

Our Reference: A1400994

Consent No. RM20.079.01

## WATER PERMIT

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

Name: Bendigo Station Limited

Address: 1460 Tarras-Cromwell, RD 3, Cromwell

To take and use surface water as a primary allocation from Bendigo Creek for the and to retake and use water from the Bendigo Station Pond for the purposes of irrigation, stock water supply and domestic supply *and operating the Bendigo Station Pond*

For a term expiring 15 years from commencement of this consent

Locations of Points of  
Abstraction:

Bendigo Creek: approximately 5.7 kilometres south east of the intersection of Bendigo Loop Road and Tarras-Cromwell Road (State Highway 7).

Bendigo Station Pond: Approximately 4 kilometres south east of the intersection of Bendigo Loop Road and Tarras-Cromwell Road (State Highway 7).

Legal Description of land at point of abstraction:

**Bendigo Creek:** Section 21 SO 24641

**Bendigo Station Pond:** Lot 8 DP 517385

Legal Description of land s where water is to be used: Lot 6 DP 525495, Lot 5 DP 517285, Lot 3 DP 391334, Lot 4 DP 391334, Part Lot 10 DP 391334, Lot 8 DP 517385, Lot 3 DP 459561, Lot 7 DP 517385, Lot 3 DP 525495, Lot 4 DP 525495, Lot 1 DP 525495, Lot 2 DP 525495 and Lot 6 DP 517385

Map Reference at point of abstraction:

**Bendigo Creek:** NZTM 2000: E1314483 N5018116

**Bendigo Station Pond:** NZTM 2000: E1313447 N5019532

### Conditions

#### Specific

1. a) The take and use of surface water from Bendigo Creek and to retake primary allocation water from a reservoir for the irrigation of 100 hectares of pasture, stock water supply and domestic supply at the map

- references and land legally described above must be carried out in accordance with the plans and all information submitted with the application, detailed below and all referenced by the Consent Authority as consent number RM20.079:
- i. The application and supporting information received by the Consent Authority on 10 March 2020 and addendums to application made on 22 May 2020 and 8 October 2020;
  - ii. Further information response received on 14 May 2020; and
  - iii. Hearing evidence *[Date] February 2021*.
- b) If there are any inconsistencies between any conditions of this consent and the application, the conditions of consent must prevail.
2. This permit must not be exercised until Deemed Permits WR1233CR and WR3908CR have been surrendered or expired.
3.
  - a) The rate of abstraction as primary allocation must not exceed 50 litres per second.
  - b) The volume of abstraction under this permit must not exceed:
    - i. 132,000 cubic metres per month; and
    - ii. 857,778 cubic metres in each 12-month period, commencing 1 July of any year and ending 30 June of the following year.
4. This consent only authorises water to be by-washed via the reservoir spillway into Bendigo Creek as shown in **Appendix 1** of this permit until *[2 years after commencement date]*. The Consent Holder must provide written notice within 20 working days of 23 November 2022 to the Consent Authority that the by-wash has ceased and details of how water is retained within the reservoir.
5.
  - (a) The method for taking water at NZTM 2000 E1314483 N5018116 must be via an open pipe positioned above the bed of Bendigo Creek as described in the Application and Assessment of Environmental Effects received by the Consent Authority on 10 May 2020 and as shown in **Appendix 2**, unless clause (b) applies.
  - (b) The method for taking water at NZTM 2000 E1314483 N5018116 may be modified, provided the following is adhered to:
    - (i) A continuous connected residual flow is maintained at all times immediately downstream of the point of take for a distance of no less than 750 metres;
    - (ii) The Consent Authority is notified of the change in method of taking no less than 15 working days before any changes to the intake are undertaken; and
    - (iii) The Consent Holder must notify the Consent Authority in writing of the completion of the intake establishment no less than 10 working days following completion of works as outlined in (ii), and must provide photographs of the new method of intake. Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.

## Performance Monitoring

6. a) ~~Prior to the first exercise of this consent, the~~ The Consent Holder must ~~install~~ maintain:
- i. A water meter that will measure the rate and the volume of water taken to within an accuracy of +/- 5% over the meter's nominal flow range. The water meter must be capable of output to a datalogger.
  - ii. A datalogger that time stamps a pulse from the flow meter at least once every 15 minutes and has the capacity to hold at least twelve months data of water taken.
  - iii. A telemetry unit which sends all of the data to the Consent Authority.
- b) Provide telemetry data once daily to the Consent Authority. The Consent Holder must ensure data compatibility with the Consent Authority's time-series database and conform with Consent Authority's data standards.
- c) Within 20 working days of the installation of the water meter / datalogger/ telemetry unit, any subsequent replacement of the water meter / datalogger/ telemetry unit and at 5-yearly intervals thereafter, and at any time when requested by the Council, the Consent Holder must provide written certification to the Consent Authority signed by a suitably qualified person certifying, and demonstrating by means of a clear diagram, that:
- i. Each device is installed in accordance with the manufacturer's specifications;
  - ii. Data from the recording device can be readily accessed and/or retrieved in accordance with the conditions above; and
  - iii. That the water meter has been verified as accurate.
- d) The water meter / datalogger / telemetry unit must be installed and maintained throughout the duration of the consent in accordance with the manufacturer's instructions.
- e) All practicable measures must be taken to ensure that the water meter and recording device(s) are fully functional at all times.
- f) The Consent Holder must ensure the water meter returns accurate readings at all times including by routinely checking the device and removing any ice or debris build up.
- g) The Consent Holder must report any malfunction of the water meter / datalogger/ telemetry unit to the Consent Authority within 5 working days of observation of the malfunction. The malfunction must be repaired within 10 working days of observation of the malfunction and the Consent Holder must provide proof of the repair, including photographic evidence of any physical repairs, to the Consent Authority within 5 working days of the completion of repairs. Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.
7. A water use efficiency report must be provided to the Consent Authority by 31 July each year for the period commencing 1 July the previous year and ending 30 June the current year. The report must assess the water use over the previous 12 months in respect of the efficient use of water for the purposes consented. This report must include, but not necessarily be limited to, the following:
- a) Area, crop type, number of harvests per year, and timing;
  - b) Annual summary of water usage (month by month, and related to crops in the ground);
  - c) Reasons why use may have varied from the previous year;
  - d) Information demonstrating irrigation equipment that has been used and decision-making regarding efficiency of use (e.g. soil moisture data,

