

Our Reference: A1479918

Consent No. RM19.151.01

## WATER PERMIT

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

Name: **Share XX** BSTGT Limited

Address: Barley Station Investments Limited, Hurstmere Office Suite, Level 3, 95 Hurstmere Road, Takapuna

Name: **Share XX** Antony Patrick McQuilkin, Nicola Jane McQuilkin, Kate Louise Skeggs, Samuel Angus McQuilkin and Graeme Morris Todd being Trustees of the A P McQuilkin Family Trust

Address: 141 Glencoe Road, RD 1, Queenstown

To take and use primary allocation surface water from Royal Burn and New Chums Creek for the purpose of irrigation and stock water supply

For a term expiring on June 2035

Location of Point of Abstraction: Site 1: Upper Royal Burn North Branch, approximately 1.2 kilometres north of the intersection of Glencoe Road and Crown Range Road, Arrowtown  
Site 2: Lower Royal Burn North Branch, approximately 600 metres north of the intersection of Glencoe Road and Crown Range Road, Arrowtown  
Site 3: New Chums Creek, approximately 3.4 kilometres north west of the intersection of Glencoe Road and Crown Range Road, Arrowtown

Legal Description of land at points of abstraction: Site 1: Lot DP 458870  
Site 2: Lot 102 DP 473144 – Access Road  
Site 3: Section 29 Block X Shotover SD

Legal Description of lands where water is to be used: Lot 1 DP 482448  
Lot 2 DP 26283

Map Reference at point of abstraction (NZTM2000): Site 1: E1275616 N5012955  
Site 2: E1275632 N5012344  
Site 3: E1274643 N5015072

### Conditions

#### Specific

1. a) The take and use of surface water as primary allocation from New Chums and Royal Burn and the retake of water from water races and a reservoir for the irrigation of 139.2 hectares of pasture, 20 hectares of golf course and stock water 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 RM19.151:
  - i. The application and supporting information received by the Consent Authority on 13 May 2019;
  - ii. Amendments dated 27 November 2020 and 3 March 2021; and
  - iii. Hearing evidence 15 June 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 commence until Deemed Permits RM14.364.01, 96285, 3073B, 97029.V1 and 95696 have been surrendered or expired.
3. a) The rate of abstraction as primary allocation from Upper Royal Burn (Site 1) must not exceed 15 litres per second;  
b) The rate of abstraction as primary allocation from Lower Royal Burn (Site 2) must not exceed 50 litres per second;  
c) The rate of abstraction as primary allocation from New Chums Creek (Site 3) must not exceed 24.5 litres per second;  
d) The combined volume of abstraction under this permit during the irrigation season must not exceed:
  - i. 193,164 cubic metres per month;
  - ii. 888,305 cubic metres per year.e) The combined volume of abstraction under this permit outside the irrigation season must not exceed:
  - i. 25,920 cubic metres per month;
  - ii. 103,680 cubic metres per year.
4. The Consent Holder must maintain a residual flow of at least 9.6 litres per second below the intake on Upper Royal Burn (Site 1) take at NZTM 2000 E1275616 N5012955 at all times when the Consent Holder is exercising this consent to abstract water from the Creek.
5. The Consent Holder must maintain 50:50 flow sharing at the intake on the Lower Royal Burn (Site 2) at all times when the Consent Holder is exercising this consent to abstract water from the Creek.
6. The Consent Holder must maintain a residual flow of at least 4.2 litres per second below the intake on New Chums Creek (Site 3) at NZTM 2000 E1274643 N5015072 at all times when the Consent Holder is exercising this consent to abstract water from the Creek.
7. a) The Consent Holder must install a pipe below the intake at the Upper Royal Burn take at NZTM 2000 E1275616 N5012955 provide the residual flow specified in Condition 4 prior to the first exercise of this consent.  
b) The Consent Holder must provide the Consent Authority photographs of the pipe within 10 working days following installation. Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.  
c) The pipe must have the following minimum specifications:

- i. 5 centimetre diameter;
  - ii. Made of plastic;
  - iii. Length of 2.5 metres; and
  - iv. Fall drop of 1 metres.
8. a) The Consent Holder must install a pipe below the intake on New Chums Creek at NZTM 2000 E1274643 N5015072 provide the residual flow specified in Condition 6 prior to the first exercise of this consent.
- b) The Consent Holder must provide the Consent Authority photographs of the pipe within 10 working days following installation. Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.
- c) The pipe must have the following minimum specifications:
- i. 5 centimetre diameter;
  - ii. Made of plastic;
  - iii. Length of 4.5 metres; and
  - iv. Fall drop of 0.4 metres.
9. The Consent Holder must not abstract water from the Royal Burn for irrigation purposes when flows in the Royal Burn drop below 10 litres per second at NZTM2000 E1274996 N5011547.

