

Our Ref: A4734

Your Land Professionals
www.ppgroup.co.nz
0800 PPGROUP



16 December 2019

Otago Regional Council
Private Bag 1954
DUNEDIN 9054



Attention: Planning Officer

Dear Sir/Madam

*Ben Fulton 10:26am.
\$1000 pd Online*

**Re: Application to Review Deemed Permit
Mata Creek – Hawkdun Pastoral Ltd**

- In support of this application I attach the following:
 - Form 1
 - Form 4
 - Assessment of Environmental Effects
- Evidence of payment of the lodgement fee deposit of \$1000.00 is enclosed.
- As determined in Section (6.0) of the attached AEE, the application needs to be limited notified to the following persons:
 - Department of Conservation
 - Otago Fish & Game
 - Aukaha

Yours faithfully

PETER L DYMOCK
SENIOR PLANNER

DUNEDIN:

P.O. Box 5933,
Dunedin 9058.
T 03 477 3245

CHRISTCHURCH:

P.O. Box 160094,
Christchurch 8441.
T 03 928 1533

ALEXANDRA:

P.O. Box 103,
Alexandra 9340.
T 03 448 8775

CROMWELL:

P.O. Box 84,
Cromwell 9342.
T 03 445 1826

QUEENSTOWN:

P.O. Box 2645,
Queenstown 9349.
T 03 441 4715

WANAKA:

P.O. Box 283,
Wanaka 9305.
T 03 443 0110

Rabobank Internet Banking

9Q5CLPR2RP-0503

Session Details

Session Id: 9Q5CLPR2RP
 Time of Session: 11/12/2019, 10:52 am
 Duration of Session: 10 mins
 IP Address: 121.75.213.216

Payee Added

Payee Name: Rentokil (302904-0219290-065)

Time of transaction: 10:54

Single Payment

To Registered Account

From Account: 0206412-00
 To Account: 302904 0219290-065
 Account Name: Rentokil
 Reference Text: flys
 Reference 2: 26810
 Reference 3: Cavanagh
 Amount: \$490.00
 Posting Date: 11/12/2019
 Transaction Reference: FT193458H22X
 Authorisations obtained: 1 of 1

Time of transaction: 10:55

Payee Added

Payee Name: Rebecca (020965-0035816-002)

Time of transaction: 10:56

Single Payment

To Registered Account

From Account: 0206412-00
 To Account: 020965 0035816-002
 Account Name: Rebecca
 Reference Text: tailing
 Reference 2:
 Reference 3: Hawkdun
 Amount: \$304.00
 Posting Date: 11/12/2019
 Transaction Reference: FT19345RP3KJ
 Authorisations obtained: 1 of 1

Time of transaction: 10:56

Payee Added

Payee Name: Otago Regional Council (020900-0532547-000)

Time of transaction: 11:00

Single Payment

To Registered Account

From Account: 0206412-00
 To Account: 020900 0532547 000
 Account Name: Otago Regional Council
 Reference Text: consent
 Reference 2: application
 Reference 3: Hawkdun
 Amount: \$1,000.00
 Posting Date: 11/12/2019
 Transaction Reference: FT19345FRF25
 Authorisations obtained: 1 of 1

Time of transaction: 11:00



HAWKDUN PASTORAL LIMITED (1038081) Registered

To maintain this company [log on here](#)

Last updated on 15 Nov 2019

Company Summary Addresses Directors (3) Shareholdings (5) Documents (63) PPSR Search

NZBN

Company number: 1038081

NZBN: 9429037249007

Incorporation Date: 07 Jun 2000

Company Status: Registered

Entity type: NZ Limited Company

Constitution filed: [Yes](#)

AR filing month: November , last filed on [15 Nov 2019](#)

[Annual return extract](#)

[Ultimate holding company](#) No

[Company addresses:](#) **Registered Office**
CEG Limited, 110 Vogel Street,
Dunedin Central, Dunedin, 9016 ,
New Zealand

Address for service
CEG Limited, 110 Vogel Street,
Dunedin Central, Dunedin, 9016 ,
New Zealand

[View all addresses](#)

[Directors](#) Showing 2 of 3 directors

Hamish Victor CAVANAGH
2173 St Bathans Loop Road, Saint
Bathans, Oturehua, 9386 , New
Zealand

Joan Ann CAVANAGH
533 St Bathans Loop Road, Rd 2,
Omakau, 9377 , New Zealand

[View more director details](#)

Company record link: <http://app.companiesoffice.govt.nz/co/1038081>

1 Resource Consent Application



This application is made under Section 88 of the Resource Management Act 1991.

(For Office Use Only)

Charges / Deposits

Deposit Paid: \$

A deposit **must** accompany the application (see page 8 for amounts). The applicant will be invoiced for all costs incurred in processing this application that exceed the deposit.

Council can accept electronic lodgement of applications if sent to consents.applications@orc.govt.nz. Include "consent application" in the subject line.

Please complete the application in pen. For questions marked with an * you will find notes on page 4

1.* Applicant(s) Details

Applicant(s) name(s) in full: _____

OR Company Name (in full) Hawkdun Pastoral Ltd (see attached
OR Names of Trustees (in full) if Applicant is a Trust extract NZ Companies Register)

or Name of Incorporation _____

Postal Address Cl- Hamish Cavanagh 2173 St Bathans
Loop Rd, RD1, Oturohunga Post Code _____

Street Address (not a P O box number) as above Post Code _____

Phone Number Business (03) 4473111 Private /
Mobile (027) 2905632 Fax /

Email Address hamish.cavanagh@gmail.com

Please provide a valid and clear email address. Otago Regional Council is moving to a paperless consenting process – therefore any correspondence including decision documents and consent (if granted) will be sent via email, unless you request a paper copy.

If you do not prefer contact by electronic means, please tick

1(a). Key Contact for Applicant Details

If the applicant consists of multiple parties (e.g. multiple consent holders, Trust etc) please outline who the key contact for the consent will be, if granted.

Key contact name(s) in full: _____

Postal Address _____
Post Code _____

Street Address _____
(not a P O box number) _____
_____ Post Code _____

Phone Number Business _____ Private _____
Mobile _____ Fax _____

Email Address _____

Please provide a valid and clear email address. Otago Regional Council is moving to a paperless consenting process – therefore any correspondence including decision documents and consent (if granted) will be sent via email, unless you request a paper copy.

If you do not prefer contact by electronic means, please tick

2.* Consultant/Contact Details (if not applicable)

Name of Consultant/ Contact Person: Peter Dymock of Paterson Pitts Limited Partnership

Postal Address P.O. Box 103
Alexandra Post Code 9340

Phone Number Business (03) 4488775 Private _____
Mobile (0274) 377910 Fax _____

Email Address peter.dymock@ppgroup.co.nz

Please provide a valid and clear email address. Otago Regional Council is moving to a paperless consenting process – therefore any correspondence including decision documents and consent (if granted) will be sent via email, unless you request a paper copy.

If you do not prefer contact by electronic means, please tick

3. On Site Supervisor/Manager Contact Details (if applicable)

Name of On Site Supervisor/Manager Person: _____

Postal Address _____
_____ Post Code _____

Phone Number Business _____ Private _____
Mobile _____ Fax _____

Email Address _____

Please provide a valid and clear email address. Otago Regional Council is moving to a paperless consenting process – therefore any correspondence including decision documents and consent (if granted) will be sent via email, unless you request a paper copy.

If you do not prefer contact by electronic means, please tick

4.* a) Are there any current or expired resource consents relating to this proposal?

Yes No

If yes, give Consent Number(s) and Description: Deemed Permit
96208

b) Do you agree to your current consent automatically being surrendered should a replacement consent be issued.

Yes No

c) Has there been a previous application for this activity that was returned as incomplete?

Yes No

If yes, give Consent Number(s) and Description: _____

d) Have you a pre-application lodged with Council for this activity?

Yes No

If yes, give pre-application Number(s) and Description: _____

e) Have you spoken to a Council staff member about this application prior to lodging this application? *+ Site Visit*

Yes No If yes, please state name of staff member Natasha Pritchard

5. The applicant is (tick one): owner leasee prospective purchaser of the land on which the activity occurs. *irrigation*

6*. Who is the owner of the land on which the activity occurs/is to occur? (only complete if applicant is not the landowner) *point of take - subject to S&A 17 cert.*

Name of landowner: Southern Lakes Holdings Ltd

Postal Address _____

_____ Post Code _____

Phone Number Business _____ Private _____

Mobile _____ Fax _____

Email Address _____

7*. Who is the occupier of the land on which the activity occurs/is to occur? (only complete if the applicant is not the land occupier)

Name of land occupier _____

Postal Address _____

_____ Post Code _____

Phone Number Business _____ Private _____

Mobile _____ Fax _____

Email Address _____

8*. Who leases the land on which the activity occurs/is to occur? (only complete if land is leased and it is not leased to the applicant)

Name of land leasee _____
Postal Address _____

Post Code _____
Phone Number Business _____ Private _____
Mobile _____ Fax _____
Email Address _____

9. Tick the consents required in relation to this proposal:

Water

- Take Surface Water Divert
 Take Groundwater Dam

Discharge onto or into:

- Land Water Air

Land Use:

- Bore construction Bore alteration
 Activities in or on beds of lakes or rivers or floodbanks
 Disturbance of contaminated land

Coastal: Activities in the coastal marine area (i.e., below mean high water spring tide)?

Where you have indicated the type of consent that is required, you must complete the appropriate Application Form before your application can be processed. Application Forms can be found on the Council's website: www.orc.govt.nz.

10. What is the maximum term of consent you are seeking? 35 years

11. Territorial Local Authority in which activity is situated?

- Dunedin City Council Queenstown Lakes District Council
 Clutha District Council Waitaki District Council
 Central Otago District Council

12*. Do you require any other resource consent from any local authority for this activity?

- Yes No

If Yes, please list: _____

Have these consents been applied for/issued? Yes No If Yes

If Yes, please give the date applied for or issued: _____

Notes on Application Form 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 for a trust the full names of all trustees are required. If the application is not for a limited company, incorporated group or trust, then you must use fully named individual(s).

2. Consultant/Contact Details

If you are using a consultant/agent for this application put their details here. If you are not, leave question 2 blank.

4. Previous Consent

Do you currently have a resource consent to do the activity that you are applying to renew with this application? If so, please enter the permit number if known and a brief description including the date of issue and the expiry date.

6-8. Landowner, occupier and leasee

If you are not the landowner, land occupier or leasee of the land where the activity will be undertaken, you may be required to obtain their unconditional written approval to your application. On pg 6 there is a form that can be used.

12. Additional Consents

If you are carrying out earthworks or building work you may need other consents from either the ORC or your Territorial Local Authority.

Declaration

Before signing the declaration below, in order to provide a complete application have you remembered to:

Fully completed this Form 1 and the necessary Application Forms

Attached the required deposit.(or pay on line) (see page 8 for deposit that is payable)
Cheques payable to Otago Regional Council

Please note: your deposit may not cover the entire cost of processing your application. At the end of the application process you will be invoiced for any costs that exceed the deposit. Interim invoices may be sent out for applications, where appropriate.

If the required deposit does not accompany your application, staff will contact you on the phone number provided on this form to request payment, and after 3 working days your application will returned if no payment is made for the required deposit.

I/we hereby certify that to the best of my/our knowledge and belief, the information given in this application is true and correct.

I/we undertake to pay all actual and reasonable application processing costs incurred by the Otago Regional Council.

Name/s Peter Dymock
(BLOCK CAPITALS)

Signature/s [Signature]
(or person authorised to sign on behalf of applicant)

Designation Consultant
(e.g., ~~owner~~, manager, consultant)

Date 10 December 2019

Otago Regional Council Postal Address: 70 Stafford St, Private Bag 1954, Dunedin 9054

Consultation

– (consultation is not compulsory, but it can make a process easier and reduce costs).

Under Section 95E of the Resource Management Act 1991 (the Act) the Council will identify affected parties to an application and if the application is to be processed on a non-notified basis the unconditional written approval of affected parties will be required. Consultation with potentially affected parties and interested parties can be commenced prior to lodging the application.

Consultation may be required with the appropriate Tangata Whenua for the area. The address of the local Iwi office is: Aukaha, 258 Stuart Street, P O Box 446, Dunedin, Fax (03)477-0072, Phone (03) 477-0071, email: info@aukaha.co.nz. If you require further advice please contact the Otago Regional Council.

Good consultation practices include:

- Giving people sufficient information to understand your proposal and the likely effects it may have on them
- Allowing sufficient time for them to assess and respond to the information
- Considering and taking into account their responses

Written approval forms are appended to this form on Page 9.

Information Requirements

In order for any consent application to be processed efficiently in the minimum time and at minimum cost, it is critical that as much relevant information as possible is included with the application. **Where an application is significantly incomplete, the Consent Authority may decide not to accept the application for processing.**

Resource Management Act 1991

FOURTH SCHEDULE—ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

(Below are the provisions of the 4th schedule of the Act, which describes what must be in an application for resource consent, as amended in 2015.)

1 Information must be specified in sufficient detail

Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 Information required in all applications

- (1) An application for a resource consent for an activity (the **activity**) must include the following:
 - (a) a description of the activity;
 - (b) a description of the site at which the activity is to occur;
 - (c) the full name and address of each owner or occupier of the site;
 - (d) a description of any other activities that are part of the proposal to which the application relates;
 - (e) a description of any other resource consents required for the proposal to which the application relates;
 - (f) an assessment of the activity against the matters set out in Part 2;
 - (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b). (*"document" includes regional & district plans, regulations, national policy statements, iwi plans*)
- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—
 - (a) any relevant objectives, policies, or rules in a document; and
 - (b) any relevant requirements, conditions, or permissions in any rules in a document; and
 - (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).
- (3) An application must also include an assessment of the activity's effects on the environment that—
 - (a) includes the information required by clause 6; and
 - (b) addresses the matters specified in clause 7; and
 - (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

3 Additional information required in some applications

An application must also include any of the following that apply:

- (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));

(b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));“(c) if the activity is to occur in an area within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011, an assessment of the activity against any resource management matters set out in that planning document (for the purposes of section 104(2B))

4 (relates to subdivisions- not included here as subdivisions not ORC jurisdiction.)

5 Additional information required in application for reclamation

An application for a resource consent for reclamation must also include information to show the area to be reclaimed, including the following:

- (a) the location of the area:
- (b) if practicable, the position of all new boundaries:
- (c) any part of the area to be set aside as an esplanade reserve or esplanade strip.

Assessment of environmental effects

6 Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
- (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:
 - (b) an assessment of the actual or potential effect on the environment of the activity:
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
- (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

7 Matters that must be addressed by assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must address the following matters:
- (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
 - (b) any physical effect on the locality, including any landscape and visual effects:
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

Set out below are details of the amounts payable for those activities to be funded by fees and charges, as authorised by s36(1) of the Resource Management Act 1991.

Resource Consent Application Fees (from 1 July 2018)

Note that the fees shown below are a **deposit** to be paid on lodgement of a consent application and applications for exemptions in respect of water metering devices. This deposit will not usually cover the full cost of processing the application, and further costs are incurred at the rate shown in the scale of charges. GST is included in all fees and charges.

If you wish to make a payment via internet banking, or on line, the details are below. Please note the applicants name and "consent application" should be used as reference when paying the deposit -

For on line payments go to www.orc.govt.nz and go to Home/ Rates/ Way to Pay and follow prompts

Publicly Notified Applications: ³	\$
First application	5,000.00
Concurrent applications	225.00

Non Notified Applications and Limited Notified Applications: ³	\$
First application (except those below)	1,000.00
Concurrent applications ¹	50.00
Variation to conditions – s127	1,000.00
Administrative variation – s127	500.00
Exemptions from water measuring Regulations	200.00
Bores	500.00
Gravel	500.00

Hearings	Per Note 2 below
Payment for Commissioner request – s100A	Per Note 4 below

Objections	
Payment for Commissioner request – s357AB	Per Note 4 below

Transfers and Certificates Deposits:	\$
Transfer of permits and consents	100.00
Priority Table	100.00
Section 417 Certificate	200.00
Certificate of Compliance	200.00
Section 125 – Extension of lapse date	100.00
All Other Costs	As per Scale of Charges

Scale of Charges:	From 1 July 2018
Staff time per hour:	\$
* Executive staff	235.00
* Senior Technical/Scientist	170.00
* Technical/Scientist	125.00
* Field Staff	100.00
* Administration	85.00
Disbursements	Actual
Additional site notice	Actual
Advertisements	Actual
Vehicle use per kilometre	0.70
Travel and accommodation	Actual
Testing charges	Actual
Consultants	Actual
Commissioners	Actual
Photocopying and printing	Actual
Councillor hearing fees per hour	
*Chairperson	100
*Member	80
*Expenses	Actual

Notes

- For additional permits in respect of the same site, activity, applicant, time of application, and closely related effect as the first application.
- The deposit payable shall be 90% of the cost of a hearing as calculated by Council in accordance with information contained in the application file and using the scale of charges. The amount payable will be due at least 10 working days before the commencement of the hearing. If the amount is not paid by the due date, then the Otago Regional Council reserves the right under S36 (7) of the Resource Management Act to stop processing the application. This may include cancellation of the hearing.

Should a hearing be cancelled or postponed due to the non payment of the charge, the applicant will be invoiced for any costs that arise from that cancellation or postponement.

Following completion of the hearing process, any shortfall in the recovery of hearing costs will be invoiced, or any over recovery will be refunded to the applicant.

Under Section 100A of the RMA, one or more submitters may make a request to have a resource consent application heard by one or more hearing commissioners who are not members of Council. In this case the applicant will pay the amount that Council estimates it would cost for the application to be heard had the request not been made, and the submitter(s) who made the request will pay, in equal shares, the cost of the application being heard that exceeds that amount payable by the applicant.

Further, the applicant may request to have a resource consent application heard by one or more hearing commissioners who are not members of Council. In this case, the applicant will pay the full costs.

3. Where actual and reasonable costs are less than the deposit paid, a refund will be given.
4. Where an applicant requests under s100A (for a consent hearing) or under s357AB (for the hearing of an objection) an independent commissioner(s); the applicant will be required to pay any increase in cost of having the commissioner(s).

Where a submitter(s) requests under s100A an independent commissioner(s) any increase in costs that is in addition to what the applicant would have paid shall be paid by the submitter. If there is more than one submitter who has made such request the costs shall be evenly shared.

Administrative Charges

The following one-off administration charges shall apply to all resource consent applications received:

Publicly Notified and Limited Notified Applications	\$
First application	100.00
Concurrent applications	50.00
 Non-Notified Applications	 \$
First application	50.00
Concurrent applications	25.00
 Other	 \$
Certificate of Compliance	25.00
Section 417 Certificate	25.00
Exemptions from water metering regulations	25.00

Review of Consent Conditions

Following the granting of a consent, a subsequent review of consent conditions may be carried out at either request of the consent holder, or, as authorised under Section 128, as a requirement of Council. Costs incurred in undertaking such reviews will be payable by the consent holder at the rates shown in the Scale of Charges above.

Reviews initiated by Council will not be charged to consent holders.

Compliance Monitoring Charges (from 1 July 2017)

1. Performance Monitoring

The following charges will apply to the review of performance monitoring reports for all consent holders, except those listed in section 1.6 below. The charges shown are annual fixed fees per performance monitoring report or plan, and are inclusive of GST.

		From 1 July 2017
1.1 Discharge to Air Consent		\$
Measurement of contaminants from a Stack report		86.00
Ambient air quality measurement of contaminants report		100.00
Management plans and maintenance records		33.50
Annual Assessment report		66.50
 1.2 Discharge to Water, Land and Coast		 \$
• Effluent Systems	Environmental Quality report	46.50
	Installation producer statements	60.00
	Return of flow/discharge records	60.00
• Active Landfills	Environmental Quality report	58.00
	Management Plans	130.00
• Industrial Discharges	Effluent quality report	42.00
	Environmental report	92.50
	Return of flow/discharge records	60.00
Annual Assessment report		50.00
Management Plans – minor environmental effects		130.00
Management Plans – major environmental effects		260.00
Maintenance records		30.00

1.3 Water Takes

Verification reports	60.00
Annual assessment report	50.00
Manual return of data per take	80.00
Datalogger return of data per take sent to the ORC	50.00
Telemetry data per consent	35.00
Administration fee – water regulations	100.00
Low flow monitoring charge*	
- Kakanui at McCones	327.00
- Unnamed Stream at Gemmels	1,431.00

*Charge for monitoring sites established by the ORC specifically to monitor consented activities in relation to river flows.

1.4 Structures

Inspection reports for small dams	130.00
Inspection reports for large dams	260.00
Structure integrity reports	80.00

1.5 Photographs

Provision of photos	60.00
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1.6 Set Fees for Specific Consent Holders

Performance monitoring fees will be charged as 75% of actual costs for the following consent holders

Dunedin City Council
Central Otago District Council
Clutha District Council
Queenstown Lakes District Council
Waitaki District Council
Ravensdown
Contact Energy
Trustpower
Pioneer Generation

Additional charges may be incurred for new consents granted during the year.

2. Audit

Audit work will be charged at half of the actual cost incurred, with the actual costs being calculated using the Scale of Charges.

3. Non-Compliance, Incidents and Complaints

Enforcement work on consent conditions, and remedying negative effects from permitted activities – Scale of Charges.

Gravel Inspection and Management

Gravel extraction fee – \$0.66 per cubic metre (incl. GST). Where more than 10,000 cubic metres of gravel is extracted within a prior notified continuous two month period, the actual inspection and management costs will be charged, as approved by the Director Corporate Services.

