

Resource Consent Application Form 4C – To Take and Use Water: 6 Year Term



Phone: 0800 474 082

Website: www.orc.govt.nz

To take and use surface water – 6 year term only. You only need to complete this form and remember to attach:

- Site plan
- Water use records
- Any supporting information
- Application deposit

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

This form is divided into three sections:

1. Your details
2. Your activity
3. Policy assessment

You can find helpful information relating to deemed and water permits at the following link:

<https://www.orc.govt.nz/media/9378/technical-guidance-note-1-deemed-water-permit-replacement-applications.pdf>

Part 1. Your Details

1(a). Applicant's details:

Full name(s):

OR

Registered
company:

OR

Trust (include all Trustees full names) _____

Postal address: _____
_____ Post code: _____

and
Physical address (of applicant):
(not a PO Box number) _____
_____ Post code: _____

Phone number: Business: _____ Private: _____
Mobile: _____

Email address: _____

Please provide a valid and clear email address. Otago Regional Council has adopted 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.

Please tick if you do not prefer contact by electronic means

1(b). Key contact for applicant details (if applicable):

Only complete 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:

Full name: _____

Phone number: Business: _____ Private: _____
Mobile: _____

Email address: _____

2. Location of proposed activity:

Address: _____

Legal description(s) for the area to be grazed: _____

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

Yes No

(b) Have you spoken to a Council staff member about this application prior to lodging this application?

Yes No

If yes, please state name of staff member: _____

4. **What is the term of consent you are seeking and reason for this term:**

6 years

If you are seeking a term longer than 6 years you cannot use this form. You must use Form 4A.

5. **For the land on which the activity occurs, is the applicant (tick one):**

- The owner
- The lease holder
- The occupier
- Prospective purchaser

If the applicant does not own the land to which this application relates, unconditional written approval from the land owner/affected party will be required.

If the applicant is not the land owner, who is the owner of the land on which the activity occurs/is to occur:

Name of land owner: _____

Phone number: Mobil Business
e: : _____

Email address: _____

6. **How to pay:**

A deposit **must** accompany this application. The applicant will be invoiced for all costs incurred in processing this application that exceed the deposit. You will either receive an invoice requiring additional payment or a refund.

If the required deposit does not accompany your application, staff will contact you on the email address provided on this form to request payment, and after 5 working days your application will returned as incomplete if no payment is made for the required deposit.

When paying online, please use the word '**Consent**' followed by the name of the applicant as a reference.

Method of payment:

- | | |
|---|------------------------------------|
| <input type="checkbox"/> Online bank transfer | <input type="checkbox"/> Cheque |
| <input type="checkbox"/> Credit card | <input type="checkbox"/> In person |

Date of payment: _____

Amount paid: _____

Payment reference: _____

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.

Information regarding the average costs in processing various types of single non-notified consent applications can be found via the following link, scrolling down to "Costs to process the application":

www.orc.govt.nz/consents/ready-to-apply-for-a-consent/fees-and-charges

2. Your Activity

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: _____ *Expiry date:* _____

2.2 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 (including water races and point of discharge and re-takes)
- The location of the water measuring device(s) or system(s)
- The total property area boundary
- Point/area of use including the area(s) to be irrigated (if relevant) by water applied for under this application (include legal description(s) and GPS locations) and clearly show any increases in irrigation area.
- 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 proposed points of take
- 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.
- point/area of use
- Any existing works/infrastructure in place, including value, in your application.
- Any other associated activities on site including damming, discharges.

3. Volume and rates of take applied for

3.1 Quantity and rate of take currently consented

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

3.2 Quantity and rate of take applied for:

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.*

3.3 Frequency of take

Note both the maximum and estimated average take.

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

3.4 What is 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 the day does the water take generally occur?

3.5 If it is a replacement take, are you seeking to replace the take as primary allocation?

Yes/no

3.6 Is the take from re-charge/run-off or is it an 'augmented'¹ take?

Yes/no

If yes, please explain.

3.7 Does your application involve any discharges, retakes, by-wash or supplementary takes? Refer to practice note.

Yes/no

If yes, please explain.

3.7.1 For by-wash – is the taking of water from by-wash able to meet the non-complying definition in the RPW and is the discharge of by-wash permitted? Refer to practice note.

Yes/no

¹ The taking of water from any lake or river which has already been delivered to that lake or river for the purpose of the subsequent taking.