### **Performance Monitoring**

10. a) The Consent Holder must maintain at the Upper Royal Burn take (Site 1):
- i. Water meter(s) that which will measure the rate and the volume of water taken to within an accuracy of +/- 5% at NZTM 2000 E1275616 N5012970. 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) The Consent Holder must 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 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.

Note: 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.

11. a) The Consent Holder must maintain at the Lower Royal Burn (Site 2) take a:
- i. Water meter(s) that will measure the rate and the volume of water taken to within an accuracy of +/- 10% at NZTM 2000 E1275610 N5012358. The water meter must be capable of output to a datalogger.
  - ii. Datalogger(s) that time stamps a pulse from the flow meter at least once every 15 minutes and have the capacity to hold at least twelve months data of water taken.
  - iii. Telemetry unit which sends all of the data to the Consent Authority.
- b) The Consent Holder must 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/data logger/telemetry unit, any subsequent replacement of the water meter/data logger/telemetry unit, and at annual 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/data logger/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/data logger/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, 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.

Note: 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.

12. a) The Consent Holder must maintain at the New Chums race (Site 3) take a:
    - i. Water meter(s) that will measure the rate and the volume of water taken to within an accuracy of +/- 10% at NZTM 2000 E1274453 N5014595. The water meter must be capable of output to a datalogger.
    - ii. Datalogger(s) that time stamps a pulse from the flow meter at least once every 15 minutes and have the capacity to hold at least twelve months data of water taken.
    - iii. Telemetry unit which sends all of the data to the Consent Authority.
  - b) The Consent Holder must 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/data logger/telemetry unit, any subsequent replacement of the water meter/data logger/telemetry unit, and at annual 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/data logger/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/data logger/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, 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.

Note: 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
13. The pipe as required by Conditions 7 and 8 must be maintained in good working order, to ensure the pipe is performing as designed. Records must be kept of all inspections and maintenance and these should be available to the Consent Authority on request.
  14. The Consent Holder must install a weir NZTM2000 E1274996 N5011547 to measure the residual flow required by Condition 9. The weir must be maintained in good working order to ensure the weir is performing as designed. Records must be kept of all inspections and maintenance and these should be available to the Consent Authority on request.
  15. 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:

- a) Area and crop type irrigated including a scaled map, aerial photograph (or Google Earth image) of the irrigated areas;
  - b) Annual summary of the combined monthly volume of water abstracted from Poison Creek and the unnamed tributary of Poison Creek;
  - 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.
16. A fertiliser and nitrogen application 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 fertiliser and nitrogen application over the previous 12 months. This report must include, but not necessarily be limited to:
- a) Area and crop type where fertiliser and/or nitrogen were applied including a scaled map, aerial photograph (or Google Earth image) of the irrigated areas;
  - b) Annual summary of the combined monthly volume of fertiliser and/or nitrogen used;
  - c) Reasons why use may have varied from the previous year; and
  - d) Information demonstrating application equipment that has been used and decision-making regarding the use (e.g. soil moisture data, irrigation scheduling) and any changes planned for the coming year.
17. The Consent Holder must monitor groundwater levels from bore F41/0176:
- a) Daily via a pressure transducer; and
  - b) Quarterly via manual measurements
- These results must be provided to the Consent Authority by 31 July each year or upon request.

### **General**

18. 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 1 to this consent;
  - 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.

### **Review**

19. 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 10, 11, 12, 13, 14, 15, 16 or 17), 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. effects of water use;
  - vi. surface water allocation limits and minimum flows set out in any future regional plan, including any review of the Regional Plan: Water for Otago;
  - vii. surface water quality limits set out in any future regional plan, including any review of the Regional Plan: Water for Otago; and/or
  - viii. 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 18, 'Field Capacity' means the amount of water that is able to be held in the soil after excess water has runoff.*
3. *For the purposes of Conditions 10, 11 and 12, 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.*
4. *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.*
5. *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.*

6. *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.**
7. *Where information is required to be provided to the Consent Authority, this is to be provided in writing to [watermetering@orc.govt.nz](mailto:watermetering@orc.govt.nz), and the email heading is to reference RM19.345 and the condition/s the information relates to.*
8. *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.*
9. *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.*
10. *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.*
11. *Notice of Exemption WEX0129 and WEX0184 applies to this Water Permit.*

**Issued at Dunedin this # day of # 2021**

Joanna Gilroy  
**Manager Consents**



## Appendix 1: Irrigation area