Written Approvals of Persons Likely to be Adversely Affected

I/We (Please print full name/s) _____

of (Address) _____

I /we have read the full application for the proposal by (Applicant)

for a Resource Consent (Number) _____ to _____

and give my/our written approval to the proposed activity/activities.

In signing this written approval I/we understand that:

- The consent authority must decide that I/we am/are no longer an affected person, and disregard adverse effects on me/us
- That /we I may withdraw my/our written approval in writing before the hearing, or if no hearing before a decision is made on the application.

Signature/s _____ Date _____
(or person authorised to sign on behalf of affected party/parties)

Phone _____ Fax _____ Email _____

Please note: If this application is subsequently notified the above approval does not constitute a submission as required under Section 96 of the Resource Management Act 1991.

Written Approvals of Persons Likely to be Adversely Affected

I/We (Please print full name/s) _____

of (Address) _____

I /we have read the full application for the proposal by (Applicant)

for a Resource Consent (Number) _____ to _____

and give my/our written approval to the proposed activity/activities.

In signing this written approval I/we understand that:

- The consent authority must decide that I/we am/are no longer an affected person, and disregard adverse effects on me/us
- That /we I may withdraw my/our written approval in writing before the hearing, or if no hearing before a decision is made on the application.

Signature/s _____ Date _____
(or person authorised to sign on behalf of affected party/parties)

Phone _____ Fax _____ Email _____

Please note: If this application is subsequently notified the above approval does not constitute a submission as required under Section 96 of the Resource Management Act 1991.

Resource Consent Application Form 4

To take and use surface water

This application is made under Section 88 of the Resource Management Act 1991.

1. Note to applicants

The purpose of this form is to provide applicants with guidance on information that is required for your application under the Resource Management Act 1991. This form acts as a guide only and Otago Regional Council reserves the right to request additional information.

Please ensure that you fully complete this form **as well as** a fully completed resource consent application form (form 1) in support of your application, **and** preparation of an **Assessment of Environmental Effects** in terms of the Fourth Schedule of the Resource Management Act 1991. Failure to do so may result in Council rejecting your application, requesting further information, or publicly notifying your application, leading to delays in the processing of your application and potential increases in processing costs.

Acceptance of your application for processing does not constitute a guarantee that water allocation is available.

2. General

2.1 This application is for (please tick any applicable box):

A new surface water take

An application to replace a current Water Permit

Water permit number:

Expiry date:

An application to replace a Deemed Permit / Mining Privilege

Deemed permit number: 96208

Expiry date: 1 October 2021

For our future

2.2 A lapse period of 5 is sought. Provide reasons in application attached.

Note: This is the timeframe within which the consent must be given effect to. The default timeframe is 5 years after the date of commencement of the consent unless stated otherwise.

2.3 A consent term of 35 is sought. Provide reasons in application attached.

Note: This is the timeframe from the date of commencement of the consent which the consent will expire.

2.4 Provide a map or coloured aerial photograph which outlines the following details (as applicable):

- The location of the existing and proposed point(s) of take and all associated infrastructure
- The location of the water measuring device(s) or system(s)
- The total property area boundary
- The area(s) to be irrigated (if relevant) by water applied for under this application
- The area of the community supply (if relevant)
- Distances to any discharge activities
- Other surface water bodies and wetlands, and distances from the point of take(s) to them
- The coastline and the distance to it (if relevant)
- The location of any dairy shed(s)
- The location of any known recreational activities, other water takes, areas of significance to iwi and areas where food is obtained from the water body.

3. Volume and rates of take applied for

3.1 Quantity and rate of take

Note: 1,000 litres = 1 cubic metre

- a. Maximum rate of take: litres per second
- b. Maximum monthly volume: cubic metres per month
- c. Maximum annual volume: cubic metres per year

Note: Some deemed permits refer to hourly/weekly rates. Water permits are issued in litres per second, m³ per month and m³ per year. Should you wish to seek hourly or weekly rates **in addition** to those listed on the form, please provide this information including justification for any variances.

See attached AEE

3.2 Frequency of take

Note both the maximum and estimated average take.

	Average	Maximum
How many hours per day?	24	24
How many days per week?	7	7
How many weeks per month?	4	4

- 3.2.1 In your application describe the timing of your take, including which months of the year you expect to take water in both an average year and a dry year, and what part of day the water take will generally occur.
- 3.2.2 In your application describe whether the take is from re-charge or is an augmented take, along with whether your activity provides re-charge back into the catchment.

3.3 Storage

- 3.3.1 Do you intend to store your water before subsequent use?

Yes
 No

- 3.3.2 If yes, what/how much storage will be provided?

m³

- 3.3.3 In your application outline the type of storage facilities that are proposed.

Note: You may need a building consent and/or additional resource consents for the construction of storage facilities. If the reservoir is in a water body or captures catchment runoff, you may require resource consents for damming and associated activities.

4. Point(s) of take description

- 4.1 What are the GPS coordinates of the point(s) you propose to take water from?

Note: if there are more than two points of take, please provide these details on a separate sheet.

Point 1: NZTM 2000 E:

N:

Point 2: NZTM 2000 E:

N:

} see attached
IAEE

- 4.2 Please provide photographs of the proposed point(s) of take

4.3 What is the name of the water body/ies from which the proposed take(s) is/are to occur?

Note: if the water body is unnamed please note this and note the water body it flows into.

Mata Creek

4.4 If the take is from a river, stream, spring, drain or modified water body, in your application please provide a full description of the water course, including:

The average channel width and depth at various locations including at the point of take and upstream and downstream of the point of take.

Average flow water velocity including source of flow data and any changes to flow velocity above and below the point of take.

Any flow gauging of the water body. A flow gauging report with photographs of the site and methodology to be attached.

Bed of the water body at the point of take and upstream and downstream of the point of take.

see attached AEF

Please also answer the following:

4.4.1 What type of water body will the take/s occur from?

River

Stream

Modified water body

Spring

Drain

4.4.2 Is the water course perennial (flows all year round) or ephemeral?

Perennial

Ephemeral

4.5 If the take is from a lake, pond or wetland please answer the following:

Lake

Pond

Wetland

4.5.1 If the take is from a wetland, is the wetland classed as a Regionally Significant Wetland identified in Schedule 9 of the Regional Plan: Water for Otago?

Yes (list the name and provide an assessment of effects on the wetland)

No

4.5.2 Has the wetland been formed by artificial means?

Artificial

Natural

4.5.3 What is the surface area of the lake/pond/wetland?

4.5.4 How deep is the lake/pond/wetland?

4.5.5 Does the lake/pond/wetland have an outlet? i.e. does water flow out of it?

Yes

No

4.5.6 What is the main source of water that fills the lake/pond/wetland?

Groundwater

Springs

Runoff from surrounding land

Direct rainfall

Stream/river (list name)

Other (provide details)

5. Historical water use

5.1 Water abstracted over at least the last 5 years

Note: if you are applying to replace an existing water permit for primary allocation, or an existing deemed permit or mining privilege you must provide evidence of the amount of water abstracted under that permit for at least the last five years.

The following usage evidence is provided in support of this application:

Water metering records, attached to this application with historical water use summarised and assessed

Water metering records sent to Council electronically or recorded on file by Council with historical water use summarised and assessed

Detail on alternative water use information, attached to this application

5.2 In your application please analyse and assess the historical volumes and pattern of water use based on the water use evidence.

See attached AEE

5.3 Provide a summary of your analysis below:

See attached AEE

- a. Maximum rate of take: litres per second
- b. Maximum monthly volume: cubic metres per month
- c. Maximum annual volume: cubic metres per year

5.4 For which years have these rates and volumes been recorded?

6. Water use and management

6.1 For what purpose(s) will the water be used?

- Stock water and/or dairy shed use
- Irrigation (provide detail of irrigation use in your application attached)
- Community supply
- Commercial/industrial
- Other *Domestic*

6.2 Will the water take be managed as part of an existing water allocation committee or water management group?

Yes (name of committee of group):

No

6.3 If yes, have you described how the allocation committee/management group operates in your application?

Yes

No

6.4 In your application describe any water rationing regime that operates in the catchment. *NO regime operates*

6.5 Will the take applied for be operated in accordance with the rationing regime you have described in question 6.4?

Yes

No

6.6 Will you or others "re-take" water from your take (i.e. via a water race)? If yes, please provide details of such re-takes in your application.

Yes

No

7. Measuring and reporting

7.1 In your application describe the type of water metering system that is installed or proposed to be installed.

Note: If currently installed provide proof of installation or note below if proof has already been provided to Council.

See attached AEE

7.2 Provide information in your application demonstrating that the installation of the measuring device or system shall be undertaken in accordance with Council guidelines.

Note: If the installation is not able to meet these guidelines, you need to fill out and attach to this application form a Non-Standard Installation Form for Water Measuring Devices, available on our website or through the environmental services unit of the Council.

Tick if completed

Tick if completing a Non-Standard Installation Form for Water Measuring Devices

7.3 Is your water measuring device or system installed or proposed to be installed at the point(s) of take?

Note: The council considers the point of take to be within a 100 metre radius of the physical take point. If your answer is No, you need to apply for a Water Measuring Exemption (WEX) by filling out Application Form 24 – Application for Exemption to use a device or system near the location from which water is taken. A fully completed Form 24 should be lodged at the same time as this application to enable dual processing.

Yes

No – complete an Application Form 24 – Application for Exemption

WEX attached to AEE

8. Location and Efficiency of Water Use

8.1 Provide details of point/area of use (include legal description(s) and grid references.

Yes (attached to application)

No (please outline reasons why this has not been provided)

8.2 Provide a description of any existing works/infrastructure in place, including value, in your application.

Yes (attached to application)

No (please outline reasons why this has not been provided)

8.3 Provide a description of proposed works/infrastructure to give effect to consent sought, including value of investment, in your application.

Yes (attached to application)

No (please outline reasons why this has not been provided)

8.4 Provide an assessment of the proposed use against the Aqualinc report for reasonable water requirements¹.

Completed

Not Completed (provide details of alternative assessment and justification for that)

8.5 If you propose to use water to irrigate land, please outline:

a. How many hectares of land will be irrigated?

b. What is the soil type(s) of the land being irrigated?

see attached

c. What will you be irrigating (i.e. crop, pasture etc in ha)?

AEE

d. What is the target application rate (mm/day and mm/year)?

8.6 What type of irrigation system is proposed to be used or is currently being used?

K-line

Centre pivot

Travelling irrigator

Border-dyke/flood irrigation

Other – provide details

8.7 Do you have any water distribution infrastructure in place (for example pipes, storage tanks, open races etc.)?

Yes

No

If yes, in your application please describe the type of infrastructure in place and how you intend to ensure that it is maintained in good working order (e.g. do you intend to have a

¹ "Guidelines for reasonable irrigation water requirements in the Otago Region", Aqualinc, 2017. Note that while this document provides a basis for assessing efficiency of use, other matters may be applicable.

See attached AEE

maintenance or leak detection programme, will the scheme be managed by an external company).

Note: For deemed permits please ensure you have the right to convey water under s417 of the Resource Management Act if that conveyance crosses another party's property, prior to the expiry of the deemed permit.

8.8 Do you intend to install any water distribution infrastructure (for example pipes, storage tanks, open races etc.)?

Yes

No

See attached AEE

If yes, in your application please describe the type of infrastructure to be installed and how you intend to ensure that it is maintained in good working order (e.g. do you intend to have a maintenance or leak detection programme, will the scheme be managed by an external company).

Note: For deemed permits please ensure you have the right to convey water under s417 of the Resource Management Act if that conveyance crosses another party's property, prior to the expiry of the deemed permit.

8.9 If you propose to use water for stock and/or dairy shed use – please answer the following:

Note: The Council considers the following values as efficient use of water for stock:

Sheep	5 litres per day per head
Beef cattle	45 litres per day per head
Dairy cows	70 litres per day per head
Deer	15 litres per day per head
Dairy shed use	50 litres per day per head

8.9.1 What type of animal and numbers of stock will be supplied with water for drinking?

Sheep

Number: Water required: litres/head/day

Beef cattle

Number: Water required: litres/head/day

Dairy cows

Number: Water required: litres/head/day

Other

Number: Water required: litres/head/day

See attached AEE

8.9.2 How much water do you require for your dairy shed?

litres/head/day

8.9.3 If you are seeking more water for stock and/or dairy shed use than that recommended by the Council please state why this is in your application.

Note: please provide the source of any data provided. Also include details of stock water transportation if relevant.

8.10 If you propose to use water for industrial use – in your application state what type of industry will be using the water and how will the water be used.

8.11 If you propose to use water for community/domestic supply – please answer the following:

- a. For households, the number of households to be supplied: 1
- b. For camping grounds, the maximum number of visitors and staff per year:
- c. For schools, the maximum number of students and staff per year:
- d. For motel units, the number and expected occupancy:
- e. Other uses (please describe):

8.12 For all uses, demonstrate in your application how have you calculated the amount of water you need?

Note: Please note that the Council will only grant volumes that have been assessed as efficient, and will assess the volumes sought for efficiency, taking into consideration the local climate, soils, and crop type.

Tick if completed.

8.13 In your application please describe any other sources of water available for the property. How much water is available and what it is used for.

No other water source available

8.14 In your application please describe any measures you are proposing to minimise wastage of water and maximise its efficient use.

see attached AEE

9. Assessment of Environmental Effects

Note: Pursuant to Schedule 4 of the Resource Management Act, 1991, there are a number of matters that must be addressed by an assessment of environmental effects. These matters are listed in Form 1, with additional or specific matters relating to water permits are listed below.

9.4 Provide an independent ecological assessment/instream assessment of the water body. It is recommended that all takes not from the main stem of a catchment have this assessment carried out.

Yes (attached to application)

No (please outline reasons why an independent ecological assessment has not been undertaken in your application) *Fish surveys have been completed by others - see AEE*

9.5 Outline any physical effect on the locality, including any landscape and visual effect.

Yes (attached to application)

No (please outline reasons why this has not been provided) *Any physical effects are a permitted activity*

9.6 Outline any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity of the point of take.

Yes (attached to application)

No (please outline reasons why this has not been provided)

9.7 Does the taking of water from the water body cause it to dry up during summer or does the water body naturally dry up downstream of the take?

Yes

No

If Yes, your application should explain approximately how far downstream from your this occurs and in approximately which month in a wet year, average year and dry year this happens.

Note: Please discuss and attach any evidence to the application (e.g. photographs of water body downstream):

9.8 Assess effects on cultural values.

Yes (attached to application)

No (please outline reasons why this has not been provided)

9.8 Assess any effect on other water users or other human use values.

- Yes (attached to application)
 No (please outline reasons why this has not been provided)

9.9 Describe any positive effects from the take.

- Yes (attached to application)
 No (please outline reasons why this has not been provided)

9.10 Outline the mitigation you propose in your application. This should include a consideration of the following:

- A residual flow
 Fish screening on water intakes
 Measures for management where there are low flows
 Flow sharing measures
 Whether base flow is necessary to maintain the water race
 Any other applicable measures

9.10 Outline if your instantaneous abstraction rate (litres per second) will be reduced by increasing the length of time over which water is taken.

- Yes (attached to application)
 No

9.11 Provide a description of any possible alternative water sources or methods for undertaking the activity and why these alternatives have not been selected.

- Yes (attached to application)
 No (please outline reasons why this has not been provided)

10. Consultation

10.1 Include evidence of any consultation undertaken for this application.

See attached AEE

10.2 Identify persons affected by this application.

See attached AEE

10.3 Which persons approval have been provided to the application (attach copies of approvals)?

*Note: This **may** include (but not be limited to) consultation with adjoining landowners, other consent holders in the immediate area such as downstream permit holders, iwi (e.g. Te Rūnanga O Ngāi Tahu, Aukaha, Te Ao Marama Inc.), government departments/ministries (e.g. DOC), territorial authorities and recreational associations. To reduce costs and processing times, we recommended that written approval is obtained and submitted with the application for parties which may be affected. Such approval must be unconditional to avoid notification.*

11. Statutory Assessment

Please note that in accordance with Schedule 4 of the RMA, you are also be required to provide an assessment against the relevant provisions of the following documents (if relevant):

- National Policy Statement for Freshwater Management.
- National Policy Statement for Renewable Electricity Generation.
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.
- National Environmental Standard for Sources of Human Drinking Water.
- New Zealand Coastal Policy Statement. *ABU*
- Operative Regional Policy Statement 1998, Proposed Regional Policy Statement and Partially Operative Regional Policy Statement 2019.
- Regional Plan: Water for Otago (including description of permitted activities and compliance with permitted activity standards).
- Kai Tahu ki Otago Natural Resource Management Plan 2005.
- Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (for takes from the south side of the Clutha River/Mata-Au)
- Any other relevant plan, proposed plan and any other relevant regulations.

HAWKDUN PASTORAL LIMITED

**ASSESSMENT OF
ENVIRONMENTAL EFFECTS**

Proposed Renewal of Deemed Permit RM 96208

Mata Creek

Job No: A4734
Date: December 2019
Status: Final (client approved)

Prepared For:
Hawkdun Pastoral Ltd

Prepared By:
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1.0 Background Information

Applicant	Hawkdun Pastoral Ltd
Activity	To take and use surface water from Mata Creek
Location	Mata Creek, approximately 4500m upstream of the St Bathans Loop Road Bridge over Mata Creek. See attached location plan at Appendix 'A'.
Reason	For pasture and crop irrigation and a domestic and stock water supply.

2.0 Description of the Proposed Activity

The applicant, Hawkdun Pastoral Ltd, takes water from Mata Creek under deemed permit 96208, copy attached at **Appendix 'B'**.

The applicant is seeking to replace the deemed permit which expired on 1 October 2021. The permit authorises a take up to 200,000 litres of water per hour from Mata Creek for the purpose of pasture irrigation.

The maximum rate of take authorised by the deemed permit is 56L/sec (55.56). The maximum daily take is 4800m³, the maximum monthly take is 148,800m³ and the maximum yearly take is 1,752,000m³.

The applicant is applying for the following rates and volumes in this replacement application:

Table	Proposed Water Use			
	Use	L/S	m3/day	m3/month
Irrigation	55.6	4763.5	147,670	787,500
Domestic & Stock Water	0.4	36.5	1130	12,960
Total	56	4800	148,800	800,460

A schematic and photos of the applicant's water infrastructure is attached at **Appendix 'C'**. The applicant currently takes water via an open race intake (temporary gravel bar). The metering infrastructure is located on the open race approximately 250m downstream of the intake. The race continues for 2km, crossing Hawkdun Runs Road, to an equalisation dam. From the dam the water is piped under pressure a further 2km and used to irrigate 90ha of land by spray irrigation using "k-line" pods. A plan of the irrigated area is at **Appendix 'D'**.

The water application area is contained within all or part of the following Records of Title, all owned by the applicant:

- OT7A/1148 Sec 7 Blk III St Bathans SD
- OT7D/920 Sec 10 Blk III St Bathans SD
- OT7A/1149 Sec 8 Blk III St Bathans SD
- OT16D/327 Sec 9 Blk III St Bathans SD
- 7149 Sec 12 Blk III St Bathans SD & Sec 5 S.O. 24231

Copies of the above titles are attached at **Appendix 'E'**

A further open race conveys water from the equalisation dam which runs continuously all year round, being by-washed into Station Creek, which discharges into Manuherekia River, approximately 300m north of the confluence of Mata Creek and the Manuherekia River.

Water is taken from this open race to a piped stock water scheme and for a domestic supply for the Hawkdun Station homestead. It is proposed to replace this open race with a separate pipe line in the race line all the way back to the point of take and to discontinue the by-washing into Station Creek.

The term being applied for is 35 years, as provided for in Sec 123(d) RMA91 with a lapse date of 5 years from the commencement of the consent as provided for in Sec 125(1) (a) RMA91.

A residual flow condition is proposed such that *"other than exercising this permit for taking domestic and stock water, a connecting visual flow is to be maintained from the point of take to the St Bathans Loop Road Bridge over Mata Creek"*.

It is proposed that the consent be subject to the Manuherekia River minimum flow and any rationing of over allocation in the catchment that will eventuate. Accordingly, the following condition of consent is proposed. *"This permit must be exercised or suspended in accordance with any Council approved rationing regime that applies to the Manuherekia Catchment"*.

The Council's standard performance monitoring conditions (water measuring, prevention of leakage from pipes and structures, prevention of run off etc) and review conditions under Sec 128 & 129 RMA91 are anticipated.

It is proposed to install a fish screen in the intake to the pressure pipe at the equalisation dam and on the intake pipe for the domestic and stock water reticulation at the point of take.

3.0 Description of the Environment

The take is located in Mata Creek, approximately 4.5km upstream of the St Bathans Loop Road Bridge over Mata Creek and 380m west of Hawkdun Runs Road. The point of take is located on land legally described as Run 585 leased by Southern Lakes Holding Ltd under Record of Title OT 338/127. Hawkdun Pastoral Ltd holds a Sec 417 certificate over the intake and race within Run 585. A copy of OT 338/127 and the Sec417 certificate is at **Appendix 'F'**.

A sketch and photos of how the water and photos of the intake structure is at **Appendix 'G'**. The photos illustrate the bed characteristics of Mata Creek at the point of take. Similar bed and flow conditions prevail upstream and downstream of the point of take.

The take 'structure' is an artificial constructed gravel bar which diverts water into a short length of pipe which discharges into the scheme's head race. Water is controlled by manually restricting the flow into the pipe (using vehicle tyres) such that the water meter downstream measures the consented amount (or less). Excess water at the point of take is by-washed back into Mata Creek.

