monitoring undertaken by the Northland Regional Council, including State of the Environment monitoring.
- 19 To prevent saline contamination, the council may require the Consent Holder to cease the exercise of this consent at all such times as the trigger levels specified in the approved GCMP are exceeded.

Community Liaison Group and Meetings

- 20 ~~The Consent Holder shall, for the purpose of discussing matters relating to this consent, including the results of monitoring and input into any review of conditions, form and maintain (including providing all administrative support) a water user community liaison group (hereafter referred to as the Motutangi-Waiharara Water Liaison Group (MWWLG). Aupōuri Water User Liaison Group (AWULG). The purpose of the liaison group is to:~~
- Provide a means for water users, the Department of Conservation and mana whenua to receive annual updates on the extent of water abstraction and the monitoring results, including explanations of technical data
 - Enable opportunities for concerns and issues of stakeholders to be reported to and responded by the consent holder.

~~The AWULG consent holder shall invite representatives of water abstraction consent holders/permitted groundwater users; mandated representatives from Te Aupōuri, Ngai Takoto, Ngāti Kuri, Te Rarawa, Ngāti Kahu, Te Potahi Marae, Kaimaumau Marae, Paparore Marae and Waiora Marae; the Department of Conservation; Far North District Council; and the Northland Regional Council to be members of the MWWLG. A list of representatives and their contact details shall be maintained by the Consent Holder on behalf of the MWWLG.~~

Advice Note: It is anticipated that the MWWLG will be jointly established on behalf of all consent holders within the Motutangi-Waiharara Water Users Group.

- 21 The Consent Holder shall hold a meeting of the ~~AWULG~~ MWWLG not less than once every year in August. The location and time of the meeting shall be advised by writing directly to all members of the MWWLG at least 4 weeks prior to the meeting being held.
- 21a At least two weeks prior to the meeting, the Consent Holder shall provide a copy of the Annual Environmental Monitoring Report required to be prepared in accordance with Condition 22 and a summary of the water use records and static water level monitoring result for the same period as the report to each representative of the group to each member of the MWWLG. The meeting shall be held at a time and venue convenient for the majority of the AWULG members.

Reporting

22 The Consent Holder shall prepare an ~~Annual~~ Environmental Monitoring Report (~~A~~EMR) for the period 1 July to 30 June (inclusive) and forwarded a copy to the council's assigned monitoring officer by the following 31 July. The AMR ~~EMR~~ shall include, but not be limited to, the results, update and summary report of the monitoring undertaken as required by the GCMP.

Advice Note: *It is anticipated that a single Annual Environmental Monitoring Report will be prepared and submitted on behalf of all consent holders within the Motutangi-Waiharara Water Users Group.*

Review Condition

23 The council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions annually during the month of June for any one or more of the following purposes:

- (a) To deal with any adverse effects on the environment that may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- (b) To review the allocation of the resource.

The Consent Holder shall meet all reasonable costs of any such review.

Lapsing Condition

24 This consent shall lapse on the **30 April 2023**, unless before this date the consent has been given effect to.

Advice Note: *An application can be made to the council in accordance with Section 125 of the Act to extend the date after which the consent lapses. Such an application must be made before the consent lapses.*

EXPIRY DATE: ALL EXCEPT STANISICH 30 NOVEMBER 2033

~~EXPIRY DATE: STANISICH 30 NOVEMBER 2025~~