3.8 Storage

3.8.1 Do you intend to store your water before subsequent use?

Yes

No

3.8.2 If yes, what/how much storage will be provided and what type of storage facilities will you use?

_____m³

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: _____

Note: The ability to control the water into a channel is used to determine where the point of take is. The point of take is where water is taken out of the source waterbody by a control mechanism such as a gate, control structure or pump.

Where there is no control structure at the point where water is taken from the source waterbody, you will need to review the diversion rules in Section 12.3 of the RPW. Consent may be required for a permanent or temporary diversion. The take point would then be from the diversion channel where control of the take is held.

4.2 Will you or others “re-take” water from your conveyance or storage network (i.e. via a water race, dams or reservoir)? If yes, please provide details of such re-takes in your application.

Yes

No

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.

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

- The average channel width and depth 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.
- Bed of the water body at the point of take and upstream and downstream of the point of take.

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

- River
- Stream
- Modified water body
- Spring
- Drain

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

- Perennial
- Ephemeral

4.7 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

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. If your application is to replace a deemed permit or an existing consent expiring prior to 31 December 2025 please ensure this is also undertaken in accordance with Schedule 10A.4 of Proposed Plan Change 7 (Water Permits).

You can seek your water metering records from watermetering@orc.govt.nz and then analyse this using Schedule 10A.4, which is at the back of this form. There is a guidance note on how to apply Schedule 10A.4 here:

<https://www.orc.govt.nz/media/8373/guidance-on-using-schedule-10a4-of-proposed-water-permits-plan-change-plan-change-7.pdf>.

You can find this method at the back of this form. If you have any questions then please let us know.

5.3 Provide a summary of your analysis below:

- 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 including frost fighting
- Other

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

7. Measuring and reporting

7.1 What type of water metering system is currently installed or proposed to be installed?

7.2 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 – there is an existing WEX. Number: _____ This will be reissued with the replacement consent, if granted.
- No – complete an Application Form 24 – Application for Exemption

8. Location and Efficiency of Water Use

8.1 Are any works or new infrastructure proposed works/infrastructure to give effect to consent sought?

- Yes – please explain
- No
-
-

8.2 If your application is to use water for irrigation, provide an assessment of the proposed use against the Aqualinc report for reasonable water requirements².

This report sets out reasonable water requirements for various irrigation types taking into consideration soil type and climate. It helps to determine if the water volumes sought are efficient for the intended use.

An assessment of the efficiency of the water taken for the intended purposes is required. This report can be used to assess irrigation efficiency. You can do this assessment yourself as the report sets out the steps you need to follow. This report can be found here:

<https://www.orc.govt.nz/media/4499/aqualinc-irrigation-guidelines-2015.pdf>

Alternatively, we can also do this assessment for you, but this will be included in the processing costs for your application.

- Please do the Aqualinc assessment for me
- I have completed an assessment against Aqualinc and it is attached.

8.3 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?

² "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.

- c. What will you be irrigating (i.e. crop type, pasture etc in ha)?
- d. What is the target application rate (mm/day and mm/year)?
- e. Is the total land area to be irrigated no more than what you irrigated in the 2017-2018 season?

Yes

No

If you have any information to support this, such as maps then please include this.

8.4 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

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

Yes

No

If yes, 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 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.

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

Yes

No

If yes, 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.

8.7 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:

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

8.8.1 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

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

_____ litres/head/day

8.8.3 If you are seeking more water for stock and/or dairy shed use than that recommended by the Council please state why.

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 state what type of industry will be using the water and how will the water be used. Please assess the efficiency of water use. Guidance for frost fighting requirements can be found here: <https://www.orc.govt.nz/media/9378/technical-guidance-note-1-deemed-water-permit-replacement-applications.pdf>

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

- a. For households, the number of households to be supplied:
- 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):

8.10 For all uses, demonstrate in your application how have you calculated the amount of water you need and how efficiency will be sustained for the duration of the water permit?

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.

8.11 Please describe any measures you are proposing to minimise wastage of water and maximise its efficient use.

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.

Please attach a document to this application form that includes the below information where it applies to your water take. You will not need to include all of the below information and most of it you should be able to access from our website, or on the links provided below.

9.1 Assess effects on surface and/or ground water hydrology. This assessment could include:

- Identifying sensitive areas including affected water bodies (surface, ground and coastal water), wetlands, bores, drinking water supplies.
- Comment on the Mean Annual Low Flow (MALF) of the watercourse including the methodology of how this was assessed.
- Providing commentary on the losing and gaining reaches of the watercourse.
- Interaction with groundwater, this could include depth and direction of groundwater.
- Proposal of a residual flow considering surface/groundwater interactions, MALF and proposed rate of take.

