



4.1.1 RMA OVERVIEW

RMA requirements

Permission must be granted, under the Resource Management Act (RMA) 1991, for any activity relating to the use of water for irrigation. Permission to take water is provided in the granting of a resource consent by the governing consent authority. In some instances, the RMA permits water takes under a district or regional plan. However, it is becoming increasingly rare that new irrigation takes will not require permission.

The governing consent authorities in each district are required to administer the RMA. In most districts, the consent authority for activities affecting natural water is a regional council. However, in some smaller areas the district council acts as a unitary authority (i.e. it administers both local and regional issues). The general requirements of the RMA are common for all authorities. Each council may, however, have additional specific local requirements in terms of granting consents to take water.

In addition to consents relating to water, a land use consent is often required. A land use consent grants the consent holder permission to use the land to, for example, install a bore or to install an intake structure in a stream. It is common for many councils to require both a land use consent and a resource consent for any water take activity.

An application for a consent involves the completion of an application form, along with the provision of supporting information. Key components of the application are:

- A full description of the irrigation activity
- An assessment of the potential environmental effects of the activity – both beneficial and adverse
- Details of consultation with potentially affected parties.

The fundamental purpose of the process is to attempt to establish the environmental sustainability of the irrigation activity, including protection of the resource for current and future users.

Existing resource consents will expire. The expiry date of the consent is printed on the consent document. When a consent expires, the consent holder is required to apply for a new consent in order to continue the activity. If the consent is not renewed, the activity may not be legally continued. However, if the consent holder applies for a new consent for the same activity no later than six months before the expiry of the original consent, the RMA allows the consent holder to continue operating under the original consent until consideration of the new application is complete.

The length of a consent may vary between councils and consent types. However, a maximum consent period of 35 years is provided under the RMA.

The information sheets in this section summarise the information required by council authorities for a resource consent application to use water (either surface or groundwater) for irrigation purposes. Typical standard consent conditions are also provided to give an idea of the type of restrictions and requirements that might be imposed on the water take.

Requirements may change over time as authorities revise their plans and processes for assessing and issuing consents. Because of the possibility of change, it is recommended that an applicant discuss the proposal with the governing authority prior to submitting the application. Consultation with affected neighbours and interest groups will always be required as part of any consent application.

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