

Application For Resource Consent to Dam Water And Take From Storage

(Including Changes to Conditions of Current Resource Consents)

To: Co-ordinator Customer Services
Tasman District Council
Private Bag 4
Richmond
Nelson 7050

FOR OFFICE USE ONLY

Consent No: _____

Fee: _____

Customer No: _____

PART A: Contact Details

Pursuant to Section 88 of the Resource Management Act 1991, the undersigned hereby applies for a permit in accordance with the details below:

1.* Applicant(s) Details

Company Name: *(if applicable)*

Name(s):

First Name(s) _____ Surname: _____

First Name(s) _____ Surname: _____

First Name(s) _____ Surname: _____

First Name(s) _____ Surname: _____

Contact Person Details *(if applicable)*

Name of Contact Person: _____

Postal Address: _____

Street Address: *(if different from above)*

Phone Number:

Business: _____ Private: _____

Mobile: _____ Fax: _____

Email Address: _____

2. Consultant/Agent Details *(if applicable)*

Consultant/Agent Name: _____

Postal Address: _____

Phone Number:

Business: _____ Private: _____

Mobile: _____ Fax: _____

Name of Contact Person: _____

Email address: _____

4. Purpose of dam and if water is to be taken and/or used: (Tick as appropriate)

- Irrigation Industry Municipal supply Stock Household
 Amenity Other (specify) _____

ONLY ANSWER THE FOLLOWING QUESTIONS (6-13) IF YOU PROPOSE TO TAKE WATER FROM THE DAM

5.* Use of dam storage:

If use is IRRIGATION state the area irrigated and the land Use(s):

Pasture _____ ha Horticulture _____ ha Sportsfield/Golf course _____ ha
Glass/Plastic house/nursery _____ ha Other _____ ha

Indicate whether the area irrigated is:

- Existing Partly Developed Proposed

If the total irrigated area is partly developed or proposed, state when full development will occur Date: _____

Types of irrigation: Sprinkler Trickle Travelling irrigator KLine

Other (specify) _____

If you irrigate on a rotational basis, how many days in your rotation? _____ days/rotation

What water depth (mm) do you aim to apply each rotation? _____ mm/rotation

Total area irrigated each rotation: _____ ha

What are soil type names you are irrigating _____

Do you experience either:

(i) Surface ponding after irrigation is applied? Yes No

(ii) Surface runoff after irrigation of hill blocks? Yes No

How do you know when to begin irrigation or to cease?

6. Quantities of water applied for:

a. Maximum hourly rate _____ cubic metres per hour

b. Maximum daily quantity _____ cubic metres per day

c. Maximum weekly quantity _____ cubic metres per week

7.* Water Meter Details

Do your consent conditions require water meter installation Yes No

If **YES**, current meter reading _____ m³ on (date) _____

Meter make _____ Model _____

Date meter was last recalibrated _____

8.* Screen intake details

Will all intakes be screened? Yes No

If **YES**, will the screen hole/slot size used be less than 5mm? Yes No

And velocity less than 0.3m/sec at the screen surface? Yes No

9.* If water is to be used for INDUSTRY, state the type of industry, and the process in which water is used.

10. If water is to be used for MUNICIPAL , state population supplied:

11. If water is to be used for STOCK drinking water, state number and type of animals:

12. If water is to be used for HOUSEHOLD use, state number of houses and average number of people within each household:

PART C: Dam Impact Classification

Dam owners are required to consider actual or potential risks of flooding, erosion or damage to adjoining or downstream properties resulting from their dam's failure. Furthermore, owners of dams >3m in height and storing >20,000 cubic metres have additional responsibilities under the Building Act including classification of their dam into either low, medium or high potential impact classification.