9.2 Assess any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity of the point of take. This assessment could include the following information and answering the below questions:

- Identifying sensitive areas including values within the watercourse, upstream and downstream of the proposed take, wetlands and any other affected water bodies (surface, ground and coastal water)
- Instream assessment of both native and sports fish values, include details of assessment method.
- Proposal of a residual flow considering values within the watercourse. How has this been determined and how will this be measured?
- Provision of fish passage
- Proposal of a fish screen, including the design of the fish screen and location.
- Identify values e.g. fish, invertebrates in watercourse. You can find this information at:

<https://niwa.co.nz/information-services/nz-freshwater-fish-database>

- Will the:
 - conveyance system provide habitat for fish?
 - take effect fish passage?
 - take be subject to any minimum flows?

- cause/exacerbate any drying reaches in the waterbody?
- Are there any known connections between surface water and groundwater? Reports to help with this can be found at:
<https://www.orc.govt.nz/plans-policies-reports/reports-and-publications/water-quality/research-and-technical-reports>

9.3 Does the taking of water effect any other users of the water body?

- Identify other surface water takers (including likely permitted activity takers) and groundwater users. Information on consented users can be found here:
- For consented takes that expire after 1 October 2021 assess potential effects on these consent holders
- Assess effects of proposed take on any permitted activity takers.

9.4 Are there any of the following positive effects from the take?

- Supporting local jobs and businesses
- Community and economic wellbeing
- Other:

9.5 Are you proposing any of the following mitigation measures? If yes, please tick and then explain below.

- A residual flow
- Minimum flow
- Fish screening on water intakes
- Measures for management where there are low flows
- Flow sharing measures

9.6 Will your instantaneous abstraction rate (litres per second) be reduced by increasing the length of time over which water is taken.

Yes

No

Explanation:

9.7 Are there any possible alternative water sources or methods for undertaking the activity and why these alternatives have not been selected.

Yes - please explain why you are not using these.

No

10. Consultation

10.1 Include evidence of any consultation undertaken for this application. You do not need to do any consultation before your application comes in, but if you have talked to neighbours or stakeholders please include information relating to this.

11. Statutory Assessment

The relevant planning documents include but are not limited to:

- The National Policy Statement for Freshwater Management 2020
- The Regional Plan: Water for Otago
- Proposed Plan Change 7 (Water Permits) (PPC7)
- The Operative Regional Policy Statement, Proposed Regional Policy Statement and Partially Operative Regional Policy Statement
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 and Amendment Regulations 2020

- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- Kai Tahu ki Otago Natural Resource Management Plan 2005.

The following may also be relevant and should be attached to your application if required:

- The National Environmental Standard for Sources of Human Drinking Water
- The National Policy Statement for Renewable Electricity Generation
- Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (for takes from the south side of the Clutha River/Mata-Au)
- New Zealand Coastal Policy Statement.

Provisions	Example assessment	Does the example assessment apply to your activity? <i>Say yes/no, provide a comment or complete your own assessment</i>
National Policy Statement for Freshwater Management 2020		
<i>Policy 1 Freshwater is managed in a way that gives effect to Te Mana o te Wai</i>	<i>This proposal aims to enhance the health of these waterways and to restore and preserve the balance between water, the wider environment and the community by identifying and considering the values within, or associated with affected waterways, starting with ecological values. The health of freshwater will be sustained (for present and future generations) through a range of measures including proposed residual flows, adherence to the appropriate minimum flow once operative, reduction in allocation, fish screening and on-farm and catchment initiatives relating to water quality.</i>	
<i>Policy 9 The habitats of indigenous freshwater species are protected</i>	<i>The habitat of indigenous fauna will be protected through via the retention of flows in the Creeks (residual flow limits), fish screening, and the appropriate minimum flow limit once operative. They will be further protected through on farm and wider catchment initiatives protecting water quality.</i>	
<i>Policy 10 The habitat of trout and salmon is protected, insofar as</i>	<i>The habitat of trout is protected in this application via the appropriate minimum flow condition once operative. Trout will be further</i>	