As the intake infrastructure is essentially all within the 'bed' of Mata Creek (as defined in the RMA91) periodic work is required to maintain the intake, particularly after flood events.

The co-ordinates of the point of take are NZTM 2000 E1350202 N5058729. The applicant has an exemption from water measuring of the point of take WEX011, copy attached at **Appendix 'H'**.

3.1 Surface Water

Mata Creek has a catchment of 4904ha (49km²) above the point of take. The upper area 2255ha (23km²) of the catchment lies within the southern end of the St Bathans Range varying in altitude from 800m^{asl} to 1620m^{asl} being typical Central Otago tussock high country, subject to very low intensity pastoral grazing by sheep and cattle. The lower, flatter part of the catchment above the point of take is approximately 655ha (6.6km²) varying in altitude between 600m^{asl} to 800m^{asl} and consists of unirrigated improved native pasture subject to low intensity pastoral grazing by sheep and cattle. The stream is fed by numerous sub-catchments, the main (northern) branch being joined by the west branch (combined Waterfall Creek and Middle Creek) 1 km above the point of take. 4.5km downstream of the point of take Mata Creek is joined by Muddy Creek, just below the St Bathans Loop Road Bridge, with the combined flow continuing a further 2.5km to the Manuhereki confluence.

A plan of the catchment is at **Appendix 'I'**.

There are no flow measurements available on Mata Creek. Advice from the applicant, confirmed by visual inspection on several site visits, is that Mata Creek is a gaining reach between the point of take and the St Bathans Loop Road Bridge. The applicant advises that flow in this reach is augmented by several natural springs.

The NIWA model "Shiny" suggests a 7 day MALF of 0.0829 cumecs (83L/sec) very close to the point of take. However, this does not take into account existing upstream consents to take water. **Appendix 'I'** shows the location of these shows the location of these.

Holder	Consent	Location	Take	Residual Flow	Purpose
St Bathans Water Board Inc	2002.503vl	Middle Creek	42L/sec	10L/sec	Communal water supply, stock water, irrigation
	2002.504vl	Waterfall Creek	14L/sec	2L/sec	
	2003.917vl	Waterfall Creek Retake	42L/sec		
Southern Lakes Holdings Ltd	11.013.02	Middle Creek	56L/sec	5L/sec	Pasture Irrigation
		Waterfall Creek			

None of the above takes are deemed permits. There are no takes on Mata Creek below the point of take.

The St Bathans Water Board's combined take is 56L/sec with a 12L/sec residual flow (allowing for the discharge into Waterfall Creek via an open race from Middle Creek).

Southern Lakes Holdings Ltd's take is not metered and has never been exercised. In accordance with condition (2) of RM 11.013.02, it has now lapsed, and will not be considered further in this application.

A copy of the above consents and a water inspection sheet for 11.013.02 is attached at **Appendix 'J'**.

The "effective" MALF at the point of take is thus (83-56) = 27L/sec, which aligns with the applicant's personal observations. It is however acknowledged that what constitutes the existing environment's "baseline" where water consents are concerned (which are granted for a defined term and not necessarily renewed) must be determined as the environment that might exist if the water consents were discontinued (see [33] *Sampson v Waikato RC* A178/02).

The applicant advises that the way the take is currently operated always leaves a continuous visual residual flow in Mata Creek downstream of the point of take to the St Bathans Loop Road Bridge of approximately 1 "head" (28L/sec)

3.2 Schedule 1 of the Regional Plan: Water (RPW)

Although, Mata Creek is not listed in schedule 1A of the RPW, the Manuherikia River is identified as having the following values:

- Gravel bed of importance to resident biota.
- Presence of significant first spawning juvenile development area for trout.
- Presence of riparian vegetation of significance to aquatic habitats.
- Free of aquatic pest plants identified in the Pest Management Strategy for Otago 2009.
- Significant presence of eel and trout.
- Significant range of indigenous invertebrates.

The Otago Regional Council's "Fish & Flow Portal" shows the presence of upland bully, but there is no information as to flows or water temperature or water quality available in the portal. The most recent survey showed an abundance of upland bully, but no threatened or vulnerable native fish species.

Fish and Game have advised as follows (email dated 3 October 2019):

- *"Young of the year juvenile trout have been found in Mata Creek, implying spawning is occurring in the catchment.*
- *In 2011 there was a waterfall identified in the catchment which might be a barrier to fish passage. It looks like it would be at low flows at least. I believe it*

is directly below the loop road but do not know what state it is in currently. In 8 years it may have gotten better or worse.

- *F&G teams electro fished the creek directly upstream of the bridge at around 2011-2013 and found large densities of upland bullies. One of these undertook an MCI assessment in a riffle at the same time and recorded a score of 114.*
- *Ross Dungey electro fished around your point of take recently and found lots of bullies too. When he electro fished higher in the catchment he found brown trout."*

The applicant also observes that there are juvenile trout present at times in the head race and equalisation dam.

Schedule 1AA identifies Otago resident native freshwater fish habitat and their threat status.

The Department of Conservation has advised (email dated 31 October 2019):

- "1. *Current fish survey inform available on the NIWA national fish database shows records of upland bully (not threatened) above and below the point of take. Trout are also present in the catchment.*
2. *Roundhead galaxiid (nationally threatened) have not been recorded in this catchment, but they are known from nearby and suitable habitat is likely to be present."*

Note that Schedule 1AA lists the roundhead galaxiid as "nationally vulnerable". None of the recent fish surveys of Mata Creek found any presence of roundhead galaxiid.

Schedule 1B of the RPW identifies water takes used for public supply purposes (as at 1998). Although not listed, the St Bathans Water Boards' takes are used for the domestic supply to the St Bathans Village. As these takes are upstream of this application, there will be no effect on these takes.

Schedule 1C identifies registered historic places which occur in, or, under or over the beds of rivers. There are no Schedule 1C activities listed for Mata Creek.

Schedule 1D identifies the spiritual and cultural beliefs, values and uses associated with water bodies and uses associated with water bodies of significance to Kai Tahu.

The Manuherekia River into which Mata Creek flows into is identified as having the following values:

- Kaitiakitanga
- Mauri
- Waahi tapu and/or waiwhakareke
- Waahi toaka

No adverse effect on these values is anticipated by the renewal of this deemed permit.

3.3 Regionally Significant Wetlands

There are no Regionally Significant Wetlands in the vicinity of the site of the activity.

3.4 Groundwater

There are no groundwater takes in the vicinity of the site of the activity and no identified aquifers in the RPW. See extract from Otago Regional Council's GIS at **Appendix 'K'**

3.5 Climate & Soils

"Grow Otago" and Landcare Research's "S-Map" portal indicates that the median annual rainfall at the irrigation site is 551-650mm. The January-February median rainfall is 81-100mm, while the January-February median potential evapotranspiration is 176-180mm. "S-Map" identifies the soils as Oturehua Shallow/Stoney and fine Sandy Loam with low (39-59mm) Plant Available Water (PAW). The above indicates that the water application site will benefit from irrigation.

4.0 Consultation

The applicant contacted the following by email provided preliminary information about the proposed take and requesting any comments and further information they may have on the Mata Creek.

- The Department of Conservation
- Otago Fish & Game
- Aukaha, representing local iwi

Some very preliminary feedback was provided by DOC and Fish & Game, but they indicated that they required a copy of the full application to furnish any further input. Despite repeated follow-ups, no response has been received to date from Aukuha. A pre-application site meeting was held with Natasha Pritchard of the Otago Regional Council on Thursday 28 November 2019.

5.0 Status of the Application

While the status of the Manuherekia Catchment is over-allocated, because the consent that this application seeks to replace was originally granted prior to 28 February 1998 and because the applicant has applied to replace this consent within the statutory timelines given in Sec 124 RMA91, this take retains its primary allocation status in accordance with Policy 6.4.2.

The take and use of surface water as primary allocation applied for prior to 28 February 1998 in the Manuherekia Catchment Upstream of Ophir is a restricted discretionary activity pursuant to Rule 12.1.4.4 of the Regional Plan: Water (RPW).

6.0 Notification

6.1 Sec 95A RMA91 – Public Notification

- Step 1 (a)** The applicant has not requested public notification
(b) Public notification is not required under Sec 95C
- Step 2 (a)** Public Notification is precluded under Rule 12.1.4.8
- Step 3** Not applicable
- Step 4 (a)** There are no special circumstances that require the application to be publicly notified.

6.2 Sec 95B RMA91 Limited Notification

- Step 1 (a)** There are no affected customary rights groups
(b) The Manuherekia River is not subject to Statutory Recognition under The Ngai Tahu Claims Settlement Act 1998
- Step 2 (a)** Limited Notification is not precluded by a rule in the RPW or a National Environmental Standard
(b) The application is not for a prescribed activity
- Step 3 (a)** In accordance with Sec 95E the following persons are considered to be affected by the proposed activity by effects that are minor or more than minor, but not less than minor and have not provided their written approval and are required to be notified:
- Department of Conservation
 - Otago Fish & Game
 - Aukaha
- Step 4 (a)** There are no special circumstances which would require any other person to be notified. In particular there are no downstream water users on Mata Creek considered to be potentially adversely affected by the take.

7.0 Efficiency of Water Take & Use

7.1 Historical Water Access

The current deemed permit take is metered and water use records are held by the council. The records show that the applicant is utilising the take at the maximum consented rate of take (56L/sec) when required.

The applicant's "k-line" scheme has been designed and sized to fully utilise the existing consented take.

7.2 Irrigation

Aqualine Research Ltd's "*Guidelines for Reasonable Irrigation Water Requirements in the Otago Region*" dated July 2017 ("the Aqualine Report") has been used to assess the irrigation take applied for.

Table 5 (Irrigation Water Demand for Pasture) of the "Aqualine Report" gives the following demand for the Central Lakes Region:

- MAR 550
- PAW 40
- Peak daily demand 5.5mm/d
- Maximum monthly demand 171mm/month
 - Annual demand
 - Average 645mm/yr
 - 80% ile 754mm/yr
 - 90% ile 785mm/yr
 - Maximum 875mm/yr

For 90ha of irrigated area this equals to the following:

- Peak daily demand 4950m³ (57.29L/sec)
- Maximum monthly demand 153,900m³
- Maximum annual demand 787,500m³

Irrigation is proposed for 8 months of the year, peaking in January and February.

7.3 Domestic Water

The domestic take being applied for is 3m³/day in summer (1 October – 31 March) and 1m³/day in winter (1 April – 30september). This is in line with Otago Regional Council's standard allowance for domestic use for a rural dwelling. This is a 90m³/month (maximum) and 730m³/year/(average at 2m³/day).

This take is a permitted activity in accordance with Sec 14 (3) (a) (b) (i) RMA91 and Rule 12.1.2.1.

7.4 Stock Water

Aqualine Research Ltd's "*Reasonable Stock Water Requirements – Guidelines for Resource Consent Applications*" dated December 2007 assesses reasonable stock water requirements as follows:

- Sheep 4.5L/head/day
- Beef cattle 55L/head/day

The Otago Regional Council's application "form 4" allows the following:

- Sheep 5L/head/day
- Beef cattle 45L/head/day

The Otago Regional Council's allowances have been used to calculate the stock water take applied for.

The stock water scheme supplies on average over the year 4,000 sheep and 300 cattle. The take is therefore (4,000 x 5) x (300 x 45) = 33.5m³/day.

The peak domestic and stock water demand is $(33.5 + 3) = 36.5\text{m}^3/\text{day}$ and $1130\text{m}^3/\text{month}$. The demand over the year is $(33.5 + 2) \times 365 = 12,960\text{m}^3/\text{yr}$.

As the total take applied for cannot exceed the existing deemed permit allowance and existing use, the take being applied for has been adjusted to fit the 200,000L/hour of the deemed permit.

This means that the maximum daily take for irrigation is $186.5\text{m}^3/\text{day}$ less than the "Aqualinc" allowance and the maximum monthly take is $6230\text{m}^3/\text{month}$ less. The annual irrigation take applied for is equal to the "Aqualinc" allowance, but $951,540\text{m}^3/\text{year}$ less than that authorised by the current deemed permit.

The take applied for is therefore an efficient and reasonable use of the water.

7.5 Application

The water take will be used efficiently through a piped spray irrigation scheme and piped stock water scheme that ensures that there is no over-application, or by-washing of water. **Appendix 'D'** shows the layout of the irrigation system installed.

8.0 Value of the Applicant's Investment

The cost of the installed spray irrigation scheme and the value of the scheme to the applicant's farming operation is appended at **Attachment 'L'**.

The capital cost of the irrigation scheme was **\$381,117.00 + gst** and the total annual benefit to Hawkdun Station is **\$193,050.00 + gst**.

Although a relatively small area of the overall property, the irrigation is a vital part of the applicant's overall farming regime and is crucial to the economic viability of the property.

9.0 Alternative Water Sources

As the Manuherekia Catchment is over-allocated, there are no alternative water sources available to the applicant.

10.0 Protection of Instream Values

A residual flow of approximately "1 head", $28\text{L}/\text{sec}$ is currently maintained by the applicant and would appear to be a realistic estimate of a suitable residual flow, given that the "effective MALF" is estimated to be $27\text{L}/\text{sec}$ at the point of take. The current exercise of all the takes at Mata Creek appears to be providing a suitable environment for a healthy population of "Upland Bully" and small trout and this will continue under the proposed regime.

However, the difficulty in setting a residual flow expressed in terms of L/sec is that there is no practicable way of installing an intake structure in the bed of Mata Creek that would measure and by pass such a flow and not obstruct fresh passage. Any such structure would silt up within days and/or be destroyed by every fresh in Mata Creek. This is well evident by the fact that the applicant, in common with all other similar open race intakes in Otago, has a dispensation not to measure the take at the point of take, but some 250m down stream on the scheme's head race.

The proposed wording of a residual flow condition is a practicable option that has been successfully adopted elsewhere in Otago for takes from small side streams. The fact that Mata Creek downstream of the point of take is a gaining reach will also assist in maintaining a suitable instream environment.

11.0 Over Allocation

The proposed condition that the take be subject to any future Council approved rationing regime applying to the Manuherekia Catchment addresses this issue.

12.0 Permitted Activities

- 25m³/day of the domestic and stock water take is a permitted activity under Rule 12.1.2.1 of the RPW.
- The use of maintenance of the applicant's intake structure is a permitted activity in accordance with Rules 13.1.1.1 and 13.5.1.1 of the RPW.

13.0 Statutory Considerations

13.1 Part 2 RMA91

The taking of water from Mata Creek for the purpose of irrigation, domestic use and stock water purposes, is consistent with the purpose and principles of the Act, as outlined in Section 5. The water take will have a minor effect on the down stream waterways ability to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of the waterways or any ecosystems associated with them.

The take water enables the applicant to provide for its social and economic welfare with wider benefits to the local farming community and wider economy in terms of maintaining the economic viability of a family farming operation and production from the land resource.

Provided suitable consent conditions are adopted the matters of national importance under Section 6(c) of the Act will not be affected by this application. The application is also consistent with the requirements of Sec 7 of the Act, with particular regard given to the efficient use and development of natural and physical resources. The proposed take is consistent with these matters, provided the proposed consent conditions are adopted. Regarding Section 8, the proposed activity is not inconsistent with the principles of the Treaty of Waitangi.

Overall, the application is considered to be consistent with Part 2 of the Act, given the minor nature of the activity and the proposed conditions of consent.

13.2 Section 104(1) RMA91

The remaining matters of Section 104(1) to be considered when assessing an application for a resource consent are as follows:

- a) Any actual and potential effects on the environment of allowing the activity; and
- b) Any relevant positions of
 - i. A National Environmental Standard;
 - ii. Other regulations;
 - iii. A National Policy Statement;
 - iv. A New Zealand Coastal Policy Statement;
 - v. A Regional Policy Statement or Proposed Regional Policy Statement;
 - vi. A plan or proposed plan; and
- c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

These matters are discussed in the following sections.

13.2.1 Environmental Effects

The actual and potential environmental effects of the proposed activity are considered in Sections 3 -12 of this AEE. Proposed conditions of consent will ensure that any adverse effects are avoided, remedied or mitigated.

Positive effects are that it will maintain the economic viability of the property and contribute to New Zealand's export economy. The renewal will also result in the cessation of year round by-washing of stock and domestic water into a different catchment. A very significant decrease in the total annual take authorised will enhance in-stream values.

13.2.2 National Policy Statement Freshwater Management

The NPS supports improved freshwater management in New Zealand. It does this by directing regional councils to establish objectives and set limits for fresh water in their regional plans. It requires regional councils to recognise the national significance of fresh water for all New Zealanders and Te Mana o te Wai (the mana of the water). It directs regional councils to:

- Safeguard fresh water's life supporting capacity, ecosystem processes, and indigenous species including their associated ecosystems.
- Manage freshwater bodies so people's health is safeguarded
- Maintain or improve the overall quality of fresh water within a region
- Protect the significant values of wetlands and outstanding freshwater bodies
- Require more efficient use of fresh water by end users
- Avoid the over allocation of water takes and inputs of contaminants, and to phase out existing over allocation
- Set freshwater objectives according to a specified process (the national objectives framework) to meet community and tangata whenua values which include the compulsory values of ecosystem health and human health for recreation.

- Use a specified set of water quality measures (attributes) to set the freshwater objectives (an objective can only be set below national bottom lines in specified circumstances).
- Set limits which allow freshwater objectives to be met
- Put in place measures to account for water takes and sources of contaminants, and monitor achievement towards meeting objectives.
- Take a more integrated approach to managing fresh water and coastal water
- Fully implement the National Policy Statement by 2025.

The current and proposed policies in the RPS and RPW meet the requirements of the NPS except for the matters of over allocation.

The proposed conditions regarding the take to be subject to any future water rationing regime for the Manuherekia Catchment addresses the issue of over allocation.

13.2.3 National Policy Statement on Renewable Electricity

The Roxburgh's power station uses water to a very minor extent from the Manuherekia Catchment to generate electricity. As there will be no increase in the rate of the take and a large decrease in the total annual take authorised by the current deemed permit, the effects on renewable electricity generation will be less than minor.

13.2.4 National Environmental Standard for Sources of Human Drinking Water

Regulations 7 and 8 of the National Environmental Standard for Sources of Human Drinking Water (NES) need to be considered when assessing water permits that have the potential to affect registered drinking water supplies that provide 501 or more people with drinking water for 60 or more calendar days each year.

The Omakau Water Supply Scheme takes water from the Manuherekia River. The proposed take is a considerable distance upstream of the Omakau Water Supply and the total annual take will be reduced. The take is therefore not expected to have any adverse effects.

13.2.5 Resource Management (Measurement and Reporting of Water Takes) Regulations 2010

Measuring and reporting of the irrigation take will continue in compliance with these regulations. It is not proposed to meter the domestic and stock water take as the maximum rate of take is only 0.4L/sec, well below the threshold for any water metering. The maximum daily take is only 11.5m³/day above the permitted activity take of 25m³/day in any case.

13.2.6 Regional Policy Statement and Proposed Regional Policy Statement

The Partially Operative Regional Policy Statement for Otago (RPS) provides an overview of Otago's resource management issues, and ways of achieving integrated management of natural and physical resources. The provisions of Chapter 6 (Water) not revoked are relevant to this application. The taking of water is consistent with the policies of the RPS, provided that it is done in a conservative manner that does not adversely affect instream biota, natural character, or other lawful water users. The

proposed take is efficient and will maintain instream biota, natural character and provide for other water users.

The partially operative proposed Regional Policy "Statement (pRPS) 2019 needs to be given consideration and weighting principles apply. The relevant provisions of the pRPS include:

- Achieve integrated resource management (Policy 1.2.1)
- Provide for economic wellbeing (Policy 1.1.1)
- Provide for social and cultural wellbeing and health and safety (Policy 1.1.2).
- Taking the principles of Te Tiriti o Waitangi into account (Policy 2.1.2)
- Managing the natural environment to support Kai Tahu wellbeing (Policy 2.2.1)
- Managing freshwater values including:
 - Maintain or enhance ecosystem health in all Otago aquifers, and rivers, lakes, wetlands, and their margins
 - Maintain or enhance the range and extent of habitats provided by fresh water, including the habitat of trout and salmon
 - Recognise and provide for the migratory patterns of freshwater species, unless detrimental to indigenous biological diversity
 - Avoid aquifer compaction and seawater intrusion in aquifers
 - Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded
 - Maintain or enhance coastal values
 - Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers
 - Maintain or enhance the quality and reliability of existing drinking and stock water supplies
 - Recognise and provide for important recreation values
 - Maintain or enhance the amenity and landscape values of rivers, lakes, and wetlands
 - Control the adverse effects of pest species, prevent their introduction and reduce their spread
 - Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion
 - Avoid, remedy, or mitigate adverse effects on existing infrastructure that is reliant on fresh water (Policy 3.1.1)
- Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to achieve all of the following:
 - Maintain or enhance their natural functioning
 - Maintain good water quality, or enhance it where it has been degraded
 - Maintain or enhance ecosystem health and indigenous biological diversity
 - Maintain or enhance natural character

- Maintain or enhance amenity values
 - Control the adverse effects of pest species, prevent their introduction and reduce their spread
 - Avoid, remedy or mitigate the adverse effects of natural hazards including flooding and erosion
 - Maintain or enhance bank stability (3.1.2)
- Ensure the efficient allocation and use of water (Policy 3.1.3)
 - Manage for water shortage by:
 - Encouraging collective coordination and rationing of the take and use of water when river flows or aquifer levels are lowering, to avoid breaching any minimum flow or aquifer level restriction
 - Encouraging water harvesting and storage, to reduce demand on water bodies during periods of low flows (Policy 3.1.4)
 - Identify and protect outstanding freshwater bodies (Policy 3.2.13 & 3.2.14)
 - Using existing renewable electricity generation structures and facilities, promoting small scale renewable electricity generation, protecting the capacity of renewable electricity generation, enabling more efficient transport of energy and protecting electricity generation infrastructure (Policy 4.4.1 – 4.4.5)
 - Apply an adaptive management approach, to avoid, remedy or mitigate actual and potential adverse effects that might arise and that can be remedied before they become irreversible (Policy 5.4.2)
 - Apply a precautionary approach to activities where adverse effects may be uncertain, not able to be determined, or poorly understood but are potentially significant (Policy 5.4.3)

Sec 3 of the pRPS 2019 is subject to legal proceedings and consideration of those policies has less weight in Council's consideration of this application.