Is your dam >3m in height and storing >20,000 cubic metres when full? Yes No

If your answer is **NO**, and is a renewal application, please complete and attach to this application Council's Dam Inspection & Assessment of Effects form, which is available from Council offices. For new dams, please answer the following questions:

Below your dam site, are there downstream occupied houses, or bach or temporary accommodation where people live, i.e. where lives could be at risk if the dam failed and rapidly discharged? Yes No

Are there downstream chemical stores, building etc which could be destroyed or damaged if the dam failed? Yes No

PART D: Assessment of Effects of the Activity on the Environment

A. For Renewal Applications

Complete and attach to this application Council's Dam Inspection & Assessment of Effects form.

B. For New Dams

You may wish to discuss this part of the form with the appropriate staff of the Tasman District Council. An assessment of the stream catchment may already have been completed.

1. Regarding the permanence of the stream flow entering your proposed dam, is it?

Permanent flow

Intermittent flow (ie summer inflow ceases)

No natural inflow

If the flow is permanent, estimate the summer low flow _____ Litres/Sec

2. Are there upstream dam(s) or other water uses affecting the flow of water into your proposed dam?

Yes No

3. Dam details

Catchment area (ie Area upstream of dam) (ha): _____

Dam Height (m): _____

Storage Capacity (m³): _____

Crest Width (m): _____

Crest Length (m): _____

4. Describe the bed of the stream (e.g. is it gravelly, muddy or sandy, are there any pools, and provide photographs of the site).

5. Give details (type and extent) of any vegetation bordering or affected by the proposed dam
(eg. pasture, native bush, scrub).

6. At your dam site, are there any:

- a. Eels Cockabullies Inanga Other Fish Freshwater Crayfish (Koura)
- b. areas where food is gathered from the water?
(eg. watercress, eels, kaimoana) Yes No
- c. significant wetlands? (eg. large swamp area) Yes No
- d. waste discharges? (eg. from rural sources, industries, sewage plants) Yes No
- e. recreational activities carried out? (eg. swimming, fishing, canoeing) Yes No
- f. areas of particular aesthetic value? (eg. scenic waterfall, rapids) Yes No
- g. areas or aspects of significance to Iwi Yes No

If you have answered **yes** to any of the previous seven features, then describe what is present and identify what adverse effects your taking may have. (Attach details on a separate sheet if necessary).

7. From the Tasman Resource Management Plan (TRMP) and for larger rivers and springs. List any water body values and uses from Schedule 30.1

8. Are there any downstream water users, landowners etc who may be affected by your damming or your use of water, or are potentially affected.

- Yes No

List the names of all the property owners/occupiers adjacent to and/or immediately downstream of your take point and distances to their boundaries. Indicate if they draw water from the same watercourse (attach details on a separate sheet if necessary) and mark on your aerial photo.

| (a) Name of owner | (b) Water Source(s) | (c) Permit number if held | (d) Distance to their Water Source (metres) | (e) Their use(s) of Water |
|-------------------|---------------------|---------------------------|---|---------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

9. Where dam water is to be taken and used, will all pipe(s) taking water from storage be screened to avoid entraining of fish and eels?

- Yes No

Note: Taking and use of less than 5m³/day/property from a dam does not require a resource consent.

10. Owners of dams are encouraged not to completely drain their dams because of adverse effects on resident eels. Please comment whether you will ever need to drain your dam:

11. Describe the extent to which rivers and streams on your property are fenced to exclude stock.

12. Proposed dam construction date: *(if a new dam)*

PART E: Mitigation of Adverse Effects

1. Describe steps you will take to mitigate any adverse effects identified above.

(Attach details on a separate sheet if necessary)

PART F: Consultation

List below those parties consulted, their address and/or phone number, any concerns they have expressed and your response to this *(attach additional list and/or supporting information where appropriate)*.