<i>this is consistent with Policy 9.</i>	<i>protected through on farm and wider catchment initiatives protecting water quality.</i>	
<i>Policy 11 Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.</i>	<i>Over-allocation is defined in the NPSFM (2020), as a situation where resource use exceeds a limit or if limits have not been set, an FMU or part of an FMU is degraded or degrading. This proposal addresses historic degradation by proposing a reduction in what has previously been taken.</i>	
<i>Policy 12 The national target (as set out in Appendix 3) for water quality improvement is achieved</i>	<i>There are no known water quality issues associated with the subject takes in the tributary streams. The applicant is committed to improving water quality wherever possible within the catchment,</i>	
<i>Policy 15 Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.</i>	<i>This proposal has been developed to enable the affected community to provide for its social, economic and cultural wellbeing whilst first prioritising the health and wellbeing of the wider environment. It does so by first understanding and seeking to protect instream ecology and natural values. Overall, this application is considered to be consistent with the relevant policies in the NPSFM (2020).</i>	

Provisions	Example assessment	Does the example assessment apply to your activity? <i>Say yes/no, provide a comment or complete your own assessment</i>
Regional Plan: Water for Otago (Operative)		

<i>Objective 5.3.3 To protect the natural character of Otago's lakes and rivers and their margins from inappropriate subdivision, use or development</i>	<i>As discussed in the Assessment of Environment Effects, the proposed taking and use of water will not result in any adverse effects that are more than minor on natural, human use, spiritual or cultural values, provided the proposed conditions relating to the continued adherence to the minimum flow at</i>	
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<p><i>Objective 5.3.4 To maintain or enhance the amenity values associated with Otago's lakes and rivers and their margins</i></p>	<p><i>Sutton, proposed new residual flow, and a fish screen, are included on the replacement consent. This application is considered to be consistent with these policies.</i></p>	
<p><i>Policy 5.4.2 Avoid, remedy or mitigate adverse effects and flooding, erosion, land instability, sedimentation or property damage from the management of surface water, groundwater, beds and margins of lakes and rivers</i></p>		
<p><i>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:</i> <i>(a) How local climate, soil, crop or pasture type and water availability affect the quantity of water required; and</i> <i>(b) The efficiency of the proposed water transport, storage and application system.</i></p>	<p><i>This application represents a reduction in allocation, with the aim that only the water required for the proposed use will be re-consented and taken. The local climate, soils, crops and pasture types have been taken into account by utilising the Aqualinc approach to calculating the volume of water required to efficiently irrigate the areas specified on the farm. This shows that the applicant seeks less annual volume than the amount calculated as efficient using Aqualinc, thus, reflecting the 'water short' nature of this catchment. In addition, the area irrigated by this water take is undertaken using modern and efficient k-line spray irrigation.</i></p>	
<p><i>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</i></p>	<p><i>The applicant does not seek an instantaneous rate that is greater than the consented abstraction rate, or greater than has been historically taken. Further, the proposed volume sought represents a reduction in allocation.</i></p>	

<p><i>years, except in the case of a registered community drinking water supply where an allowance may be made for growth that is reasonably anticipated</i></p>		
<p><i>Policy 6.4.3 For catchments identified in Schedule 2A, except as provided for by Policy 6.4.8, minimum flows are set for the purpose of restricting primary allocation takes of water.</i></p>	<p><i>The minimum flows established provide for the maintenance of aquatic ecosystems and natural character under low flow conditions. As established in the AEE, the appropriate minimum flow is already imposed on the existing permit and the applicant will continue to adhere to this minimum flow requirement.</i></p>	
<p><i>Policy 6.4.7 - The need to maintain a residual flow at the point of take will be considered with respect to any take of water, in order to provide for the aquatic ecosystem and natural character of the source water body.</i></p>	<p><i>The proposal includes a residual flow to ensure appropriate provision for the aquatic ecosystem, natural character and amenity of the water body during low flow periods by retaining flow in the waterway at and below the point of take.</i></p>	
<p><i>Policy 6.4.0B - To promote and support shared use and management of water that: (a) Allows water users the flexibility to work together, with their own supply arrangements; or (b) Utilises shared water infrastructure which is fit for its purpose.</i></p>	<p><i>The applicant is apart of a water sharing group.</i></p>	