Overall, it is considered that the activity is consistent with the RPS and pRPS.

13.2.7 Regional Plan: Water for Otago (RPW)

13.2.7.1 Policies

The relevant policies from the RPW (including relevant plan change provisions) are considered below:

Policy 5.4.2 In the management of any activity involving surface water, groundwater or the bed or margin of any lake or river, to give priority to avoiding, in preference to remedying or mitigating:

- (1) *Adverse effects on:*
 - (a) *Natural values identified in Schedule 1A;*

- (b) Water supply values identified in Schedule 1B;
 - (c) Registered historic places identified in Schedule 1C, or archaeological sites in, on, under or over the bed or margin of a lake or river;
 - (d) Spiritual and cultural beliefs, values and uses of significance to Kai Tahu identified in Schedule 1D;
 - (e) The natural character of any lake or river, or its margins;
 - (f) Amenity values supported by any water body; and
- (2) Causing or exacerbating flooding, erosion, land instability, sedimentation or property damage.

Policy 5.4.3 In the management of any activity involving surface water, ground water or the bed or margin of any lake or river, to give priority to avoiding adverse effects on:

- (a) Existing lawful uses; and
- (b) Existing lawful priorities for the use, of lakes and rivers and their margins.

Policy 5.4.4. To recognise Kai Tahu's interests in Otago's lakes and rivers by promoting opportunities for their involvement in resource consent processing.

Policy 5.4.8 To have particular regard to the following features of lakes and rivers, and their margins, when considering adverse effects on their natural character:

- (a) The topography, including the setting and bed form of the lake or river,
- (b) The natural flow characteristics of their river;
- (c) The natural water level of the lake and its fluctuation;
- (d) The natural water colour and clarity in the lake or river;
- (e) the ecology of the lake or river and its margins; and
- (f) The extent of use or development within the catchment, including the extent to which that use and development has influenced matters (a) to (e) above.

Policy 5.4.2 requires Council in the management of surface water to give priority to avoiding, in preference to remedying or mitigating adverse effects on natural values identified in Schedule 1A, water supply values listed in 1B and values of significance to Kai Tahu ki Otago listed in 1D.

The Manuherekiā River to which Mata Creek flows is listed in the above schedules. To ensure that any adverse effects on ecosystem values are avoided, remedied or mitigated, a condition is proposed that requires the applicant to install a fish screen on the scheme's intakes.

The proposed take is not expected to have any adverse effects on any water supply scheme or values of significance to Iwi. The proposed take is therefore consistent with this policy.

Policy 5.4.3 requires Council when managing any activity involving surface water to give priority to avoiding adverse effects on any existing lawful use. The proposed take will not have any effect on the quantity of flow or on any downstream users. The proposed take is therefore consistent with this policy.

Policy 5.4.4 requires Council to recognise Kai Tahu's interests in Otago's rivers by promoting opportunities for their involvement in resource consent processing. Aukaha (on behalf of Kai Tahu) was consulted, but did not respond.

The proposed take will end the taking of water from one catchment (Mata Creek) and discharging it into another catchment (Station Creek).

6.4.0A *To ensure that the quantity of water granted to take is no more than that required for the purpose of use taking into account:*

- (a) *How local climate, soil, crop or pasture type and water availability affect the quantity of water required; and*
- (b) *The efficiency of the proposed water transport, storage and application system.*

6.4.2A *Where an application is received to take water and Policy 6.4.2(b) applies to the catchment, to grant from within primary allocation no more water than has been taken under the existing consent in at least the preceding five years, except in the case of a registered community drinking water supply where an allowance may be made for growth that is reasonably anticipated.*

Based on the figures provided by Aqualinc the proposed volumes recommended represent an efficient use of water for irrigation and figures for stock water and domestic use consistent with Council allocation for such purposes. No more water than has previously been taken has been applied to be taken.

6.4.12 *To promote, establish and support appropriate water allocation committees to assist in the management of water rationing and monitoring during periods of water shortage.*

6.4.12A *To promote, approve and support water management groups to assist the Council in the management of water y the exercise of at least one of the following functions:*

- (a) *Coordinating the take and use of water authorised by resource consent; or*
- (b) *Rationing the take and use of water to comply with relevant regulatory requirements; or*
- (c) *Recording and reporting information to the Council on the exercise of*

resource consents as required by consent conditions and other regulatory requirements, including matters requiring enforcement.

- 6.4.12B *To manage water rationing amongst water takes, Council may either:*
- (a) Support establishment of a water management group; or*
 - (b) Establish a water allocation committee*
- Council may also instigate its own water rationing regime or issue a water shortage direction.*
- 6.4.12C *Where appropriate, to include in water permits to take water a condition that consent holders comply with any council approved rationing regime.*
- 6.4.13 *To restrict the taking of water in accordance with any council approved rationing regime.*
- 6.6.0 *To promote and support development of shared water infrastructure.*
- 6.4.0B *To promote shared use and management of water that:*
- (a) Allows water users the flexibility to work together, with their own supply arrangements; and*
 - (b) Utilises shared water infrastructure which is fit for its purpose.*

There are no established water management groups or allocation committee established for the management of water in the Mata Creek or the Manuherekia Catchment. A condition of consent is proposed that requires the applicant to operate in accordance with any Council approved rationing regime.

- 6.4.0C *To promote and give preference, as between alternative sources, to the take and use of water from the nearest practicable source.*

As discussed previously, Mata Creek is considered the most practicable source for proposed activity.

- 6.4.1 *To enable the taking of surface water, by:*
- (a) Defined allocation quantities; and*
 - (b) Provision for water body levels and flows, except when*
 - i. The taking is from Lakes Dunstan, Hawea, Roxburgh, Wanaka or Wakatipu, or the main stem of the Clutha/Mata-Au or Kawarau Rivers.*
 - ii. All of the surface water or connected groundwater taken is immediately returned to the source water body.*
 - iii. Water is being taken which has been delivered to the source water body for the purpose of that subsequent take.*
- 6.4.2 *To limit allocation for the taking of surface water in any catchment, through The identification of a quantity, known as primary allocation, which is....*

The proposed take has primary allocation status and will retain this.

6.4.16 *In granting resource consents to take water, or in any review of the conditions of a resource consent to take water, to require the volume and rate of take to be measured in a manner satisfactory to the Council unless it is impractical or unnecessary to do so.*

It is proposed that the taking of irrigation water is continued to be measured using a water meter, the data recorded electronically using a data logger and sent to Council via telemetry.

6.4.18 *Where a resource consent for the taking of water has not been exercised for a continuous period of 2 years or more, disregarding years of seasonal extremes, the Otago Regional Council may cancel the consent.*

The proposed water metering condition will allow the Council to monitor the rate and volumes of take, and ensure the water is being used efficiently. Should metering show the consent has been unexercised in accordance with this policy, the consent may be cancelled.

13.2.7.2 Assessment Matters

Council has restricted the exercise of its discretion to the following matters:

- (i) *The primary and supplementary allocation limits for the catchment; and*
- (ii) *Whether the proposed take is primary or supplementary allocation for the catchment; and*

The application is for a primary take.

- (iii) *The rate, volume, timing and frequency of water to be taken and used; and*
- (iv) *The proposed methods of take, delivery and application of the water taken; and*
- (v) *The source of water available to be taken; and*
- (vi) *The location of the use of the water, when it will be taken out of a local catchment; and*
- (vii) *Competing lawful local demand for that water; and*

See Sec 3.0 above of this AEE

- (viii) *The minimum flow to be applied to the take of water, if consent is granted; and*

A minimum flow has not yet been set for to Manuherehia Catchment. However, the Consent will be subject to it, in accordance with the proposed condition of consent.

- (x) *The consent being exercised or suspended in accordance with any Council approved rationing regime; and*

Refer to proposed condition of consent

- (xi) Any need for a residual flow at the point of take; and*

A suitable residual flow is proposed

- (xii) Any need to prevent fish entering the intake and to locate new points of take to avoid adverse effects on fish spawning sites; and*

Fish screening is proposed.

- (xiii) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value, and*
- (xiv) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected; and*
- (xv) Any actual or potential effects on any groundwater body; and*

Not applicable to this application

- (xvi) Any adverse effect on any lawful take of water, if consent is granted, including potential bore interference; and*
- (xvii) Whether the taking of water under a water permit should be restricted to allow the exercise of another water permit; and*

There are no downstream water takes on Mata Creek.

- (xviii) Any arrangement for co-operation with other takers or users; and*

There is no water users group set up for Mata Creek.

- (xix) Any water storage facility available for the water taken, and its capacity; and*

No water storage is proposed. The size of a water storage dam required to provide significant water storage for 90ha of irrigated land is impractical and uneconomic.

- (xx) The duration of the resource consent; and*

See Sec (14) below of this AEE.

- (xxi) The information, monitoring and metering requires; and*

Water metering will continue

- (xxii) Any bond; and*

There is no requirement for a bond

- (xxiii) The review of conditions of the resource consent, and*

Review conditions are proposed.

(xxiv) For resource consents in the Waitaki catchment the matters in (i) to (xxiii) above, as well as matters in Policies 6.6A.1 to 6.6A.6.

Not applicable to this application.

13.2.8 Iwi Management Plans

The following sections of the Kai Tahu ki Otago Natural Resource Management Plan 2005 (NRMP) are relevant to these applications:

- To require that resource consents applications seek only the amount of water actually required for the purpose specified in the application.
- To require that all water takes are metered and reported on, and information be made available upon request to Kai Tahu ki Otago.
- To oppose the granting of water take consents for 35 years.
- To encourage those that extract water for irrigation to use the most efficient method of application.
- To discourage over-watering.

The granting of this consent with the proposed terms and conditions is generally consistent with these requirements. Proposed consent conditions restrict the applicant to efficient volumes of water and it is proposed that the take is metered. A term of 35 years has been applied for. The reasons for this are detailed in Section 14.0 below of this AEE.

13.2.9 Section 108 of the RMA91

Proposed conditions of consent will ensure that any adverse effects are avoided, remedied or mitigated.

Review conditions under Sections 128 and 129 of the Act are proposed for the following reasons:

- Adjusting the consented rate or volume should monitoring or future changes in water use indicate that the consented rate or volume is not able to be fully utilised;
- Determining whether the conditions of consent are adequate to deal with any adverse effect on the environment that may arise from the exercise of the consent;
 - Ensuring that the conditions of this consent are consistent with any National Environmental Standards, Regulations and/or any regional plans; and allowing the method of data recording and reporting to be altered should the need arise.

14.0 Term

The applicant is requesting a term of 35 years.

Policy 6.4.19 of the RPW states that when considering the duration of a resource consent to take and use water the following are considered:

- The duration of the purpose of use;
- The presence of a catchment minimum flow or aquifer restriction level;
- Climatic variability and consequent changes in local demand for water;
- The extent to which the risk of potentially significant adverse effects arising from the activity may be adequately managed through review conditions;
- Conditions that allow for the adaptive management of the take and use of water;
- The value of the investment in infrastructure; and
- Use of industry best practice.

The water supply is critical to the economic viability of Hawkdun Station, as it supplies not only irrigation water, but also domestic water and stock water. A 35 year term is considered appropriate to provide long-term security of access to water resources and assists in minimising costs associated with implementing consent requirements.

The applicant has a very large investment in the installed irrigation scheme, which cannot be amortised over a lesser term and the life of the asset is consistent with the term applied for.

Any risk factors can be adequately managed by the proposed review conditions and the proposed condition that the take be subject to any future allocation/minimum flow regime in the Manuherekia Catchment.

A time of 5 years to give full effect to the consent is required to design and construct a piped domestic and stock water scheme to replace the current open race/by-wash scheme.

Appendix 'A'



Scale: 1:60000
Original Sheet Size A4
Projection: NZTM2000

Bounds: 1338697.29373226,5011302.31208761
1366457.07990194,5045813.40533719

The information displayed in the Geographic Information System (GIS) has been taken from Central Otago District Council's (CODC) databases and maps.

Digital map data sourced from Land Information New Zealand (LINZ).
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It is made available in good faith but its accuracy or completeness is not guaranteed. CODC accepts no responsibility for incomplete or inaccurate information.

If the information is relied on in support of a resource consent it should be verified independently.

Appendix 'B'

Our Reference: A374019

Consent No: 96208

DEEMED PERMIT

This is a Deemed Permit pursuant to Sections 413-417 of the Resource Management Act 1991.

Name: ~~Richard Norman Cavanagh (1/3) Transferred 22 September 2011~~
Address: ~~Hawkdun Station, 2173 St Bathans Loop Road, R D 1, Oturehua~~

Name: ~~Joan Ann Cavanagh (1/3) Transferred 22 September 2011~~
Address: ~~Hawkdun Station, 2173 St Bathans Loop Road, R D 1, Oturehua~~

Name: ~~Joan Ann Cavanagh Roger Norman Macassey and Trevor Donald Scott (1/3) Transferred 17 July 1996~~
Address: ~~Hawkdun Station, R D 1, Oturehua~~

Name: ~~Joan Ann Cavanagh, Roger Norman Macassey and Colin John Doherty (1/3) Transferred 22 September 2011~~
Address: ~~Hawkdun Station, 2173 St Bathans Loop Road, R D 1, Oturehua~~

Name: Hawkdun Pastoral Limited
Address: C/- Ibbotson Cooney Ltd, Level 1, 69 Tarbert St, Alexandra

To take and use 200,000 litres of water per hour from Mata Creek

For the purpose of pasture irrigation

For a term expiring 1 October 2021

Location of point of abstraction: Mata Creek, approximately 2 kilometres north northwest of the intersection of Hawkdun Runs Road and Webb Road, Oturehua

Legal description of land adjacent to point of abstraction: Run 585 Block 7 St Bathans Survey District

Map reference: : NZMS 260 H40:601-902

This document is a deemed permit within the meaning of Section 413-417 of the Resource Management Act 1991. It is a renewal of permit 2975A which was granted in substitution of water race licence WR4710N, which was granted in The Wardens Court at Naseby and has a priority date of 7th November 1927.



Conditions

Conditions:

1. The following priorities attach to this permit: 200,000 litres per hour from Mata Creek.

Permits over which this permit can exercise priority:

Number	Holder	Take	Location
RM11.013.02	Southern Lakes Holdings Limited	56 litres per second	2 locations from an unnamed tributary of Mata Creek (locally known as Middle Creek)
2002.503	St Bathans Water Board Incorporated	42 litres per second	Middle Creek, 2.5 kilometres upstream from the confluence with Mata Creek, west of Hawkdun Runs Road, St Bathans.
2002.504	St Bathans Water Board Incorporated	14 litres per second	Waterfall Creek, 1 kilometre upstream from the confluence with Middle Creek, west of Hawkdun Runs Road, St Bathans.

2. Appended is a schedule of provisions from the former Water and Soil Conservation Amendment Act 1971 that apply to this deemed permit.

Issued at Dunedin this 28th day of August 1996

Reissued at Dunedin this 9th day of September 2011 to reflect the correct shareholdings, a transfer of holder, the location of point of abstraction, update the priority table and to append the Water and Soil Conservation Amendment Act 1971 provisions.

Reissued at Dunedin this 23rd day of September 2011 to reflect transfer of share holders from Richard Norman Cavanagh, Joan Ann Cavanagh and Joan Ann Cavanagh, Roger Norman Macassey and Colin John Doherty to Hawkdun Pastoral Limited

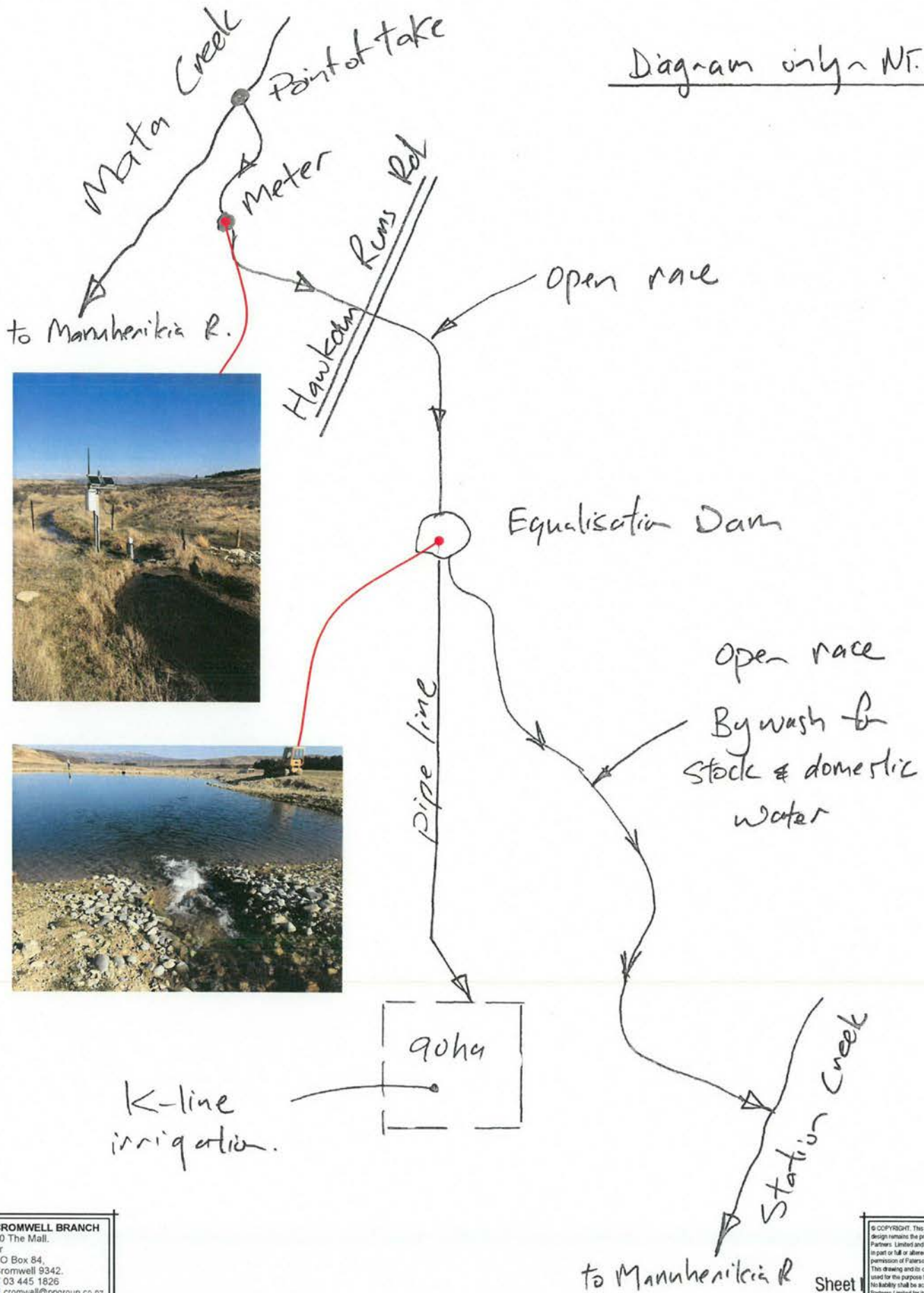
Re-issued at Dunedin on the 2nd day of October 2012 to append WEX0011.