1. Name: _____ Address: _____

Position: _____

Their concerns: _____

Your response: _____

2. Name: _____ Address: _____

Position: _____

Their concerns: _____

Your response: _____

PART G: Declaration

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I undertake to attach the required aerial photo of the property. **I also undertake to pay all actual and reasonable application processing costs incurred by the Tasman District Council.**

Signature of Applicant or Agent: _____ Date: _____

Name *(block capitals)* _____

Designation: *(eg. owner, manager, consultant)* _____

Please attach your Deposit Fee payment for this application. Make cheques payable to the Tasman District Council. Refer to the fee schedule for details.

Background: Tasman Resource Management Plan (TRMP)

Applicants for water permits for damming and to take and use stored water in Tasman District need to be familiar with Variations 15 and 16 of the Tasman Resource Management Plan (TRMP) that were publicly notified on 3 November 2001. Owners of large dams also need to be aware of requirements under the Building Act and future changes to the TRMP relating to dams as structures in river and lake beds. Reference copies of the TRMP are available at Council's offices and libraries and copies of the relevant policies and rules in your zone can be obtained from Council's offices.

Under the TRMP rules, a water permit consent is not required if the catchment area contributing to the dam is under 20 hectares. Firefighting use is exempt from requiring a resource consent as is water taken for stock use. Household and other uses are permitted (ie. no consent is required) if daily use from storage is less than five cubic metres per property per day although some exceptions and conditions do apply.

Council's application forms are designed to address the information and assessment of effects required under both the TRMP and the Resource Management Act.

For many applications, this will be sufficient information but Council may request additional information particularly where an application is complex or the effects potentially significant. For many rivers and streams Council will have flow data and may have data on the instream flow needs of fish known or likely to be present.

Applicants are referred to Council's Resource Scientist (phone (03) 543 8494) to obtain or discuss this information where it is necessary to answer various questions. You will need to provide your location. In some areas, Council will have inadequate information and Council reserves the right to require applicants to undertake investigations including flow measurements.

The TRMP proposes that applications to renew expiring consents should generally be considered as controlled activities, which must be granted by Council. If the activity complies with the stated standards and terms.

Part A: Contact Details

1. Applicant(s) Details

A resource consent can only be held by a legal organisation or fully named individual(s). A legal organisation includes a limited company, incorporated group or registered trust. If the application is not for one of the above, then you may use fully named individual(s) and the organisation name.

4. Application Type

Under the Resource Management Act (RM Act), the procedure for assessing applications for water permits is the same whether they are new, replacements or changes to conditions. This form should therefore be completed in full for each case. The only exemption is where the change to the conditions of a permit is minor, such as a change in a property description following subdivision. If you are in doubt as to which questions are appropriate please contact staff at Tasman District Council. Permits to take/use water are required for activities such as pumping water for irrigation uses, industrial uses and for water supply.

5. Other consents required

Additional consents are likely to be required for proposed dams, particularly larger dams as outlined below.

Under Section 13 RM Act a landuse resource consent is required for the placement of a structure in the bed of any river (including an intermittent stream).

Council currently administers a Transitional Regional Plan (TRP) which regulates the construction and ongoing safety/maintenance of dams constructed on both public and private land. This and other bylaws under the TRP are being reviewed by Council but are not yet replaced. Under the TRP, a land use consent is required for any dam greater than 2 metres in height, or impounding more than 5000 cubic metres, or with an upstream catchment area greater than 20 hectares. The Council guideline Dams (December 2000) is a construction guideline for small earth dams and applications to construct small dams should be consistent with this guideline. These guidelines also apply to "ring" or "turkey nest" dams outside of a river bed.

Dams with crest heights above 3 metres, those with large catchments, with site-specific problems, or significant safety issues are typically required to be designed, construction supervised and certified by a registered civil (chartered) engineer or other similarly qualified person. Typically, full engineering design is required to be submitted with consent applications for these dams.

The construction of dams greater than 3 metres in height and storing greater than 20,000 cubic metres of water now also need a Building Consent under the Building Act and are required to be classified as low/medium/high impact. Owners of dams with a classification of 'medium' or 'high' impact shall provide a dam safety programme to the Council.