Provisions	Example assessment	Does the example assessment apply to your activity? <i>Say yes/no, provide a comment or complete your own assessment</i>
Plan Change 7 (Water Permits) (“PPC7”)		
<p>Objective 10A.1.1 <i>Transition toward the long-term sustainable management of surface water resources in the Otago region by establishing an interim planning framework to manage new water permits, and the replacement of deemed permits and water permits to take and use surface water (including groundwater considered as surface water) where those water permits expire prior to 31 December 2025, until the new Land and Water Regional Plan is made operative.</i></p>	<p><i>This objective seeks a transition toward the long-term sustainable management of surface water resources in the Otago region through the establishment of an interim planning framework until such time as the new Land and Water Regional Plan is made operative. The proposal is consistent with this objective.</i></p>	
<p>Policy 10A.2.1 <i>Irrespective of any other policies in this Plan, avoid granting resource consents that replace deemed permits, or water permits to take and use surface water (including groundwater considered as surface water under policy 6.4.1A (a), (b) and (c) of this Plan) where those water permits expire prior to 31 December 2025, except where:</i> (a) <i>The deemed permit or water permit</i></p>	<p><i>In relation to these matters, the water permit that is to be replaced is ‘valid’; there is no increase to the existing command area of irrigation; there is no increase to the instantaneous rate of take; the existing minimum flow condition is being applied to the new permit; and there is a reduction in the volume of water allocated for abstraction. As all of these provisions are met, granting of this application is consistent with this policy.</i></p>	

<p>that is being replaced is a valid permit; and (b) There is no increase in the area under irrigation, if the abstracted water is used for irrigation; and (c) There is no increase in the instantaneous rate of abstraction; and (d) Any existing residual flow, minimum flow or take cessation condition is applied to the new permit; and (e) There is a reduction in the volume of water allocated for abstraction.</p>		
<p>Policy 10A.2.2 Irrespective of any other policies in this Plan concerning consent duration, only grant new resource consents for the take and use of water for a duration of no more than six years.</p>	<p>Policies 10A.2.2 and 10A.2.3 should be considered together as only one is applicable depending on the nature of the application and what has been proposed. Beginning with 10A.2.2, this policy directs to avoid granting a duration longer than 6 years. As the Applicant has sought a duration of 6 years, the activity is consistent with this policy and there need not be any consideration of Policy 10A.2.3.</p>	
<p>Policy 10A.2.3 Irrespective of any other policies in this Plan concerning consent duration, only grant new resource consents that replace deemed permits, or resource consents that replace water permits to take and use surface water (including groundwater considered as surface water under policy 6.4.1A (a), (b) and (c) of this Plan) where those water permits expire prior to 31 December 2025, for a duration of</p>		

<p>no more than six years, except where Rule 10A.3.2.1 applies and:</p> <p>(a) The activity will have no more than minor adverse effects (including no more than minor cumulative effects) on the ecology and the hydrology of the surface water body (and any connected water body) from which the abstraction is to occur; and</p> <p>(b) The resource consent granted will expire before 31 December 2035.</p>		
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Proposed Regional Policy Statement and Partially Operative Regional Policy Statement

Proposed RPS

<https://www.orc.govt.nz/media/10027/proposed-otago-regional-policy-statement-june-2021.pdf>

MW-O1 – Principles of Te Tiriti o Waitangi The principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, utilising a partnership approach between councils and Papatipu Rūnaka to ensure that what is valued by mana whenua is actively protected in the region.

MW-P1 – Treaty obligations Promote awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.

MW-P2 – Treaty principles Local authorities exercise their functions and powers in accordance with Treaty principles, by:

1. recognising the status of Kāi Tahu and facilitating Kāi Tahu involvement in decision-making as a Treaty partner,
2. including Kāi Tahu in resource management processes and implementation to the extent desired by mana whenua,
3. recognising and providing for Kāi Tahu values and resource management issues, as identified by mana whenua, in resource management decision-making processes and plan implementation,
4. recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka by ensuring that Kāi Tahu have the ability to identify these relationships and determine how best to express them,

5. ensuring that regional and district plans recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, nohoaka and customary fisheries identified in the NTCSA 1998, including by actively protecting the mauri of these areas,
6. having particular regard to the ability of Kāi Tahu to exercise kaitiakitaka,
7. actively pursuing opportunities for:
 - i. delegation or transfer of functions to Kāi Tahu, and
 - ii. partnership or joint management arrangements, and
8. taking into account iwi management plans when making resource management decisions.

MW-P3 – Supporting Kāi Tahu well-being The natural environment is managed to support Kāi Tahu well-being by:

1. protecting customary uses, Kāi Tahu values and relationships of Kāi Tahu to resources and areas of significance, and restoring these uses and values where they have been degraded by human activities,
2. safeguarding the mauri and life-supporting capacity of natural resources, and
3. working with Kāi Tahu to incorporate mātauraka in resource management.