Christopher P Shaw
Manager Consents



Appendix 'C'

Diagram only - N.T.S



CROMWELL BRANCH
 30 The Mall.
 or
 PO Box 84,
 Cromwell 9342.
 T 03 445 1826
 E cromwell@ppgroup.co.nz

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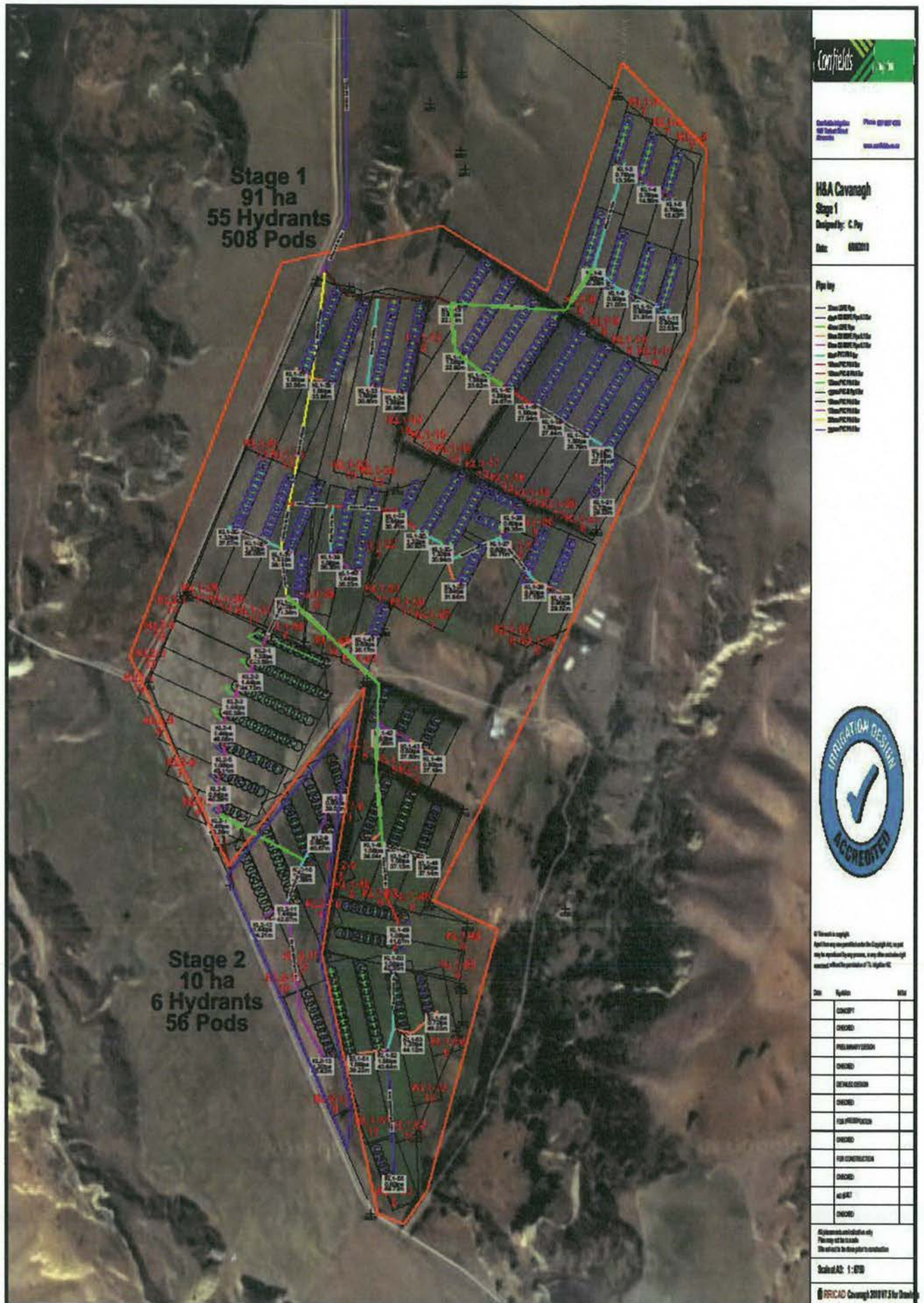
PATERSONPITTSGROUP
 Your Land Professionals
 www.ppgroup.co.nz
 0800 PPGROUP

Client/Location:
Hawkdun Pastoral Ltd

Purpose/Drawing Title:
Irrigation Schematic

Surveyed by:		Original Size:	A3	Scale:	Not to Scale
Designed by:		Checked by:	PD	Sheet 2 of 2	DO NOT SCALE
Drawn by:	KWG	Approved by:	PD	Revision No:	1
Job No:	A4734_PLAN	Date Created:	10/12/2019		

Appendix 'D'



Corfields

Corfields
Water & Environmental
Services

Phone 0800 837 020
www.corfields.co.nz

H&A Cavanagh
Stage 1
Designed by: C. Fry
Date: 08/2011

- Pipe key**
- Steel HDPE
 - 400mm HDPE Pod/Line
 - 400mm HDPE
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line
 - 400mm HDPE Pod/Line



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Date	By	For
08/2011	CF	CONCEPT
09/2011	CF	DESIGN
10/2011	CF	PRELIMINARY DESIGN
11/2011	CF	DESIGN
12/2011	CF	DESIGN
01/2012	CF	DESIGN
02/2012	CF	DESIGN
03/2012	CF	DESIGN
04/2012	CF	DESIGN
05/2012	CF	DESIGN
06/2012	CF	DESIGN
07/2012	CF	DESIGN
08/2012	CF	DESIGN

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Scaled A2: 1:250

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Appendix 'E'



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier OT7A/1148
Land Registration District Otago
Date Issued 14 July 1977

Prior References
OT43/53

Estate	Fee Simple
Area	21.5697 hectares more or less
Legal Description	Section 7 Block III St Bathans Survey District

Registered Owners
Hawkdun Pastoral Limited

Interests

8632338.3 Mortgage to Rabobank New Zealand Limited - 25.11.2010 at 2:55 pm
10389824.2 Variation of Mortgage 8632338.3 - 4.5.2016 at 3:48 pm

Handwritten scribble

9

737.28

588.62

7

21.5697 ha.

138.20

259.31

352.85

1



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier OT7D/920
Land Registration District Otago
Date Issued 14 September 1981

Prior References

OT177/234

Estate	Fee Simple
Area	10.7925 hectares more or less
Legal Description	Section 10 Block III St Bathans Survey District

Registered Owners

Hawkdun Pastoral Limited

Interests

8632338.3 Mortgage to Rabobank New Zealand Limited - 25.11.2010 at 2:55 pm
10389824.2 Variation of Mortgage 8632338.3 - 4.5.2016 at 3:48 pm



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier OT7A/1149
Land Registration District Otago
Date Issued 14 July 1977

Prior References

OT48/116

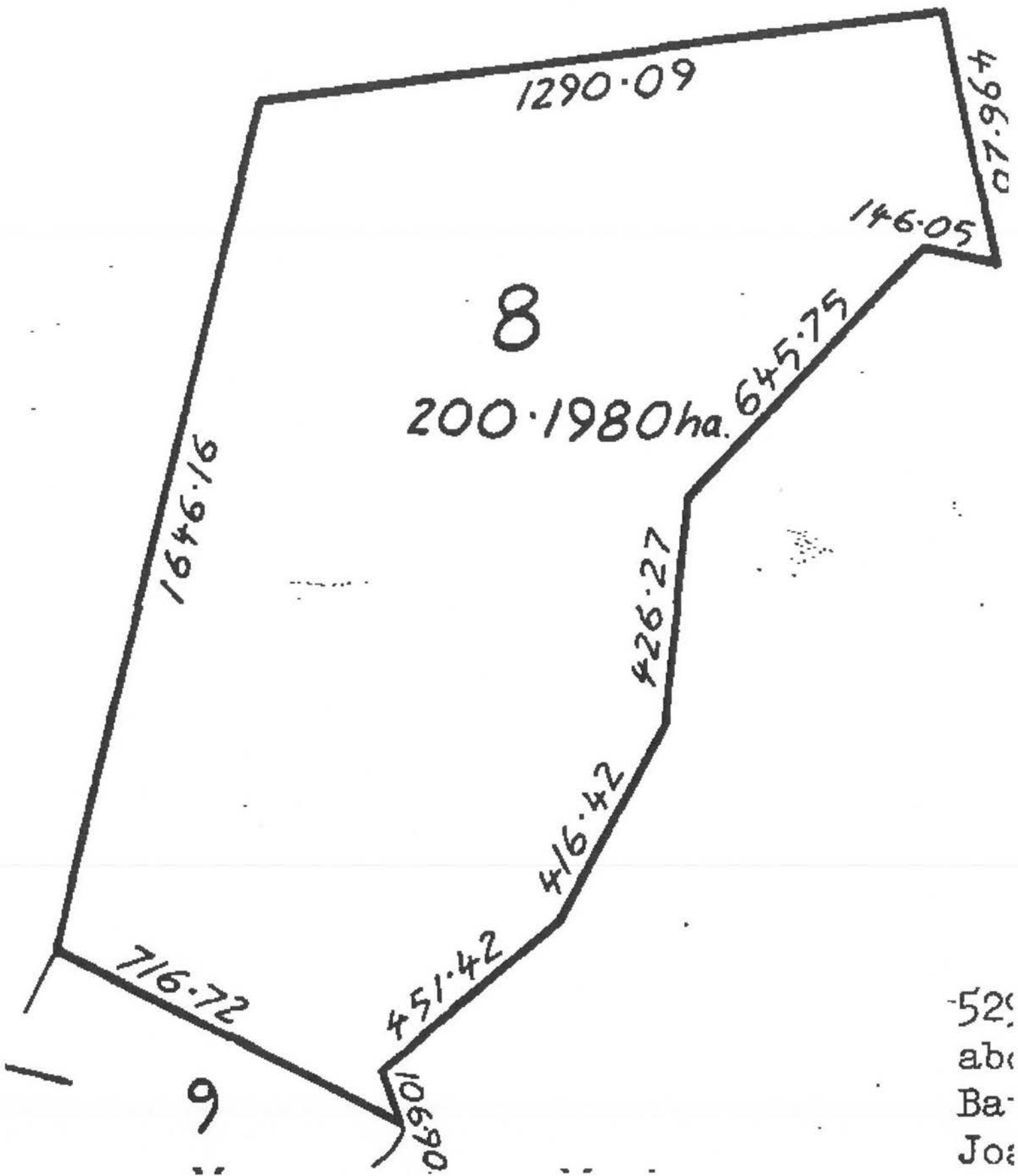
Estate	Fee Simple
Area	200.1980 hectares more or less
Legal Description	Section 8 Block III St Bathans Survey District

Registered Owners

Hawkdun Pastoral Limited

Interests

8632338.3 Mortgage to Rabobank New Zealand Limited - 25.11.2010 at 2:55 pm
10389824.2 Variation of Mortgage 8632338.3 - 4.5.2016 at 3:48 pm



520
abc
Ba
Jo



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Limited as to Parcels
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier OT16D/327
Land Registration District Otago
Date Issued 31 May 1995

Prior References

OT296/205

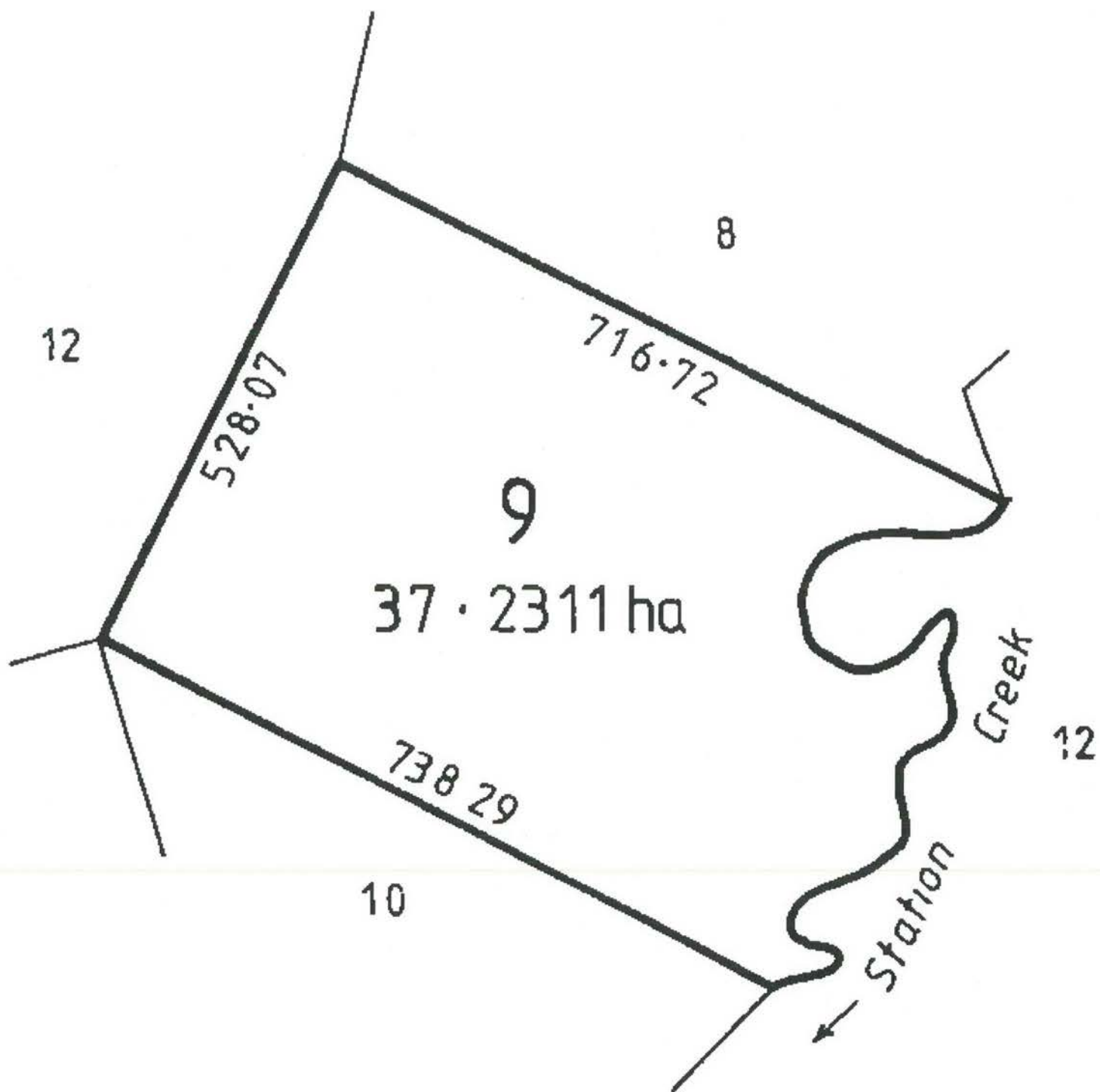
Estate	Fee Simple
Area	37.2311 hectares more or less
Legal Description	Section 9 Block III St Bathans Survey District

Registered Owners

Hawkdun Pastoral Limited

Interests

8632338.3 Mortgage to Rabobank New Zealand Limited - 25.11.2010 at 2:55 pm
10389824.2 Variation of Mortgage 8632338.3 - 4.5.2016 at 3:48 pm





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R.W. Muir
Registrar-General
of Land

Identifier 7149
Land Registration District Otago
Date Issued 08 May 2001

Prior References

OT14B/343 OT18C/457

Estate Fee Simple
Area 4698.4000 hectares more or less
Legal Description Section 12 Block III St Bathans Survey
District and Section 5 Survey Office Plan
24231

Registered Owners

Hawkdun Pastoral Limited

Interests

Subject to Section 11 Crown Minerals Act 1991

Subject to Part IV A Conservation Act 1987

The bed of the Manuherikia River is excluded from Section 5 Survey Office Plan 24231

885906 Transfer creating the following easements in gross - 3.7.1995 at 9:26 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
A right of access	Section 12 Block III St Bathans Survey District - herein	a-b Transfer 885906	Omakau Area Irrigation Company Limited	N/A
Maintain and support a dam	Section 12 Block III St Bathans Survey District - herein	Black line Transfer 885906	Omakau Area Irrigation Company Limited	N/A
Store water	Section 12 Block III St Bathans Survey District - herein	Black line Transfer 885906	Omakau Area Irrigation Company Limited	N/A

Exploration Permit embodied in the Register OT9D/605 - 31.3.1998 at 9.00 am

5005388.1 CAVEAT BY FALLS DAM COMPANY LIMITED (AFFECTS SECTION 12 BLOCK III ST BATHANS SURVEY DISTRICT) - 12.7.2000 at 10:05 am

5012616.1 Surrender of Exploration Permit 9D/605 as to Part of Section 12 Block III St Bathans SD - 22.11.2000 at 9:00 am

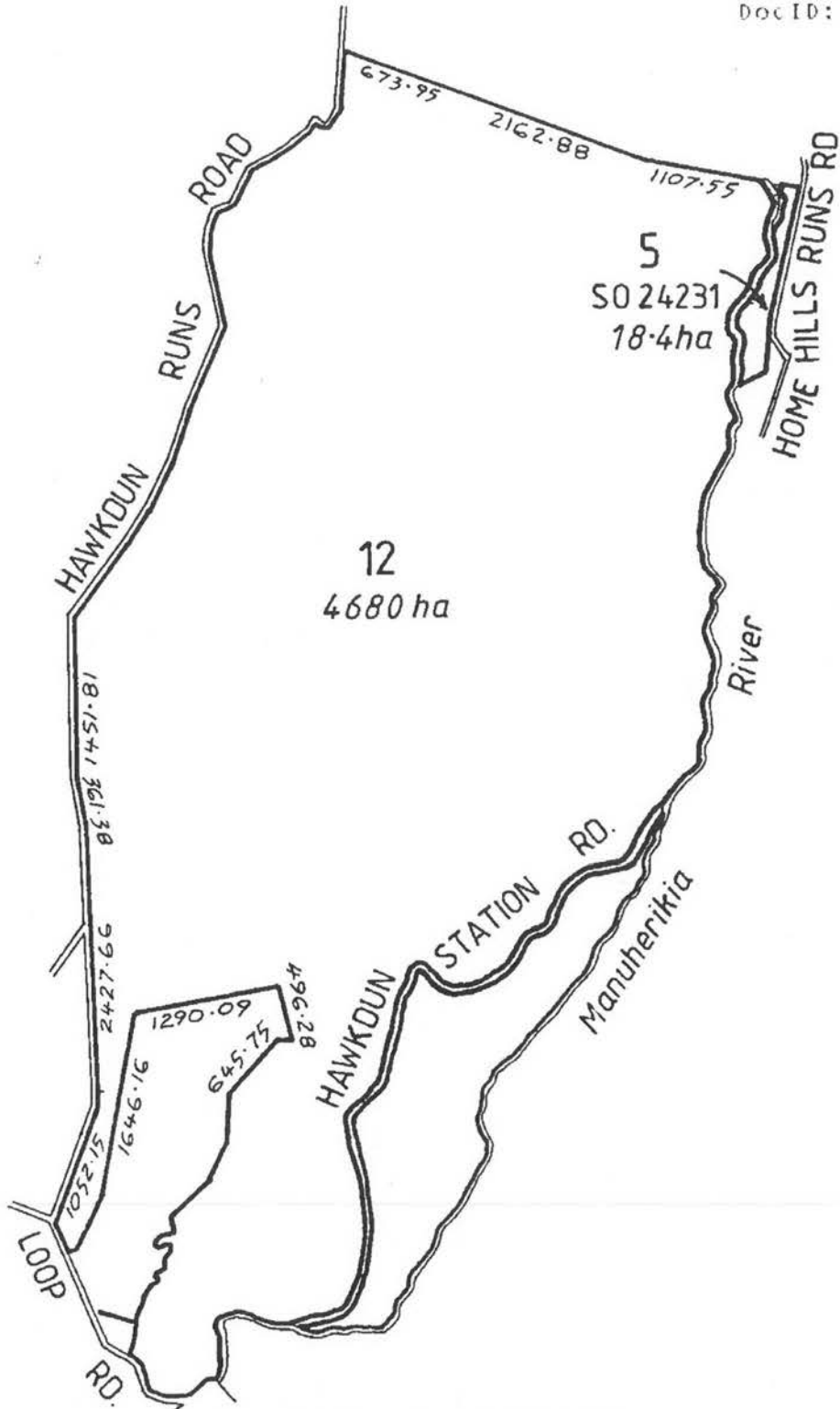
Subject to a right to convey electricity in gross over part Section 12 marked A DP 340194 to Otagonet Limited created by Easement Instrument 6979622.2 - 8.8.2006 at 9:00 am

8632338.3 Mortgage to Rabobank New Zealand Limited - 25.11.2010 at 2:55 pm

10389824.2 Variation of Mortgage 8632338.3 - 4.5.2016 at 3:48 pm



Doc ID: 110209447



SCALE 1:60000 SO 20355 & 24231
Total Area: 4698.4 ha

Appendix 'F'



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
LEASEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier OT338/127
Land Registration District Otago
Date Registered 26 September 1955 02:51 pm

Prior References

OT335/55 OT337/165

Type	Lease under s83 Land Act 1948	Instrument	L P64
Area	5069.0392 hectares more or less	Term	33 years commencing on 1.7.1953 and renewed for a further period of 33 years commencing on the 1.7.1986

