



Report 11.374  
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File E/11/01/04

Committee Council  
Author Margaret Meek, Senior Democratic Services Advisor

## **Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 proposed delegations**

### **1. Purpose**

To propose an approach to delegations under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 (the Regulations).

### **2. The decision-making process and significance**

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

#### **2.1 Significance of the decision**

Officers have considered the significance of the matter, taking into account the Council's significance policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

### **3. Background**

The Regulations were made under section 360(1)(d) of the Resource Management Act (RMA). The Regulations came into effect on 10 November 2010.

These Regulations are designed to provide water use information at regional and national levels, and apply to all abstractive uses of water. This includes takes for hydro-electricity generation.

The Regulations include the requirement for all water takes of 5 litres per second (L/s) or greater to have an accurate water meter and provide daily water

use data to their regional council on an annual basis. The water meters must be verified every five years.

Regional councils are in turn, required to provide the water use data to the Ministry for the Environment annually.

The Regulations come into effect over the next six years, with larger takes (20 L/s or greater) required to comply by 10 November 2012, takes of between 10 and 20 L/s required to comply by 10 November 2014, and takes between 5 and 10 L/s required to comply by 10 November 2016. New consents granted on or after 10 November 2010 must comply immediately.

Regional councils can require measurement and reporting of takes other than those specified in the national regulations, and are also expressly allowed to include additional or more stringent monitoring and reporting conditions. The national regulations are a minimum requirement.

The Regulations come into effect automatically and do not require consent conditions to be changed, although when consents are reapplied for upon expiry, additional conditions relating to the national regulations may be included.

#### **4. Comment**

Regulations 9-11 give regional councils the ability to approve exemptions or revoke exemptions relating to the Regulations. Regulation 9 gives regional councils the ability to require weekly readings of water use, instead of daily readings. Regulation 10 gives regional councils the ability to allow the measurement of water use near the point of take, instead of at the point of take. Regulation 11 gives the Council the ability to revoke any exemptions given under regulation 9 and 10.

Officers have assessed the provisions of the Regulations, and are of the view that there will be a number of circumstances when it will be appropriate to apply the exemptions. We consider that it is appropriate for the Council's powers, functions and duties under the Regulations to be exercised by the Chief Executive.

#### **5. Communication**

No further communication is required.

#### **6. Recommendations**

*That the Council:*

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Delegates to the Chief Executive the ability to exercise the Council's powers, functions and duties under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.***

Report prepared by:

Report approved by:

Report approved by:

**Margaret Meek**  
Senior Democratic Services  
Advisor

**Nigel Corry**  
General Manager,  
Environment Management

**Leigh-Anne Buxton**  
General Manager, People &  
Capability