IM-O1 – Long term vision The management of natural and physical resources in Otago, by and for the people of Otago, including Kāi Tahu, and as expressed in all resource management plans and decision making, achieves healthy, resilient, and safeguarded natural systems, and the ecosystem services they offer, and supports the well-being of present and future generations, mō tātou, ā, mō kā uri ā muri ake nei.

IM-O2 – Ki uta ki tai Natural and physical resource management and decision making in Otago embraces ki uta ki tai, recognising that the environment is an interconnected system, which depends on its connections to flourish, and must be considered as an interdependent whole.

IM-P2 – Decision priorities Unless expressly stated otherwise, all decision making under this RPS shall:

1. first, secure the long-term life-supporting capacity and mauri of the natural environment,
2. secondly, promote the health needs of people, and
3. thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

IM-P2 – Decision priorities Unless expressly stated otherwise, all decision making under this RPS shall:

4. first, secure the long-term life-supporting capacity and mauri of the natural environment,
5. secondly, promote the health needs of people, and
6. thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

IM-P4 – Setting a strategic approach to ecosystem health Healthy ecosystems and ecosystem services are achieved through a planning framework that:

- (1) protects their intrinsic values,
- (2) takes a long-term strategic approach that recognises changing environments,
- (3) recognises and provides for ecosystem complexity and interconnections, and
- (4) anticipates, or responds swiftly to, changes in activities, pressures, and trends.

IM-P5 – Managing environmental interconnections

Coordinate the management of interconnected natural and physical resources by recognising and providing for:

- (1) situations where the value and function of a natural or physical resource extends beyond the immediate, or directly adjacent, area of interest,
- (2) the effects of activities on a natural or physical resource as a whole when that resource is managed as sub-units, and
- (3) the impacts of management of one natural or physical resource on the values of another, or on the environment.

IM-P6 – Acting on best available information. Avoid unreasonable delays in decision-making processes by using the best information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data.

IM-P13 – Managing cumulative effects Otago’s environmental integrity, form, function, and *resilience*, and opportunities for future generations, are protected by recognising and specifically managing the cumulative *effects* of activities on *natural and physical resources* in plans and explicitly accounting for these *effects* in other resource management decisions.

IM-P14 – Human impact Preserve opportunities for future generations by:

- (1) identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,
- (2) requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on, and
- (3) regularly assessing and adjusting limits and thresholds for activities over time in light of the actual and potential environmental impacts

IM-P15 – Precautionary approach Adopt a precautionary approach towards proposed activities whose *effects* are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago have not been identified in plans as required by this RPS.

LF-WAI-O1 – Te Mana o te Wai The mauri of Otago’s *water bodies* and their health and well-being is protected, and restored where it is *degraded*, and the management of *land* and *water* recognises and reflects that:

1. *water* is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,
2. there is an integral kinship relationship between water and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,
3. each *water body* has a unique whakapapa and characteristics,
4. *water* and *land* have a connectedness that supports and perpetuates life, and
5. Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports.

LF-WAI-P1 – Prioritisation In all management of fresh water in Otago, prioritise:

- (1) first, the health and well-being of water bodies and freshwater ecosystems, te hauora te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these,
- (2) second, the health and well-being needs of people, te hauora o te tangata; interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing), and
- (3) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

LF-WAI-P2 – Mana whakahaere Recognise and give practical effect to Kāi Tahu rakatirataka in respect of fresh water by:

- (1) facilitating partnership with, and the active involvement of, mana whenua in freshwater management and decision-making processes,
- (2) sustaining the environmental, social, cultural and economic relationships of Kāi Tahu with water bodies,
- (3) providing for a range of customary uses, including mahika kai, specific to each water body, and
- (4) incorporating mātauraka into decision making, management and monitoring processes.

LF-WAI-P3 – Integrated management/ki uta ki tai Manage the use of *freshwater* and *land* in accordance with tikanga and kawa, using an integrated approach that:

1. recognises and sustains the connections and interactions between *water bodies* (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),
2. sustains and, wherever possible, restores the connections and interactions between *land* and *water*, from the mountains to the sea,
3. sustains and, wherever possible, restores the habitats of mahika kai and indigenous species, including taoka species associated with the *water body*,
4. manages the *effects* of the use and development of *land* to maintain or enhance the health and well-being of *freshwater* and *coastal water*,
5. encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,
6. has regard to foreseeable *climate change* risks, and
7. has regard to cumulative *effects* and the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse *effects*.