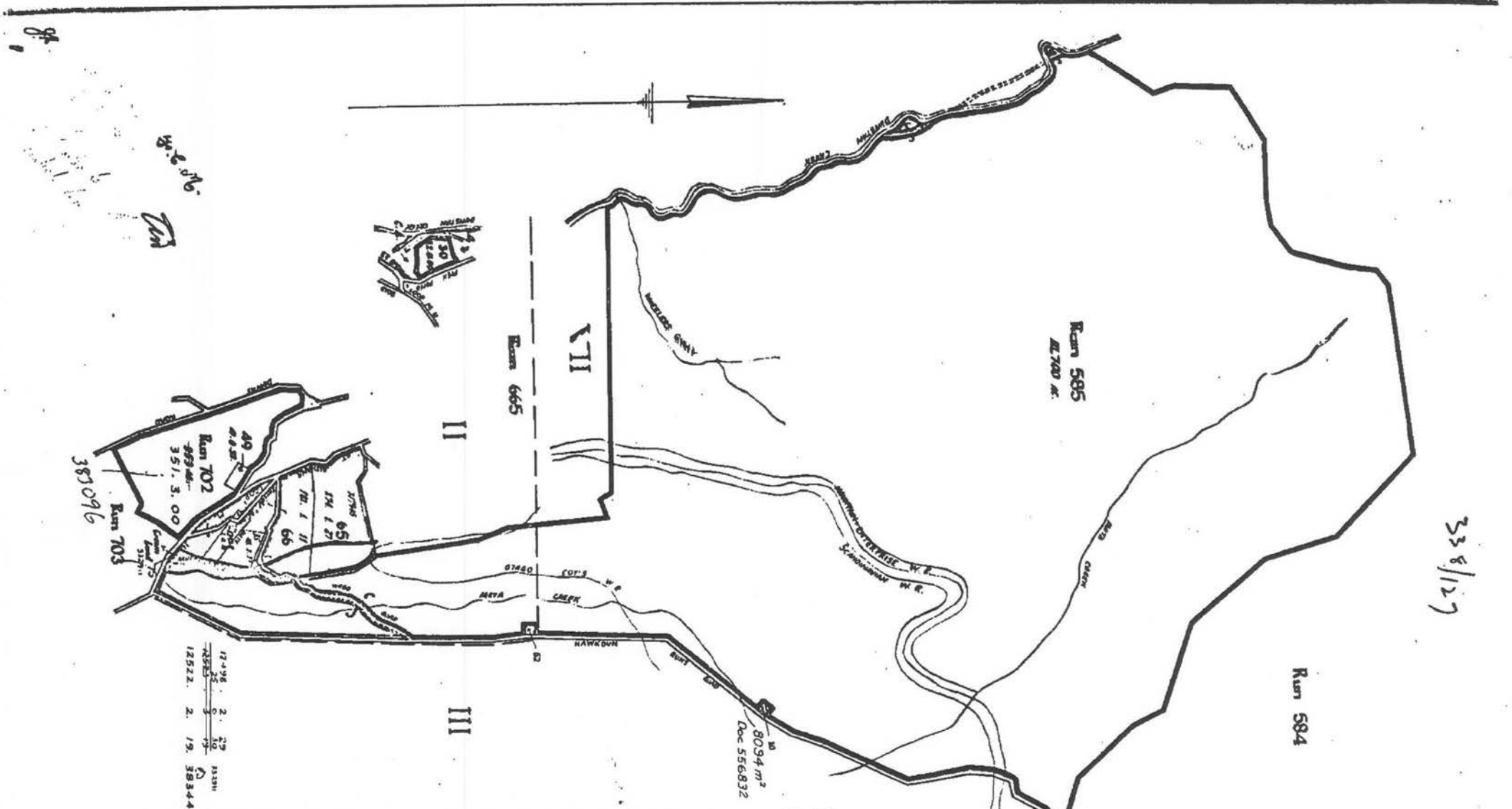
Legal Description Run 585 and Run 702 and Section 30, 35, 49, 65-66, 75, 1392R Block II and Section 10 Block VII St Bathans Survey District

Registered Owners

Southern Lakes Holdings Limited

Interests

560431 Land Improvement Agreement pursuant to the Soil Conservation and Rivers Control Act 1941 - 25.8.1981 at 1.45 pm
740085.2 Variation of the covenants conditions and restrictions of the within Lease - 16.10.1989 at 10.05 am
853069 Renewal of Crown Lease for a further period of 33 years commencing on the 1.7.1986 and fixing (for the first 11 years) the annual rental at \$5,100.00 calculated on a rental value of \$340,000.00 - 12.4.1994 at 9.29 am
934232.1 Certificate pursuant to Section 417(2) Resource Management Act 1991 - 5.8.1997 at 12.45 pm
968372.1 Mortgage to Southland Building Society - 28.5.1999 at 9.04 am
972846.1 Certificate Specifying Mining Rights under s417(2) Resource Management Act 1991 - 6.8.1999 at 2.30 pm
5032921.1 Mining Certificate pursuant to Section 417 (2) Resource Management Act 1991 to St.Bathans Water Board Incorporated - 2.4.2001 at 1:42 pm
8973317.1 Mining Certificate pursuant to Section 417 Resource Management Act 1991 to Hawkdun Pastoral Limited - 1.2.2012 at 9:41 am
9694771.1 Advice under section 23I(6) of the Crown Pastoral Land Act 1998 that the base carrying capacity of the within pastoral lease is 1182 stock units - 8.4.2014 at 7:00 am



Run 585, Run 702, Secs. 30 & 49, Blk. II, St. Bathans S. D.

Total Area 12095 - 0 - 33.

Scale 40 chains to an inch.

EQUIVALENT METRIC
 AREA IS 5067.7240 ha
 556832 8094 m²
 5068.5334 ha

A398404



96208

**CERTIFICATE UNDER S. 417 OF THE RESOURCE
MANAGEMENT ACT 1991**

oOo

Pursuant to Section 417(2) of the Resource Management Act 1991, the Otago Regional Council hereby certifies that:

Hawkdun Pastoral Limited

of **C/o Ibbotson Cooney Ltd, Level 1, 69 Tarbert Street, Alexandra**

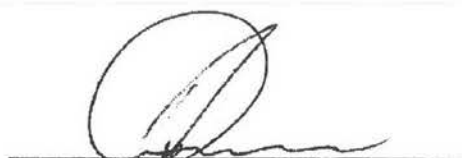
being registered as holder of Licence for a Water Race No.4710, Naseby Registry of the Warden's Court, is entitled to cut, construct, and maintain a water race, or to use as a water race any natural channel (but only where that channel has been so used under the licences); to occupy (but only for the purposes of the construction, maintenance, and improvement of the race) the land forming the course of the race plus a strip 6.1 metres wide (20 feet) along the entire length of the race, and measured either wholly on one side of its course or partly on one side and partly on the other, so that the total on both sides does not exceed 6.1 metres; to deposit within those strips any material removed from the race in the course of maintaining and improving it, and to convey water in the race, across the lands described in the Schedule, as indicated on the attached diagram.


G N Martin
Chief Executive

Dated this *16th* day of *December* 2011

THE COMMON SEAL of the
OTAGO REGIONAL COUNCIL
Was hereunto affixed in the
Presence of:




R W Scott
Director Corporate Services

Mission Statement: "To promote the sustainable development and enhancement of Otago's resources"
70 Stafford Street, Private Bag 1954, Dunedin 9054. Telephone (03) 474-0827. Facsimile (03) 479-0015





SCHEDULE

Land Affected	Title Reference	Owner
Run 585	OT 338/127	Tony Enright trading as Dunstanburn Trading

WR4710N Map



Appendix 'G'

residual
flow path

division

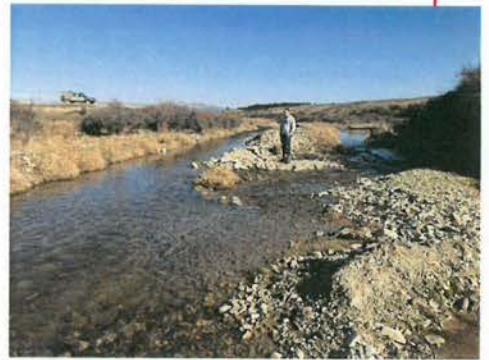
constructed gravel
bar
(periodic maintenance
required)

Mata
Creek.

bywash

culvert
intake

distribution
water race
≈ 200m to
water-metering
device



CROMWELL BRANCH
30 The Mall.
PO Box 84,
Cromwell 9342.
T 03 445 1826
E cromwell@ppgroup.co.nz

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0800 PPGROUP

Client location:
Hawkdun Pastoral Ltd

Purpose/Drawing Title:
Sketch of Point of Take

Surveyed by:	Original Size:	Scale:
Designed by:	A3	Not to Scale
Drawn by: KING		
Checked by: PD		
Approved by: PD	Sheet 3 of 3	DO NOT SCALE
Job No: A4734_PLAN	Revision No: 1	Date Created: 10/12/2019

Appendix 'H'

NOTICE OF EXEMPTION

Pursuant to Regulation 10 of the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, the Otago Regional Council **approves** the use of a water measuring device or system installed near (instead of at) the location from which water is taken.

Relating to Water Permit number: 96208

Map reference of point of take: NZMS 260 H40:601-902

Map reference of water measuring device or system: Within a 20 metre radius of NZTM 2000 E 1350185 N 5028482

For a term expiring on 1 October 2021

Description of the location of the water measuring device or system: The water measuring device is proposed to be located between 200 to 400 metres downstream of the actual point of take.

Notes:

- 1. In accordance with Regulation 12 this exemption prevails over relevant conditions of the related water permit.*
- 2. In accordance with Regulation 11, approval may be revoked by the Otago Regional Council if it has been granted on the basis of incorrect information provided by the permit holder.*

Approved on this 2nd day of October 2012

Christopher P Shaw
Manager Consents



Water and Soil Conservation Act Amendment 1971

In this context "current mining privilege" means:

- (a) Any mining privilege in respect of water which was subsisting or in force immediately before 1 April 1973 and which was granted under the Mining Act 1926 after 9 September 1966, and
- (b) Any mining privilege in respect of water which was so subsisting or in force and which was granted under the Mining Act 1926 or any former Mining Act on or before 9 September 1966 to the extent that it has been authorised under S 21(2) of the WSCA 1967 (as amended by WSCA and 1969).

S4 **Water Race Licence** – *Every current mining privilege that is a water race licence shall during its currency entitle the holder of the privilege to cut, construct, and maintain a water race, or to use as a water race any natural channel, on the land specified in and in accordance with the conditions of the licence; and also, by means of the race, to divert and use the quantity of water specified in the licence from any watercourse on or running through or adjoining the land in order to continue to supply, sell or dispose of the water for any of the purposes specified in the licence:*

provided that where any such licence was granted before 10 September 1966 the diversion and use of water shall be restricted to the extent that it has been authorised under S 21(2) WSCA 1967 (as amended by WSCA and 1969).

S5 **Dam Licence** – *Every current mining privilege that is a dam licence shall, during its currency, entitle the holder of the privilege to excavate, construct, maintain and use a dam in accordance with conditions of the licence for the storage of water for any of the purposes specified in the licence:*

provided that where any such licence was granted before 10 September 1966 the volume of water stored shall not exceed that authorised under S 21(2) WSCA 1967 (as amended by WSCA and 1969).

S6 **Drainage Area Licence** – *Every current mining privilege that is a drainage area licence shall during its currency, entitle the holder of the privilege to the exclusive right to collect and store the water that naturally lies within, or falls upon or percolates through the area of land specified in the licence:*

provided that where any such licence was granted before 10 September 1966 the collection and storage of water shall be restricted to the extent that it has been authorised under S 21(2) WSCA 1967 (as amended by WSCA and 1969).

S7 **Tail-Race Licence** – *Every current mining privilege that is a tail race licence shall during its currency entitle the holder of the privilege to cut, construct, and use as a race in order to carry off water tailings, sludge, and other refuse or waste from mining operations within the meaning of the Mining Act 1971, or to serve as a ground sluice or race for saving gold:*

provided that the holder of the privilege shall not be entitled to treat any portion of the tail race as a ground sluice or race for saving gold:

provided that where any such licence was granted before 10 September 1966 the carrying off of the water, tailings, sludge and other refuse or waste shall be restricted to the extent that it has been authorised under S 21(2) WSCA 1967 (as amended by WSCA and 1969).

S8 **Main Tail-Race Licence** – *Every current mining privilege that is a main tail race licence shall during its currency entitle the holder of the privilege to cut, construct, and maintain a race in order to carry off from such claims or tail races as are specified in the licence any water, tailings, sludge, and other refuse or waste from mining operations within the meaning of the Mining Act 1971:*

provided that where any such licence was granted before 10 September 1966 the carrying off of the water, tailings, sludge and other refuse or waste shall be restricted to the extent that it has been authorised under S 21(2) WSCA 1967 (as amended by WSCA and 1969).

S9 **Mining Debris, etc, not to enter public water supply** –

- (a) It shall not be lawful to allow the water in any water race, or any watercourse with which any such race is connected or by which it is fed, to be used for the carrying off of any tailings, mining debris, or waste



ORC STAFF RECOMMENDATION, FIELD REPORT AND DECISION

Document ID: A419386
File No: 96208
Consent/Deemed/Mining Privilege No: 96208
WEX No: WEX0011

Report No: 2012/0670
Prepared for: Staff Consents Panel
Prepared by: Paul Hannah, Environmental Officer
Date: 7/03/2012

Subject: Exemption Application WEX0011 by Hawkdun Pastoral Limited to install a water measuring device or system near (instead of at) the point of take, Mata Creek, St Bathans.

1 Purpose

To report and make a recommendation on the determination of the above application for an exemption under Clause 10 of the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 (the Regulations).

2 Field Officers Inspection

Consent Details

Type (Water Permit/Deemed Permit/Mining Privilege)	Deemed Permit
Consent Number	96208
Expiry Date	1 October 2021
Map Reference of Point of Take as Given on Consent	H40:601-902
Name of Watercourse/Aquifer	Mata Creek
Rate of Take (litres per second)	55.6 l/s
Water Use	Irrigation
Pumped or Gravity Fed	Gravity Fed
Piped or channel take	Channel Take
Water take data transfer (manual/datalogger/telemetry):	N/A
Is the water meter already installed?:	No

Site Assessment

Physical point of take GPS: NZTM 2000	E 1350202	N 5028729
GPS location of proposed water measuring device or system: NZTM 2000	E 1350185	N 5028482

Site Description

Description and diagram (with roads or other land marks) of proposed location of water measuring device or system in relation to the physical point of take:



The water measuring device is recommended to be located between 200 to 400meters downstream of the (actual) point of take. Positioning the water meter at least 200 meters downstream from point of take is recommended as the race is more stable and less flood prone from this point downstream. The recommended stretch of race also provides suitable locations for installing an open channel metering device, which will not be visible from Hawkdun Runs Road. This will reduce the likelihood of vandalism.

The water measuring device or system is recommended not be installed at the physical point of take because:

The area surrounding the point of take is potentially prone to flooding. The take is located in a dynamic alluvial stream bed, which is not conducive to a stable measuring location. The proposed location of the measuring device is in a part of the race that has a stable bed and is outside of the flood prone area.

Risk of water being diverted or taken before the measuring device?

There is a very low risk of water being diverted prior to reaching the measuring device. Any overflow from the water take race prior to reaching the measuring device will drain back into Mata Stream.

Point of Take

Is the actual point of take different from the consented point of take? Yes

If Yes, please provide a description of the new take site as follows:

- Located on the same watercourse as the consented take? Yes
- Are there any other takes located between the consented point of take and the new take site? No
- Distance of new take site from consented point of take is approximately 200 metres
- Is the new take site located on the same parcel of land (same legal description) as the consented point of take? Yes

After discussions with the Manager Environmental Services, is an application for a transfer of site required? No

Water Regulations (Clause 6(1) of the Regulations)

In accordance with Clause 6(1) of the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, will the measuring device/system, at the proposed location, allow for *all* of the water taken to be *continuously* measured? Yes

3 Recommendation

It is not practicable to measure the take at the point of take.

The proposed location for the measuring devices / system at NZTM 2000 1350185E 5028482N will allow the consented take to be measured in accordance with Clause 6(1) of the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.

The recommendation is that the Exemption WEX0011 is approved for Deemed Permit 96208.

Paul Hannah
Environmental Officer
Date: 3/02/2012

4 Decision

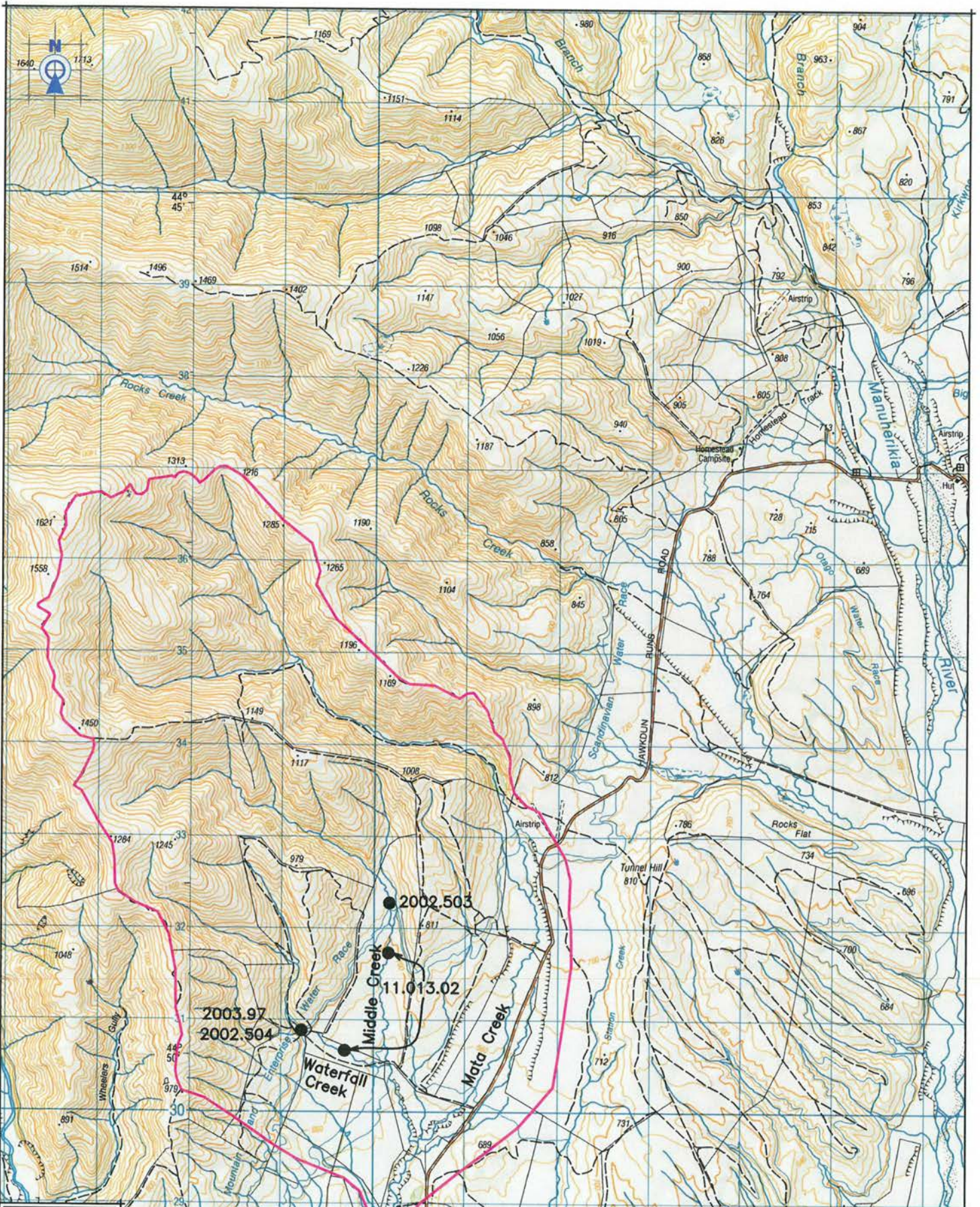
Approved/Not approved

Selva Selvarajah
Date
**Director Resource
Management**

Marian Weaver
Date 18 September 2012
**Resource Management
Procedural Specialist**
(received by me on 18/9/2012)

Chris Shaw
Date 21/9/12
Manager Consents

Appendix 'I'



CROMWELL BRANCH
 30 The Mall,
 or
 PO Box 84,
 Cromwell 9342.
 T 03 445 1826
 E cromwell@ppgroup.co.nz

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Client Location:
Hawkdun Pastoral Ltd

Purpose/Drawing Title:
Mata Creek Catchment

Survised by:	Original Size:	Scale:
Designed by:	A3	1:750
Drawn by: KWG	DO NOT SCALE	
Checked by: PD		
Approved by: PD	Sheet 1 of 3	
Job No: A4734_PLAN	Revision No: 1	Date Created: 10/12/2019

Appendix 'J'

Our Reference: A424570

Consent No. 2002.503.V1

WATER PERMIT

Pursuant to Section 104 of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: St Bathans Water Board Incorporated

Address: c/o Beverley Johnson
Treasurer St Bathans Water Board
1572 Loop Road
St Bathans
RD 1
Oturehua

To take and use surface water from Middle Creek for the purposes of community water supply, stock water and irrigation.

For a term expiring on: 31 December 2023.

Location of activity: Middle Creek, 2.5 kilometres upstream from the confluence with Mata Creek, west of Hawkdun Runs Road, St Bathans.

Legal description of land adjacent to point of abstraction: Run 585.

Map reference: NZMS 260 H40:601-939

Conditions:

1. The rate of taking of water under this permit shall not exceed:
 - (a) 42 litres per second; and
 - (b) 3600 cubic metres per day, and
 - (c) 105,957 cubic metres per year.
2. Water may only be taken under this consent for irrigation of production land when the flow in Middle Creek is equal to or greater than 52 litres per second and only within the period 15 September to 15 April annually.
3. The total amount of water taken under this consent for irrigation of production land shall not exceed 48,150 cubic metres per year.
4. The consent holder shall maintain a residual flow in Middle Creek at map reference NZMS 260 H40:601-939 of at least 10 litres per second below the intake at all times when the consent is being exercised.