Dams are defined as "Buildings" under the TRMP if they exceed 1.2 metres in height and setbacks to property boundaries therefore apply to both the structure, and any dammed water should not "trespass" onto neighbouring property. This also applies to road boundaries. Easements are required where impounded water may cover neighbouring property.

The requirements of the Freshwater Fisheries Regulations 1983 for the provision of fish passage may also apply. These regulations are administered by the Department of Conservation.

Under the TRMP, applications relating to dams need to demonstrate their compliance with the current New Zealand Society of Large Dams (NZSOLD) guidelines.

Under the TRMP, a (Section 9 RM Act) consent may be required for new dams if the area being recontoured is greater than 1 hectare or any cut exceeds 1 metre in height.

Part B: Description of Proposal

1(b) Legal Description

Where possible, please attach a copy of the property's current Certificate of Title.

2. Water Use not on your property

You can apply for a permit to take water from a dam and use it on another property. However you may wish to obtain an easement on both property titles giving you and subsequent owners legal access to the dam source. A water permit does not do that.

5. Use of Storage

If water is to be taken for irrigation, provide details of the calculation of your water requirements, including any information supplied to you by consultants and any meteorological data or scientific information on crop water that you have used. Include any water meter readings and actual data if available. The level of detail required may depend on the scale of activity. If in doubt you should contact Council for advice on what sort of information you should provide. If describing irrigation requirements in a separate letter or report, you should consider:

- What is your planned method of irrigation (sprinkler, trickle etc) and what is the efficiency of delivery to the crop, if known?

- Irrigated soil type is now required under the TRMP in order to implement soil type based application rates and to promote efficient irrigation. It is likely that applicants will have varying information on their property's soil type and WHC. Applicants who require information are referred to Council's Resource Scientist, phone (03) 543 8446.
- State if any water conservation or leak detection programmes are practised at the site.

7. Water Meter Details

Some consents require the discharge of stored water as a compensatory or residual flow. An installed meter is one way of monitoring compliance. The meter reading can be just the cubic metre digits.

8. Screen Intake Details

Intakes and dam discharge pipes should be screened to avoid adverse effects on resident eels and any fish. A description of the intake screen should be included. To comply with the TRMP, intake screens shall have a mesh size not greater than 5mm and constructed so that the intake velocity at the screen's outer surface is less than 0.3m/sec and maintained in good order.

9. Industry

If water is to be taken for industrial purposes, you may be required to undertake a water audit of the site water use. The TDC can advise you on this requirement and has water audit guidelines for those requirements for those required to undertake an auditing process. Even where an audit is not required, a justification of the quantities applied for should be attached in a separate letter or report. This could include details of any water conservation or leak detection programmes practised at the site.

Part D: Assessment of Effects of the Activity on the Environment

Council aims to maintain the summer flow below dams to maintain instream values. These instream values include cultural and Tangata Whenua concerns, fisheries, recreation, the stream's natural character, indigenous vegetation and fauna, habitat, scenic, amenity and intrinsic values. Natural flow variability is important for stimulating migration of fish and maintaining acceptable ecological conditions in streams.

These values can have different requirements on stream flow. Streams in an area can be quite variable in their flows, even from similar sized catchments. This is due to differences in rainfall, topography, geology, vegetation and physical characteristics.

Pumping water from dams or lakes can cause changes in water levels or flows which can lead to reduced water depth, velocity, wetted area and waste assimilation capacity. These can in turn encourage the growth of algae, increased temperatures, oxygen depletion, changes in composition of ecosystems, loss of habitat, degradation to fisheries and loss of recreation opportunities.