- irrigation scheduling, meter accuracy checks, computer control of irrigation) and any changes planned for the coming year;
- e) Measures undertaken to avoid loss or wastage of water including any bypass of water;
  - f) Any changes or modifications to irrigation (and water conveyance) infrastructure; and
  - g) Water conservation steps taken.

### General

8. The Consent Holder must take all practicable steps to ensure that at all times:
- a) There is no leakage from pipes and structures;
  - b) The use of water is confined to targeted areas, as illustrated on the attached plan as **Appendix 3** to this consent with the exception of the area identified in red;
  - c) That the volume of water used for irrigation does not exceed that required for the soil to reach field capacity and avoids the use of water onto non-productive land such as impermeable surfaces; and
  - d) That irrigation to land must not occur when the moisture content of the soils is at or above field capacity.
  - e) Prior to the first exercise of this consent, the Consent Holder, the Consent Holder must install a backflow prevention device to ensure water and/or contaminants cannot return to the water source.

### Review

9. 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 resource consent within three months of each anniversary of the commencement of this resource consent or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this resource consent, for the purpose of:
- a) Determining whether the conditions of this resource consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the resource consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the resource consent;
  - b) Ensuring the conditions of this resource consent are consistent with any National Environmental Standards, relevant plans, and/or the Otago Regional Policy Statement;
  - c) Reviewing the frequency of monitoring or reporting required under this resource consent;
  - d) Reducing the consented instantaneous rate of abstraction, maximum monthly abstraction volume, and/or maximum annual abstraction volume (Condition 3); and/or changing the monitoring, operating, and reporting requirements (Conditions 5 and 6), in response to and/or to implement:
    - i. the results of monitoring carried out under this resource consent;
    - ii. water availability, including alternative water sources;
    - iii. actual water use;
    - iv. efficiency of water use;

- v. surface water allocation limits and minimum flows set out in any future regional plan, including any review of the Regional Plan: Water for Otago;
  - vi. surface water quality limits set out in any future regional plan, including any review of the Regional Plan: Water for Otago; and/or
  - vii. new statutory requirements for measuring, recording or data transmission.
- e) Imposing a minimum flow restriction as a condition on this resource consent if and when an operative regional plan sets a minimum flow for the catchment.

### **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 may result in any primary allocation status being lost. A late application may result in the application being treated as supplementary allocation if any such allocation is available.*
2. *For the purposes of Condition 7, 'Field Capacity' means the amount of water that is able to be held in the soil after excess water has runoff.*
3. *It is the responsibility of the consent holder to ensure that the water abstracted under this resource consent is of suitable quality for its intended use. Where water is to be used for human consumption, the consent holder should have the water tested prior to use and should discuss the water testing and treatment requirements with a representative of the Ministry of Health and should consider the following Drinking Water Standards*
4. *For the purposes of Condition 5, the water meter, data logger and telemetry unit should be safely accessible by the Consent Authority and its contractors at all times. The Water Measuring Device Verification Form and Calibration Form are available on the Consent Authority's website.*
5. *Section 126 of the Resource Management Act 1991 provides that the Consent Authority may cancel this consent by written notice served on the Consent Holder if the consent has been exercised in the past but has not been exercised during the preceding five years.*
6. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

7. *Under section 125 of the RMA, this consent lapses five years after the date it is granted unless:
  - a. *The consent is given effect to; or*
  - b. *The Consent Authority extends the period after which the consent lapses.**
8. *Where information is required to be provided to the Consent Authority, this is to be provided in writing to [watmetering@orc.govt.nz](mailto:watmetering@orc.govt.nz), and the email heading is to reference RM20.079.01 and the condition/s the information relates to.*
9. *The Consent Holder will be required to pay the Consent Authority an annual administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*
10. *The consent holder must be aware of any rules that relate to the control of farm contaminants in runoff and leaching of nutrients to groundwater in relevant Otago regional plans and National Environmental Standards.*
11. *Water may be taken at any time for reasonable domestic or stock water purposes where and the taking or use does not, or is not likely to, have an adverse effect on the environment in accordance with Section 14 of the Resource Management Act 1991.*



Appendix 1 to Water Permit RM20.079.01: By-wash location



Appendix 2 to Water Permit RM20.079.01: Photographs (two)  
showing intake structure







## Appendix 2 to Water Permit RM20.079.01: Irrigation Areas