5. The consent holder shall use a water measuring device in the water race to record the take from Middle Creek with an accuracy of +/- 10%. The consent holder shall keep a record of the extent to which this consent is exercised by recording the instantaneous rate of take once per month in litres per second and shall forward a copy of that record to the Consent Authority on or before 31 July each year and upon request.
6. The consent holder shall take all reasonable action to minimise leakage from the water delivery and storage system. The term 'reasonable action' is to include:
 - (a) completion of investigations into the losses from the water races and implementation of a programme of works by 31 December 2005 that will ensure that the loss of water from the water races does not exceed 20% by 31 December 2008,
 - (b) an ongoing commitment to reduce losses of water from the system to no more than 10%,
 - (c) maintenance of a proactive leak detection programme,
 - (d) a public awareness programme encouraging consumers to prevent leakage of water from their connected systems.
7. The consent holder shall promote efficient water use to water users at least annually through appropriate written communication methods.
8. When water is being used for irrigation of production land, the consent holder shall take all practicable steps to ensure that:
 - (a) the irrigation does not exceed soil field capacity,
 - (b) the irrigation does not cause surface runoff,
 - (c) water leakage does not occur from the pipes, structures and races between the bottom dam and the land being irrigated,
 - (d) irrigation does not occur onto non-productive land,
 - (e) irrigation induced soil erosion and pugging does not occur,
 - (f) soil quality is not degraded as a consequence of irrigation and,
 - (g) loss of water, nutrients, and agrichemicals by percolation to groundwater is minimised.
9. The consent holder shall prepare an annual report on water use and abstractions and submit this report to the Council within one month of each anniversary of this consent. The report shall include:
 - (a) the rate (as required to be measured in condition 5) and estimated volume of water taken from each of the takes associated with the water supply; and
 - (b) the amount of water used, which should distinguish between water used for domestic and irrigation purposes. This report shall also include information on water demand trends for consumptive use; and
 - (c) an estimate of losses of water from the system.
10. Within 18 months of the commencement of this consent, the consent holder shall prepare and implement a Management Plan and submit the Plan to the Consent Authority. The Management Plan shall include at least all of the information listed in Appendix 1, which is attached and forms part of this consent. The consent shall be exercised in accordance with the Management Plan that shall include, but is not limited to:
 - (a) Plan Purpose
 - (b) Scheme Operation and Management



- (c) Flow Measurement
 - (d) Water Use Efficiency, including a commitment to reduce water losses to no more than 10%
 - (e) Monitoring
 - (f) Plan Review.
11. The consent holder shall review and, if appropriate, update the Management Plan prepared under condition 10, above at intervals not exceeding 5 years from the date of implementation of the plan. The consent holder shall submit a copy of the Management Plan to the Consent Authority within 6 months of each review.
12. The Consent Authority may, in accordance with sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each third anniversary of the commencement of this consent for the purpose of:
- (a) Determining whether the conditions of the consent are appropriate to address improved efficiencies in water use;
 - (b) Reviewing the rate and volume of take to ensure it is no more than what is required for the intended purpose;
 - (c) Determining whether the conditions of the consent are appropriate for the measurement and recording of the volume of water taken and the rate of take;
 - (d) Revising the residual flow set in Condition 4 of this consent;
 - (e) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage;
 - (f) Ensuring the conditions of this consent are consistent with any National Environmental Standards.

Issued at Dunedin this 23rd day of February 2004

Reissued at Dunedin this 20th day of May 2013 to reflect a change to the reporting date for condition 5

Christopher P Shaw
Manager Consents



Appendix 1, Management Plan

The contents of the Management Plan shall include:

- Plan Purpose
- Scheme Operation and Management
- Flow Measurement
- Water Use Efficiency
- Monitoring
- Plan Review.

Plan Purpose

The purpose of the Plan will identify and show existing and potential improvements in the efficiency of water use and to show how the consent holder will comply with the consent conditions.

Scheme Management

The Scheme Management would describe the composition of the incorporated society and significant elements of the society's objectives. The plan will include:

- A description of how and when water is taken from Middle Creek and Waterfall Creek
- A description of the scheme elements and their inter-relationship
- A description of the water reticulation within the township and the conditions of supply to all users.
- A description of the mechanisms in place to ensure that water is only taken out of the dams for irrigation of production land when the flows in the creeks are equal to or above the limits set in condition 2 of this consent (consents 2002.503 and 2002.504).

Flow Measurement

This section will describe how the flows into the races will be controlled and measured. This section will include any provisions for electronic recording and transmittal of recorded data.

Water Use Efficiency

This section will include:

- Measures adopted by the consent holder to minimise water losses from races, dams, pipelines and structures. These measures will refer to the investigations and actions undertaken under condition 7(a) of this consent (condition 4(a) of consent 2003.917) and the report on the results of the leak detection programme required by condition 7(b) of this consent (condition 4(b) of consent 2003.917).
- Measures that could be implemented to further improve water use efficiency
- Areas of further investigation into improved water use efficiencies.
- Measures adopted by the members of the incorporated society to improve the efficiency of water use. The measures adopted could be voluntary or measures that are implemented across the whole scheme such as the use of flow restrictors, on-site storage or water meters.



Monitoring

The monitoring section will include:

- Records of water use, both at the race intakes and at the dams
- Intake and race monitoring procedures
- Records of scheme maintenance that show improvements in water use efficiency
- Records of intake maintenance works undertaken
- Records of maintenance of the storage dams
- Records of water usage on individual properties.
- Records of any observations by the consent holder of effects of the scheme operation on instream biota
- Records of any complaints received regarding the effects of the scheme operation on instream biota.

Plan Review

The plan shall be reviewed at least every five years for the term of the consent.

The review will include a review of the efficiency of water use.

Our Reference: A424572

Consent No. 2002.504.VI

WATER PERMIT

Pursuant to Section 104 of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: St Bathans Water Board Incorporated

Address: c/o Beverley Johnson
Treasurer St Bathans Water Board
1572 Loop Road
St Bathans
RD 1
Oturehua

To take and use surface water from Waterfall Creek for the purposes of community water supply, stock water and irrigation.

For a term expiring on: 31 December 2023.

Location of activity: Waterfall Creek, 1 kilometre upstream from the confluence with Middle Creek, west of Hawkdun Runs Road, St Bathans.

Legal description of land adjacent to point of abstraction: Run 585 Block VII St Bathans SD

Map reference: NZMS 260 H40:591-925

Conditions

1. The rate of taking of water under this permit shall not exceed:
 - (a) 14 litres per second; and
 - (b) 1200 cubic metres per day, and
 - (c) 35,319 cubic metres per year.
2. Water may only be taken under this consent for irrigation of production land when the flow in Waterfall Creek is equal to or greater than 16 litres per second and only within the period 15 September to 15 April annually.
3. The total amount of water taken under this consent for irrigation of production land shall not exceed 16,050 cubic metres per year.
4. The consent holder shall maintain a residual flow in Waterfall Creek at map reference NZMS 260 H40:591-925 of at least 2 litres per second below the intake at all times when the consent is being exercised.



5. The consent holder shall use a water measuring device in the water race to record the take from Middle Creek with an accuracy of +/- 10%. The consent holder shall keep a record of the extent to which this consent is exercised by the recording the instantaneous rate of take once per month in litres per second and shall forward a copy of that record to the Consent Authority on or before 31 July each year and upon request.
6. The consent holder shall ensure that water is only taken when it is required for consumptive use and to fill the dams. At all other times the intake shall be shut off and all water shall flow down Waterfall Creek.
7. The consent holder shall take all reasonable action to minimise leakage from the water delivery and storage system. The term 'reasonable action' is to include:
 - (a) completion of investigations into the losses from the water races and implementation of a programme of works by 31 December 2005 that will ensure that the loss of water from the water races does not exceed 20% by 31 December 2008,
 - (b) an ongoing commitment to reduce losses of water from the system to no more than 10%,
 - (c) maintenance of a proactive leak detection programme,
 - (d) a public awareness programme encouraging consumers to prevent leakage of water from their connected systems.
8. The consent holder shall promote efficient water use to water users at least annually through appropriate written communication methods.
9. When water is being used for irrigation of production land the consent holder shall take all practicable steps to ensure that:
 - (a) the irrigation does not exceed soil field capacity,
 - (b) the irrigation does not cause surface runoff,
 - (c) water leakage does not occur from the pipes, structures and races between the bottom dam and the land being irrigated,
 - (d) irrigation does not occur onto non-productive land,
 - (e) irrigation induced soil erosion and pugging does not occur,
 - (f) soil quality is not degraded as a consequence of irrigation and,
 - (g) loss of water, nutrients, and agrichemicals by percolation to groundwater is minimised.
10. The consent holder shall prepare an annual report on water use and abstractions and submit this report to the Council within one month of each anniversary of this consent. The report shall include:
 - a) the rate (as required to be measured in condition 5) and estimated volume of water taken from each of the takes associated with the water supply; and
 - b) the amount of water used, which should distinguish between water used for domestic and irrigation purposes. This report shall also include information on water demand trends for consumptive use; and
 - c) an estimate of losses of water from the system.
11. Within 18 months of the commencement of this consent, the consent holder shall prepare and implement a Management Plan and submit the Plan to the Consent Authority. The Management Plan shall include at least all of the information listed in Appendix 1, which is attached and forms part of this consent. The



consent shall be exercised in accordance with the Management Plan that shall include, but is not limited to:

- (a) Plan Purpose
- (b) Scheme Operation and Management
- (c) Flow Measurement
- (d) Water Use Efficiency, including a commitment to reduce water losses to no more than 10%
- (e) Monitoring
- (f) Plan Review.

12. The consent holder shall review and, if appropriate, update the Management Plan prepared under condition 11, above at intervals not exceeding 5 years from the date of implementation of the plan. The consent holder shall submit a copy of the Management Plan to the Consent Authority within 6 months of each review.
13. The Consent Authority may, in accordance with sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each third anniversary of the commencement of this consent for the purpose of:
- (a) Determining whether the conditions of the consent are appropriate to address improved efficiencies in water use;
 - (b) Reviewing the rate and volume of take to ensure it is no more than what is required for the intended purpose.
 - (c) Determining whether the conditions of the consent are appropriate for the measurement and recording of the volume of water taken and the rate of take;
 - (d) Revising the residual flow set in Condition 4 of this consent.
 - (e) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.
 - (f) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Issued at Dunedin this 23rd day of February 2004

Reissued at Dunedin this 20th day of May 2013 to reflect a change to the reporting date for condition 5

Christopher P Shaw
Manager Consents



Appendix 1, Management Plan

The contents of the Management Plan shall include:

- Plan Purpose
- Scheme Operation and Management
- Flow Measurement
- Water Use Efficiency
- Monitoring
- Plan Review.

Plan Purpose

The purpose of the Plan will identify and show existing and potential improvements in the efficiency of water use and to show how the consent holder will comply with the consent conditions.

Scheme Management

The Scheme Management would describe the composition of the incorporated society and significant elements of the society's objectives. The plan will include:

- A description of how and when water is taken from Middle Creek and Waterfall Creek
- A description of the scheme elements and their inter-relationship
- A description of the water reticulation within the township and the conditions of supply to all users.
- A description of the mechanisms in place to ensure that water is only taken out of the dams for irrigation of production land when the flows in the creeks are equal to or above the limits set in condition 2 of this consent (consents 2002.503 and 2002.504).

Flow Measurement

This section will describe how the flows into the races will be controlled and measured. This section will include any provisions for electronic recording and transmittal of recorded data.

Water Use Efficiency

This section will include:

- Measures adopted by the consent holder to minimise water losses from races, dams, pipelines and structures. These measures will refer to the investigations and actions undertaken under condition 7(a) of this consent (condition 4(a) of consent 2003.917) and the report on the results of the leak detection programme required by condition 7(b) of this consent (condition 4(b) of consent 2003.917).
- Measures that could be implemented to further improve water use efficiency
- Areas of further investigation into improved water use efficiencies.
- Measures adopted by the members of the incorporated society to improve the efficiency of water use. The measures adopted could be voluntary or measures that are implemented across the whole scheme such as the use of flow restrictors, on-site storage or water meters.



Monitoring

The monitoring section will include:

- Records of water use, both at the race intakes and at the dams
- Intake and race monitoring procedures
- Records of scheme maintenance that show improvements in water use efficiency
- Records of intake maintenance works undertaken
- Records of maintenance of the storage dams
- Records of water usage on individual properties.
- Records of any observations by the consent holder of effects of the scheme operation on instream biota
- Records of any complaints received regarding the effects of the scheme operation on instream biota.

Plan Review

The plan shall be reviewed at least every five years for the term of the consent.

The review will include a review of the efficiency of water use.

Our Reference: A424575

Consent No. 2003.917.V1

WATER PERMIT

Pursuant to Section 104 of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: St Bathans Water Board Incorporated

Address: c/o Beverley Johnson
Treasurer St Bathans Water Board
1572 Loop Road
St Bathans
RD 1
Oturehua

To retake and use surface water from Waterfall Creek for the purposes of community water supply, stock water and irrigation.

For a term expiring on: 31 December 2023.

Location of activity: Waterfall Creek, 1 kilometre upstream from the confluence with Middle Creek, west of Hawkdun Runs Road, St Bathans.

Legal description of land adjacent to point of abstraction: Run 585 Block VII St Bathans SD

Map reference: NZMS 260 H40:591-925

Conditions:

1. The rate of taking of water under this permit shall not exceed:
 - (a) 42 litres per second; and
 - (b) 3600 cubic metres per day, and
 - (c) 105,957 cubic metres per year.
2. This consent may only be exercised when water is being discharged to Waterfall Creek for retaking.
3. The consent holder shall use a flow-measuring device to record the retake from Waterfall Creek with an accuracy of +/- 10%. The consent holder shall keep a record of the extent to which this consent is exercised by the recording the instantaneous rate of take once per month in litres per second and shall forward a copy of that record to the Consent Authority on or before 31 July each year and upon request.
4. The consent holder shall take all reasonable action to minimise leakage from the water delivery and storage system. The term 'reasonable action' is to include:



- (a) completion of investigations into the losses from the water races and implementation of a programme of works by 31 December 2005 that will ensure that the loss of water from the water races does not exceed 20% by 31 December 2008,
 - (b) an ongoing commitment to reduce losses of water from the system to no more than 10%,
 - (c) maintenance of a proactive leak detection programme,
 - (d) a public awareness programme encouraging consumers to prevent leakage of water from their connected systems.
5. The consent holder shall promote efficient water use to water users at least annually through appropriate written communication methods.
6. The consent holder shall ensure that water is only taken when it is required for consumptive use and to fill the dams. At all other times the intake shall be shut off and all water shall flow down Waterfall Creek.
7. When water is being used for irrigation of production land the consent holder shall take all practicable steps to ensure that:
- (a) the irrigation does not exceed soil field capacity;
 - (b) the irrigation does not cause surface runoff;
 - (c) water leakage does not occur from the pipes, structures and races between the bottom dam and the land being irrigated,
 - (d) irrigation does not occur onto non-productive land;
 - (e) irrigation induced soil erosion and pugging does not occur;
 - (f) soil quality is not degraded as a consequence of irrigation; and
 - (g) loss of water, nutrients, and agrichemicals by percolation to groundwater is minimised.
8. The consent holder shall prepare an annual report on water use and abstractions and submit this report to the Council within one month of each anniversary of this consent. The report shall include:
- (a) the rate (as required to be measured in condition 5) and estimated volume of water taken from each of the takes associated with the water supply; and
 - (b) the amount of water used, which should distinguish between water used for domestic and irrigation purposes. This report shall also include information on water demand trends for consumptive use; and
 - (c) an estimate of losses of water from the system.
9. Within 18 months of the commencement of this consent, the consent holder shall prepare and implement a Management Plan and submit the Plan to the Consent Authority. The Management Plan shall include at least all of the information listed in Appendix 1, which is attached and forms part of this consent. The consent shall be exercised in accordance with the Management Plan that shall include, but is not limited to:
- (a) Plan Purpose
 - (b) Scheme Operation and Management
 - (c) Flow Measurement
 - (d) Water Use Efficiency including a commitment to reduce water losses to no more than 10%
 - (e) Monitoring



1. (f) Plan Review.

10. The consent holder shall review and, if appropriate, update the Management Plan prepared under condition 9, above at intervals not exceeding 5 years from the date of implementation of the plan. The consent holder shall submit a copy of the Management Plan to the Consent Authority within 6 months of each review.
11. The Consent Authority may, in accordance with sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each third anniversary of the commencement of this consent for the purpose of:
 - (a) Determining whether the conditions of the consent are appropriate to address improved efficiencies in water use;
 - (b) Reviewing the rate and volume of take to ensure it is no more than is being discharged for retaking;
 - (c) Determining whether the conditions of the consent are appropriate for the measurement and recording of the volume of water taken and the rate of take;
 - (d) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage;
 - (e) Ensuring the conditions of this consent are consistent with any National Environmental Standards.

Issued at Dunedin this 23rd day of February 2004

Reissued at Dunedin this 20th day of May 2013 to reflect a change to the reporting date for condition 3

Christopher P Shaw
Manager Consents



Appendix 1, Management Plan

The contents of the Management Plan shall include:

- Plan Purpose
- Scheme Operation and Management
- Flow Measurement
- Water Use Efficiency
- Monitoring
- Plan Review.

Plan Purpose

The purpose of the Plan will identify and show existing and potential improvements in the efficiency of water use and to show how the consent holder will comply with the consent conditions.

Scheme Management

The Scheme Management would describe the composition of the incorporated society and significant elements of the society's objectives. The plan will include:

- A description of how and when water is taken from Middle Creek and Waterfall Creek
- A description of the scheme elements and their inter-relationship
- A description of the water reticulation within the township and the conditions of supply to all users.
- A description of the mechanisms in place to ensure that water is only taken out of the dams for irrigation of production land when the flows in the creeks are equal to or above the limits set in condition 2 of this consent (consents 2002.503 and 2002.504).

Flow Measurement

This section will describe how the flows into the races will be controlled and measured. This section will include any provisions for electronic recording and transmittal of recorded data.

Water Use Efficiency

This section will include:

- Measures adopted by the consent holder to minimise water losses from races, dams, pipelines and structures. These measures will refer to the investigations and actions undertaken under condition 7(a) of this consent (condition 4(a) of consent 2003.917) and the report on the results of the leak detection programme required by condition 7(b) of this consent (condition 4(b) of consent 2003.917).
- Measures that could be implemented to further improve water use efficiency
- Areas of further investigation into improved water use efficiencies.
- Measures adopted by the members of the incorporated society to improve the efficiency of water use. The measures adopted could be voluntary or measures that are implemented across the whole scheme such as the use of flow restrictors, on-site storage or water meters.



Monitoring

The monitoring section will include:

- Records of water use, both at the race intakes and at the dams
- Intake and race monitoring procedures
- Records of scheme maintenance that show improvements in water use efficiency
- Records of intake maintenance works undertaken
- Records of maintenance of the storage dams
- Records of water usage on individual properties.
- Records of any observations by the consent holder of effects of the scheme operation on instream biota
- Records of any complaints received regarding the effects of the scheme operation on instream biota.

Plan Review

The plan shall be reviewed at least every five years for the term of the consent. The review will include a review of the efficiency of water use.



ISO9001
Certified

Our Reference: A320463

Consent No. RM11.013.02

WATER PERMIT

Pursuant to Section 104C of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Southern Lakes Holdings Limited

Address: C/- Ibbotson Cooney Limited Level 1 69 Tarbet Street Alexandra

To take and use surface water from two unnamed tributaries of Mata Creek for the purpose of pasture irrigation supply

For a term expiring 01 February 2046

Location of Points of Abstraction:	An unnamed tributary of Mata Creek (locally known as Middle Creek), approximately 7.7 kilometres north of Hawkdun Runs Road and Loop Road, St Bathans
	An unnamed tributary of Mata Creek (locally known as Waterfall Creek), approximately 6.7 kilometres north northwest of the intersection of Hawkdun Runs Road and Loop Road, St Bathans

Legal Description of land at points of abstraction: Run 585

Legal Description of land where water is to be used: Run 585

Map Reference at NZTM 2000: E1350165 N5031816
points of abstraction: NZTM 2000: E1349466 N5030715

Conditions

Specific

1. This permit shall not commence until Water Permit 2003.746 has been surrendered or expired.
2. If this consent is not given effect to within a period of two years from the date of commencement of this consent, this consent shall lapse under Section 125 of the Resource Management Act 1991.

3. The combined rate of abstraction at both points of take shall not exceed
 - (a) 56 litres per second;
 - (b) 148,000 cubic metres per calendar month;
 - (c) 888,000 cubic metres between 1 July in a year and 30 June in the following year.
4. A residual flow of no less than 5 litres per second shall be maintained in both of the Unnamed Tributaries of Mata Creek, immediately downstream of the points of take for this permit.
5. The intake shall be screened so as to prevent the ingress of small fish and elvers.
6. By 1 February 2016 the consent holder shall cease using flood irrigation methods and utilise spray irrigation methods when irrigation is required.
7. The permit shall be exercised as directed by the Consent Authority or any Otago Regional Council approved Water Allocation Committee, Water Management Group or rationing regime which operates in the Manuherikia catchment.

Performance Monitoring

8. For the point of take from the unnamed tributary of Mata Creek, known locally as Waterfall Creek:
 - (a) The consent holder shall install a water meter to record the water take, within an error accuracy range of +/- 5% over the meter's nominal flow range, and a telemetry compatible datalogger with at least 24 months data storage to record the rate and volume of take, and the date and time this water was taken.
 - (b) The datalogger shall record the date and time of each increment of 10,000 litres of water.
 - (c) The water meter shall be installed in a straight length of pipe, before any diversion of water occurs. The straight length of pipe shall be part of the pump outlet plumbing, easily accessible, and have no fittings and obstructions in it. The water meter shall be installed at a distance at least 10 times the diameter of the pipe from the pump and at least 5 times the diameter of the pipe from the diversion of any water.
 - (d) The consent holder shall ensure the full operation of the water meter and datalogger at all times during the exercise of this consent. All malfunctions of the water meter and/or datalogger during the exercise of this consent shall be reported to the Consent Authority within 5 working days of observation and appropriate repairs shall be performed within 5 working days. Once the malfunction has been remedied, a Water Measuring Device Verification Form completed with photographic evidence must be submitted to the Consent Authority within 5 working days of the completion of repairs.

(e) The installation of the water meter and datalogger shall be completed to full and accurate operation before the next irrigation season. The consent holder shall forward a copy of the installation certificate to the Consent Authority within one month of installing the water meter and datalogger.