For existing dams you need to adequately describe any adverse effects on other users or the environment. For new dams, you need to adequately describe the present characteristics (width, flow, bed, riparian vegetation and stock fencing) and values (stream life, wetland habitats, recreation, significance to Iwi) of the lake or reach of stream

which you propose to dam and to take water from. This is so that potential effects on the water body can be determined. You may be able to obtain information from Council on stream flow during typical low flow periods. For large streams it may be necessary to undertake a more detailed assessment which should consider the effects of the take on:

- Stream flows
- Water quality
- Habitat/ecology; and
- Amenity values of the stream environment

Part E: Mitigation of Adverse Effects

You should explain how you propose to mitigate, remedy or avoid any adverse effects. Adverse effects such as reduced stream width and depth, increased temperature or changed habitat can often be mitigated by:

- providing cover within the dam
- planting suitable species along the stream riparian margin
- fencing the dam and any associated wetland to exclude stock
- ensuring fish are not entrained in intakes
- if taking from a proposed or existing dam, installing low flow bypass or fish pass or retaining some permanent water in the dam for resident eels. Council can provide intake structure, fish pass and riparian planting guidelines.

For larger dams involving permanent streams, details of proposed mitigation measures should be provided as a part of a more detailed assessment of effects. This should describe which adverse effects the measures are designed to mitigate and provide details of the ways in which this mitigation is achieved.

Part F: Consultation

You should identify any persons interested in or affected by the proposal, listing their name, address, phone numbers and in what way they may be affected. Interested parties may include:

- neighbours
- nearby water users
- Tangata Whenua
- Department of Conservation
- NZ Historic Places Trust
- Fish and Game Council
- Royal Forest and Bird Protection Society

Where consultation has taken place, with Tangata Whenua and any other interested parties, provide details of the consultation undertaken, including the views of those consulted and your response to this. Attach copies of any correspondence confirming this consultation.

It may be necessary to seek written approval for your application from some persons. Council staff may be able to advise you from whom you should seek written approval before you lodge your application. However, this can only be clarified once the application has been received and an initial assessment made. Note that Council has standard approval forms which assist in this regard.

PLEASE READ THIS PAGE BEFORE COMPLETING THIS APPLICATION FORM

ADDITIONAL INFORMATION MAY BE REQUIRED

The Resource Management Act (1991)

This application is made pursuant to Section 88 of the Resource Management Act (RM Act) 1991 and the Tasman Resource Management Plan (TRMP). For applications to dam and to take and use stored water the RM Act is concerned about safeguarding the life-supporting capacity of water and ecosystems, and avoiding, remedying or mitigating any adverse effects of activities on the environment.

Section 88 of the RM Act requires that an applicant provide an Assessment of Effects to support their application. The Fourth Schedule of the RM Act identifies the components that an Assessment must include.

These are:

- a description of the proposal;
- where it is likely that an activity will result in any significant adverse effects on the environment, a description of possible alternative locations or methods for undertaking the activity;
- an assessment of the actual or potential effects of the activity on the environment;
- a description of mitigation measures to be undertaken to help prevent or reduce the actual or potential effects;
- an identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted;
- where the scale or significance of the activity's effect are such that monitoring is required, a description of how the effects will be monitored and by whom.

Additional Information

The TRMP Chapter 32 also requires certain information to be provided with this application. This application form, when properly completed, will provide an adequate "Assessment of Effects" where the adverse effects of a proposal are not significant. Where effects are greater, due to factors such as large dam height and storage volumes, or close proximity to other dams or property, then more detail may be required. This additional detail should be provided in a supporting letter or report prepared by an appropriate specialist or consultant. Tasman District Council staff will be able to advise you on the nature of information required with respect to the scale of your proposed activity.

Completing This Form

To ensure that you complete this application in full, please read the accompanying notes at the end of this document. These provide guidance on answering certain questions marked with * and indicate where additional information may be required. In providing as much information as possible at this stage you will reduce the likelihood of any delay in the processing of your application. However, once an initial assessment has been made of your application we may request further information.

Send the completed form, together with any additional information required and the correct deposit fee to the address shown over. Your application will not be accepted for processing until the correct information and deposit fee have been received.

If you have further queries, please phone 03 543 8400.