LF-WAI-P4 – Giving effect to Te Mana o te Wai

All persons exercising functions and powers under this regional policy statement and all persons who use, develop or protect resources to which this regional policy statement applies must recognise that LF-WAI-O1, LF-WAI-P1, LF-WAI-P2 and LF-WAI-P3 are fundamental to upholding *Te Mana o te Wai*, and must be given effect to when making decisions affecting *freshwater*, including when interpreting and applying the provisions of the LF chapter.

LF-VM-O2 – Clutha Mata-au FMU vision

In the Clutha Mata-au *FMU*:

- (1) management of the *FMU* recognises that:
 - (a) the Clutha River / Mata-au is a single connected system *ki uta ki tai*, and
 - (b) the source of the wai is pure, coming directly from Tawhirimatea to the top of the mauka and into the awa,
- (2) *freshwater* is managed in accordance with the LF-WAI objectives and policies,
- (3) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (4) *water bodies* support thriving mahika kai and Kāi Tahu whānui have access to mahika kai,
- (5) indigenous species migrate easily and as naturally as possible along and within the *river* system,
- (6) the national significance of the Clutha hydro-electricity generation scheme is recognised,
- (7) in addition to (1) to (6) above:
 - (a) in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,

- (b) in the Dunstan, Manuherehia and Roxburgh rohe:
 - (i) flows in *water bodies* sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and
 - (ii) innovative and sustainable *land* and *water* management practices support food production in the area and reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
 - (iii) sustainable abstraction occurs from main stems or *groundwater* in preference to tributaries,
- (c) in the Lower Clutha rohe:
 - (i) there is no further modification of the shape and behaviour of the *water bodies* and opportunities to restore the natural form and function of *water bodies* are promoted wherever possible,
 - (ii) the ecosystem connections between *freshwater*, *wetlands* and the coastal environment are preserved and, wherever possible, restored,
 - (iii) *land* management practices reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
 - (iv) there are no direct *discharges* of *wastewater* to *water bodies*, and
- (8) the outcomes sought in (7) are to be achieved within the following timeframes:
 - (a) by 2030 in the Upper Lakes rohe,
 - (b) by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe, and
 - (c) by 2050 in the Manuherehia rohe.

LF-VM-03 – North Otago FMU vision

By 2050 in the North Otago FMU:

1. *freshwater* is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region,
2. the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained and Kāi Tahu maintain their connection with and use of the *water bodies*,
3. healthy riparian margins, *wetlands*, estuaries and lagoons support thriving mahika kai, indigenous habitats and downstream coastal ecosystems,
4. indigenous species can migrate easily and as naturally as possible to and from the coastal environment,
5. *land* management practices reduce *discharges* of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
6. innovative and sustainable *land* and *water* management practices support food production in the area and improve resilience to the *effects* of *climate change*.

LF-VM-04 – Taieri FMU vision

By 2050 in the Taieri FMU:

1. *freshwater* is managed in accordance with the LF-WAI objectives and policies,
2. the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
3. healthy *wetlands* are restored in the upper and lower catchment *wetland* complexes, including the Waipori/Waihola wetlands, Tunaheketaka / Lake Taieri, scroll plain, and tussock areas,
4. the gravel *bed* of the lower Taieri is restored and sedimentation of the Waipori/Waihola complex is reduced,
5. creative ecological approaches contribute to reduced occurrence of didymo,
6. *water bodies* support healthy populations of *galaxiid* species,
7. there are no direct *discharges* of *wastewater* to *water bodies*, and

8. innovative and sustainable *land* and *water* management practices support food production in the area and improve resilience to the *effects* of *climate change*.

LF-VM-O5 – Dunedin & Coast FMU vision

By 2040 in the Dunedin & Coast *FMU*:

1. *freshwater* is managed in accordance with the LF-WAI objectives and policies,
2. the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
3. healthy estuaries, lagoons and *coastal waters* support thriving mahika kai and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas,
4. there is no further modification of the shape and behaviour of the *water bodies* and opportunities to restore the natural form and function of *water bodies* are promoted wherever possible, and
5. *discharges* of *contaminants* from urban environments are reduced so that *water bodies* are safe for human contact.

LF-VM-O6 – Catlins FMU vision

By 2030 in the Catlins *FMU*:

1. *freshwater* is managed in accordance with the LF-WAI objectives and policies,
2. the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
3. *water bodies* support thriving mahika kai and access of Kāi Tahu whānui to mahika kai,
4. the high degree of naturalness and ecosystem connections between the forests, *freshwater* and coastal environment are preserved,
5. *water bodies* and their catchment areas support the health and well-being of *coastal water*, ecosystems and indigenous species, including downstream kaimoana, and
6. healthy, clear and clean *water* supports opportunities for recreation and sustainable food production for future generations.