(f) (i) If a mechanical insert water meter is installed it shall be verified for accuracy each and every year from the first exercise of this consent.

(ii) Any electromagnetic or ultrasonic flow meter shall be verified for accuracy every five years from the first exercise of this consent.

(iii) Each verification shall be undertaken by a Consent Authority approved operator and a Water Measuring Device Verification form shall be completed and supplied to the Consent Authority within 5 working days of the verification, and upon request.

(g) The consent holder shall provide records from the datalogger to the Consent Authority by 31 July each year and at any other time on request. Data shall be available electronically giving date, time and flow rates in no more than 15 minute increments, via a datalogger approved by the Consent Authority.

Note: the water meter and datalogger should be safely accessible by the Consent Authority and its contractors at all times.

9. For the point of take located on the unnamed tributary of Mata Creek, known locally as Middle Creek:

(a) The consent holder shall install a water measuring device or system and a telemetry compatible datalogger with at least 24 months data storage, and shall maintain a continuous record of the rate of take and the date and time this water was taken. Flow rate shall be recorded at a minimum of 15 minute time increments to an accuracy of +/- 10% while the take is being exercised.

(b) The consent holder shall ensure the full operation of the water measuring device or system at all times during the exercise of this consent. All malfunctions of the water measuring device or system during the exercise of this consent shall be reported to the Consent Authority within 5 working days of observation and appropriate repairs shall be performed within 5 working days. Once the malfunction has been remedied, either an Open Channel Water Measuring Device or standard Water Measuring Device Verification Form completed with photographic evidence must be submitted to the Consent Authority within 5 working days of the completion of repairs.

(c) The water measuring device or system shall be installed as close as is practicable to the point of take.

(d) The installation of the water measuring device or system shall be completed to full and accurate operation before the next irrigation season. The consent holder shall submit documentation verifying conformance to the accuracy range within one month of installing the water measuring device or system.

(e) The consent holder shall maintain a log of all water measuring station

maintenance and inspections. This log shall be supplied to the Consent Authority by 1 September each year and upon request.

(f) The consent holder shall provide records of rate of take from the water measuring device or system to the Consent Authority by 31 July each year and upon request. Data shall be available electronically giving date, time and flow rates in no more than 15 minute increments.

(g) If a water measuring station is installed the consent holder shall obtain and complete the Open Channel Water Measuring Device and Datalogger Installation Form and Open Channel Water Measuring Device Verification Form and submit them to the Consent Authority within 5 working days of the completion of installation and verification of the water measuring device and datalogger.

(h) (i) If a mechanical insert water meter is installed it shall be verified for accuracy each and every year from the first exercise of this consent.

(ii) Any electromagnetic or ultrasonic flow meter shall be verified for accuracy every five years from the first exercise of this consent.

(iii) Each verification shall be undertaken by a Consent Authority approved operator and a Water Measuring Device Verification Form shall be completed and supplied to the Consent Authority with receipts of service. These shall be supplied within 5 working days of the verification, and at any time upon request.

Note: The water measuring device or system and datalogger should be safely accessible by the Consent Authority and its contractors at all times.

General

10. While flood irrigation methods are being utilised the consent holder shall take all practicable steps to ensure that:
 - (a) there is no runoff of irrigation water off-site; and
 - (b) the use of water is confined to targeted areas.
11. By 1 February 2016 the consent holder shall take all practicable steps to ensure that:
 - (a) there is no runoff of irrigation water on-site and off-site;
 - (b) there is no leakage from pipes and structures; and
 - (c) the use of water is confined to targeted areas.

Review

12. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent for the purpose of imposing the minimum flow restriction for the catchment.
13. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each anniversary of the commencement of this consent for the purpose of:

- (a) adjusting the consented rate or volume of water under Condition 3, should monitoring under Conditions 8 and 9 or future changes in water use indicate that the consented rate or volume is not able to be fully utilised; or
- (b) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
- (c) ensuring the conditions of this consent are consistent with any National Environmental Standards; or
- (d) adjusting or altering the method of water take data recording and transmission.

Notes to Consent Holder

1. *If you require a replacement water permit upon the expiry date of this water permit, any new application should be lodged at least 6 months prior to the expiry date of this water permit. Applying at least 6 months before the expiry date may enable you to continue to exercise this permit until a decision is made on the replacement application. Failure to apply at least 3 months in advance of the expiry date will result in any primary allocation status being lost. A late application will result in the application being treated as supplementary allocation if any such allocation is available.*

Issued at Dunedin this 15th day of February 2011

Christopher P. Shaw
Manager Consents

WATER INSPECTION SHEET



Inspector: Byron Pretorius	Date: 24 January 2019	Catchment: Manuherikia	Consent: RM11.013.02
<input checked="" type="checkbox"/> Surface Take	<input type="checkbox"/> Deemed Permit	<input type="checkbox"/> Undertake	WM Number: 1094
			Photos taken: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

PROPERTY DETAILS

Consent holder: Southern Lakes Holdings Limited	
Physical location: Run 585	Mailing Address: Dunstan Burn Station, 1353 Loop Road, RD 1
Town / District:	Town / District: Oturehua, 9386
Telephone: (03) 447 3533	Mobile: (027) 453 8783
Site Contact Name: Tom	Position: Land Manager
Email: tony.enright@windowslive.com, dunstanburn@gmail.com	

Map ref. (from consent): Various (see below)	GPS of Point of Take: <input type="checkbox"/> E <input type="checkbox"/> N	WEX GPS: <input type="checkbox"/> E <input type="checkbox"/> N
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WATER USE

<input type="checkbox"/> Piped	<input checked="" type="checkbox"/> Open Channel	<input type="checkbox"/> Pumped	<input checked="" type="checkbox"/> Gravity Fed	Water use:	<input type="checkbox"/> Domestic	<input checked="" type="checkbox"/> Irrigation	<input type="checkbox"/> Stock Water	<input type="checkbox"/> Dairy Shed	<input type="checkbox"/> Hydro Generation
Pump:	<input type="checkbox"/> Mobile	<input type="checkbox"/> Stationary		<input type="checkbox"/> Communal	How Many	<input type="checkbox"/> Other			

MEASURING DEVICE – Include Photos

Water Measuring Device: <input type="checkbox"/> Yes <input type="checkbox"/> No	Measuring Device GPS: <input type="checkbox"/> E <input type="checkbox"/> N	Installer:
Type of Device: <input type="checkbox"/> Mechanical	<input type="checkbox"/> Magflow	<input type="checkbox"/> Ultrasonic
<input type="checkbox"/> Weir	<input type="checkbox"/> V-Notch	<input type="checkbox"/> Parshall Flume
<input type="checkbox"/> Flumemeter	<input type="checkbox"/> Water level Sensor	
Brand:	Serial Number:	Meter Reading:
		Units: <input type="checkbox"/> Litres <input type="checkbox"/> Cubic m

DATALOGGER/TELEMETRY

Datalogger: <input type="checkbox"/> Yes <input type="checkbox"/> No	Serial Number:	Installer:	RS Form Received:
Brand:	Datalogger Reading:	Units: <input type="checkbox"/> Litres <input type="checkbox"/> Cubic m	
Telemetry Installed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Telemetered to ORC? <input type="checkbox"/> Yes <input type="checkbox"/> No	Consent Telemetry? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Brand:	Serial Number:	Data Service Provider:	

VERIFICATION

Date of last verification:	Verified By:	Company:
How it was Verified? <input type="checkbox"/> Reference Meter <input type="checkbox"/> Gaugings <input type="checkbox"/> Volumetric Method <input type="checkbox"/> Other (as approved)		

DATA – For Audit Use, Include Hilltop graphs

Date Data Last Received:	Rate Compliant: <input type="checkbox"/> Yes <input type="checkbox"/> No	Volume Compliant: <input type="checkbox"/> Yes <input type="checkbox"/> No
Comments?		

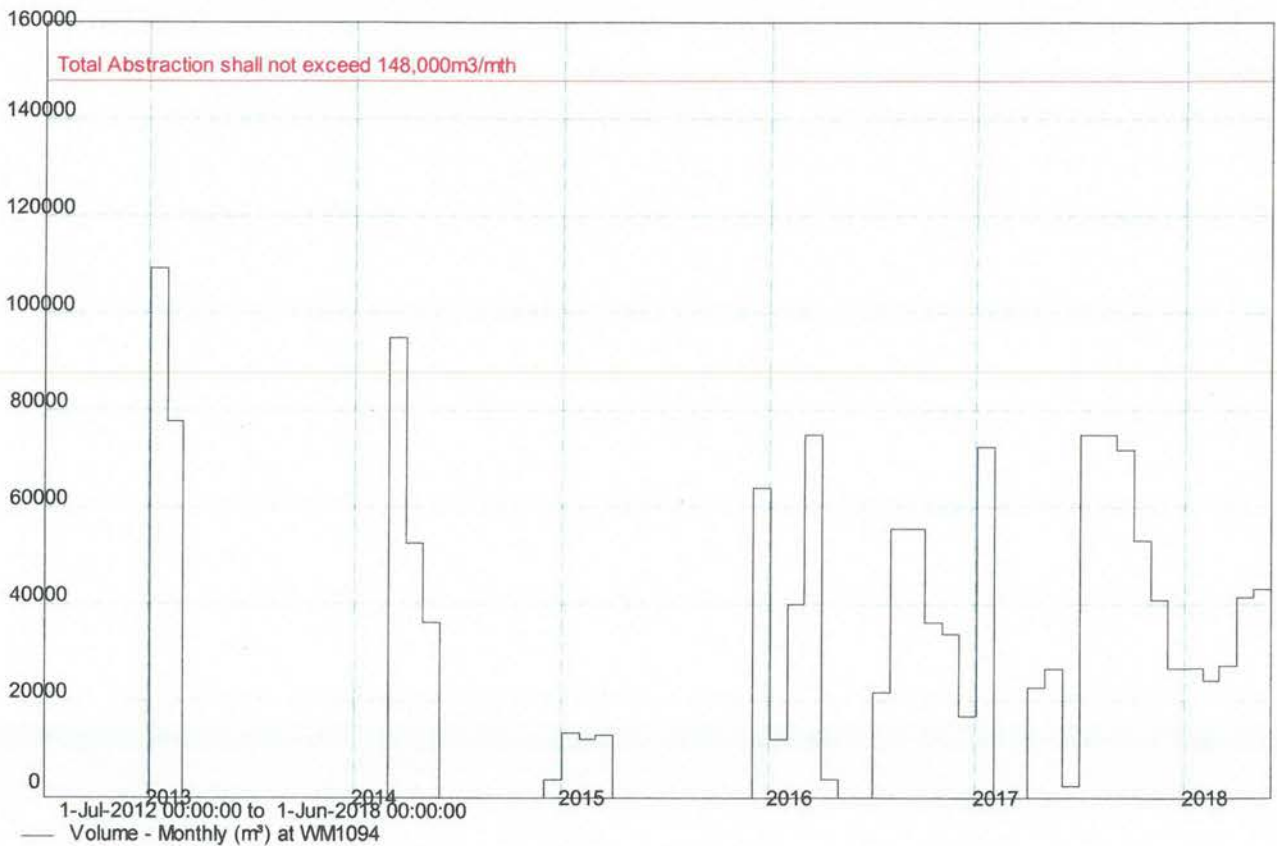
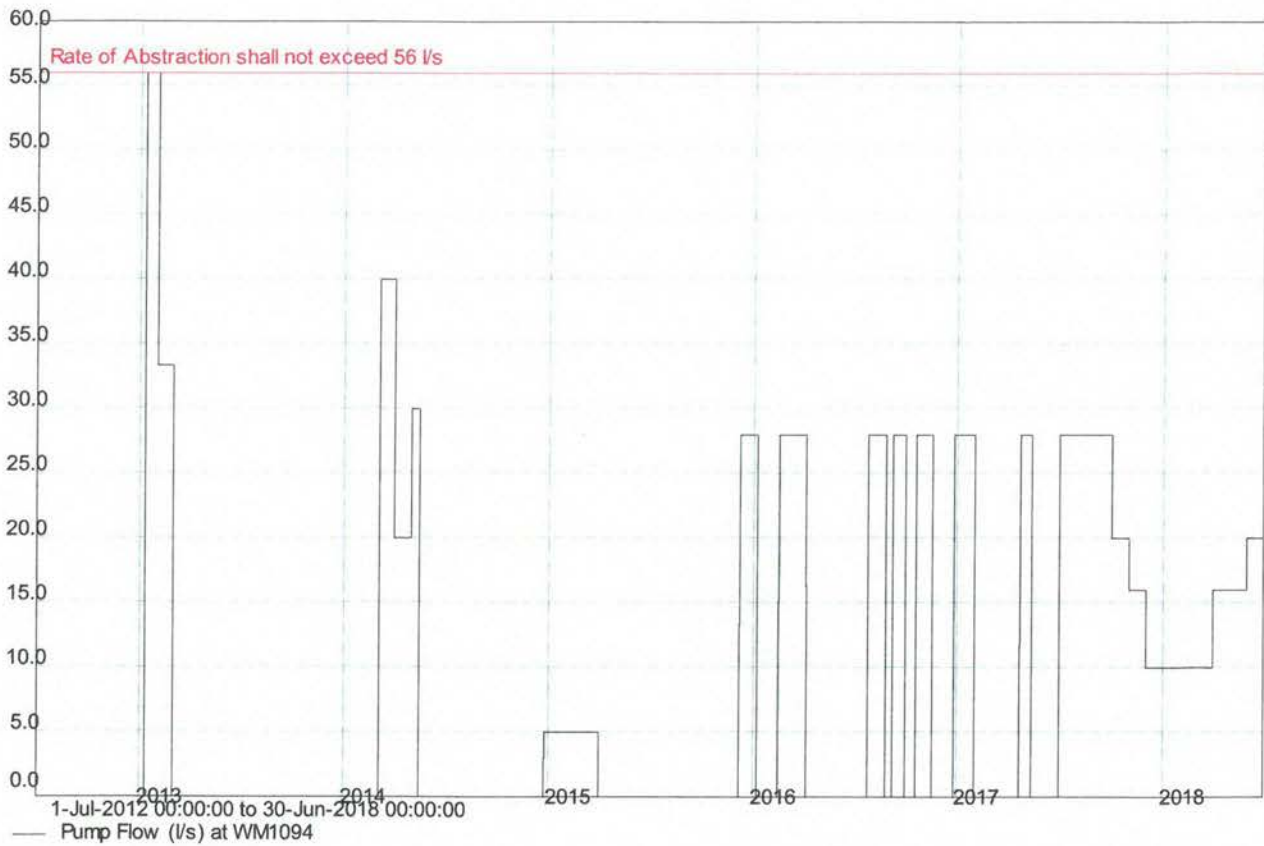
Compliance use

Consent Holder Correct?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Comments: Site 1: NZTM E1350165 N5031816, during the audit inspection no point of take could be found in the proximity of the consented location. It was concluded that this site was not being exercised for irrigation purposes. Site 2: NZTM E1349466 N5030715, a concrete culvert was found within the Unnamed Tributary of Mata Creek at NZTM E1349464 N5030786. At the time of inspection, it could not be proven that any water abstracted at site #2 was being used for irrigation purposes. It appeared that water being taken was supplying a bogged area, after which the abstracted water was discharged back into the Unnamed Tributary downstream. Manual records area being supplied, please indicate to watermetering@orc.govt.nz how and for what purpose this water is being used. Note, if you do not take water for irrigation, it is recommended that you surrender this permit. If you intend to keep the permit, ensure that water metering is installed by 30 August 2019. Note that enforcement action may be taken if these responsibilities are not met.
Location Compliant:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Use Compliant:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Metering Compliant:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Verification Current?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Exemption Required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Is Non-Standard Install Required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Overall compliance grade

i Compliant	<input type="checkbox"/>	No follow up required:	<input type="checkbox"/>
ii Non-Compliant – Minor (no adverse effects)	<input type="checkbox"/>	Follow up phone call / letter:	<input checked="" type="checkbox"/>
iii Non-Compliant – Significant (no adverse effects)	<input type="checkbox"/>	Follow up Inspection required:	<input type="checkbox"/>
iv Non-Compliant – Minor Actual or Potential Effects	<input checked="" type="checkbox"/>	Enforcement Action : Infringement / Prosecution:	<input type="checkbox"/>
v Non-Compliant – Significant Actual or Potential Effects	<input type="checkbox"/>	Date follow up action due:	<input type="checkbox"/>
Project Code: CM13765	Account Code: 4881		

WATER INSPECTION SHEET





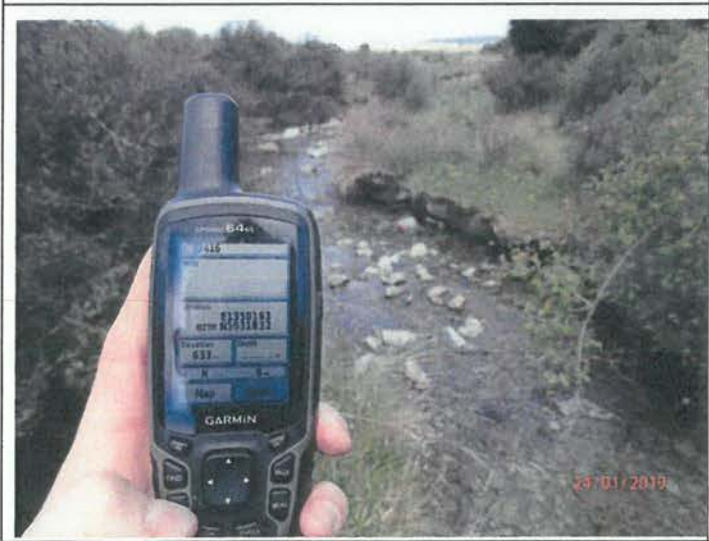
WATER INSPECTION SHEET

Notes

It is recommended that you surrender this permit if no water is being used for irrigation purposes.

If you intend to keep the permit, ensure that water metering is installed by 30 August 2019, complying with condition 8 of Water Permit RM11.013.02 and the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010. Note that if you do not comply by 30 August 2019, enforcement action may be taken.

All water abstracted under this permit is 'natural' in nature and has no proportion of re-taken and augmented water associated to it.

	
<p>Site #1 no point of take found in the proximity of NZTM E1350165 N5031857.</p>	<p>Site #1 no point of take found in the proximity of NZTM E1350181 N5031875.</p>
	
<p>Site #1 no point of take found in the proximity of NZTM E1350161 N5031832.</p>	

WATER INSPECTION SHEET



Site #2 point of take from the Unnamed Tributary of the Mata Creek, where a concrete culvert is positioned within the creek (NZTM E1349646 N5030786).

Site #2 small sized water race supplying water to bogged area down race of RM11.013.02 point of take.



Site #2 small size pond where water that is taken from point of take accumulates before discharging back into the unnamed Tributary of the Mata Creek.

Appendix 'K'

LocalMaps Print

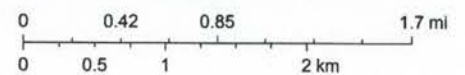


December 4, 2019

Operative Water Allocation Aquifers - Over Allocation Status All Consents

- | | |
|--|---|
| ■ No | ■ Bore Construction Consent |
| ■ Yes | + CMA Use Permit |
| Otago | ■ Coastal Discharge Permit |
| District Boundaries | ◆ Dam Water Permit |
| TwelveMileLimit | ■ Discharge to Air Permit |
| | ■ Discharge to Land Permit |

1:36,112



Otago Regional Council, Eagle Technology, LINZ, Statistics New Zealand

Appendix 'L'

5th December 2019

Hamish Cavanagh – Director
Hawkdun Pastoral Ltd
2173 Loop Road
R.D.1 Oturehua
Central Otago 9386

Re: Production & Financial returns from 90 Hectares of irrigation.

Background

Hawkdun Station is a 6000 hectare extensive grazing property, running 22,000 stock units. All livestock are brought back to the main stock handling facilities, including the shearing shed and sheep & cattle yards, a number of times a year for shearing, weaning and calf marking. This irrigated land is a **K-line gravity fed system** and adjacent and in close proximity to the livestock handling facilities. This K-line gravity fed system had a capital cost of **\$381,117.00**. There is a limited area of high-quality feed available close to the livestock handling facilities. This is compounded due to the bottle neck shape of the farm as there is very little area and feed available at times of year when the stock are near the yards and woolshed.

Use of the irrigated land

The irrigated land at Hawkdun Station provides important guaranteed strategic feed for:

- Large mobs of livestock which are being held to be processed through the stock handling facilities.
- Sheep freshly shorn off shears in the spring.

- Weaning new weaned lambs & calves and quieting them down before moving them onto more extensive country.
- Guaranteeing winter feed supplements of hay & baleage.
- Providing some winter feed crops for feeding of young stock and sheep off shears in late winter.

Financial returns to Hawkdun Station

The value to Hawkdun Station of having a small irrigated area relative to the size of the rest of the property is significant.

The amount of feed grown at Hawkdun Station under irrigation is estimated at 12,000 kgDM / hectare, with feed utilisation of around 85% or 10,200 kgDM / hectare.

The strategic value of the feed provided to the Hawkdun farming system is substantial and estimated to be 30 cents to 35 cents per kgDM.

Without irrigation the land would produce around 4,000 kgDM/ha with a maximum estimated 80% or 3,600kgDM / ha utilised.

Estimated Financial Return:

10,200 kgDM / ha less 3,600 kgDM / ha = 6,600kgDM/ha

@6,600kgDM x 32.5 cents/ kg dry matter = \$2,145 / ha x 90 Hectare = \$193,050 total annual benefit to Hawkdun Station.



Peter Young

Farm consultant