LF-VM-P5 – Freshwater Management Units (FMUs) and rohe Otago’s freshwater resources are managed through the following freshwater management units or rohe which are shown on MAP1:

Table 1 – Freshwater Management Units and rohe

Freshwater Management Unit	Rohe
Clutha/Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taieri	n/a
North Otago	n/a
Dunedin & Coast	n/a
Catlins	n/a

LF-VM-P6 – Relationship between FMUs and rohe Where rohe have been defined within FMUs:

- (1) environmental outcomes must be developed for the FMU within which the rohe is located,

- (2) if additional environmental outcomes are included for rohe, those environmental outcomes:
 - (a) set target attribute states that are no less stringent than the parent FMU environmental outcomes if the same attributes are adopted in both the rohe and the FMU, and
 - (b) may include additional attributes and target attribute states provided that any additional environmental outcomes give effect to the environmental outcomes for the FMU,
- (3) limits and action plans to achieve environmental outcomes may be developed for the FMU or the rohe or a combination of both,
- (4) any limit or action plan developed to apply within a rohe:
 - (a) prevails over any limit or action plan developed for the FMU for the same attribute, unless explicitly stated to the contrary, and
 - (b) must be no less stringent than any limit set for the parent FMU for the same attribute, and
 - (c) must not conflict with any limit set for the underlying FMU for attributes that are not the same, and
- (5) the term “no less stringent” in this policy applies to attribute states (numeric and narrative) and any other metrics and timeframes (if applicable).

LF-VM-07 – Integrated management

Land and *water* management apply the ethic of *ki uta ki tai* and are managed as integrated natural resources, recognising the connections and interactions between *freshwater*, *land* and the coastal environment, and between surface water, *groundwater* and *coastal water*.

LF-FW-08 – Freshwater In Otago’s *water bodies* and their catchments:

- (1) the health of the *wai* supports the health of the people and thriving *mahika kai*,
- (2) *water* flow is continuous throughout the whole system,
- (3) the interconnection of *freshwater* (including *groundwater*) and *coastal waters* is recognised,
- (4) native fish can migrate easily and as naturally as possible and *taoka* species and their habitats are protected, and
- (5) the significant and outstanding values of Otago’s *outstanding water bodies* are identified and protected.

LF-FW-09 – Natural wetlands Otago’s *natural wetlands* are protected or restored so that:

- (1) *mahika kai* and other *mana whenua* values are sustained and enhanced now and for future generations,
- (2) there is no decrease in the range and diversity of indigenous ecosystem types and habitats in *natural wetlands*,
- (3) there is no reduction in their ecosystem health, hydrological functioning, *amenity values*, extent or *water* quality, and if degraded they are improved, and
- (4) their flood attenuation capacity is maintained.

LF-FW-010 – Natural character The natural character of *wetlands*, *lakes* and *rivers* and their margins is preserved and protected from inappropriate subdivision, use and development.

LF-FW-P7 – Freshwater *Environmental outcomes*, *attribute states* (including target *attribute states*) and *limits* ensure that:

- (1) the health and well-being of *water bodies* is maintained or, if *degraded*, improved,

- (2) the habitats of indigenous species associated with *water bodies* are protected, including by providing for fish passage,
- (3) *specified rivers and lakes* are suitable for primary contact within the following timeframes:
 - (a) by 2030, 90% of *rivers* and 98% of *lakes*, and
 - (b) by 2040, 95% of *rivers* and 100% of *lakes*, and
- (4) mahika kai and *drinking water* are safe for human consumption,
- (5) existing *over-allocation* is phased out and future *over-allocation* is avoided, and
- (6) *freshwater* is allocated within environmental limits and used efficiently.

LF–FW–P9 – Protecting *natural wetlands* Protect *natural wetlands* by:

- (1) avoiding a reduction in their values or extent unless:
 - (a) the *loss of values* or extent arises from:
 - (i) the customary harvest of food or resources undertaken in accordance with tikaka Māori,
 - (ii) restoration activities,
 - (iii) scientific research,
 - (iv) the sustainable harvest of sphagnum moss,
 - (v) the construction or maintenance of *wetland utility structures*,
 - (vi) the maintenance of operation of *specific infrastructure*, or *other infrastructure*,
 - (vii) *natural hazard works*, or
 - (b) the Regional Council is satisfied that:
 - (i) the activity is necessary for the construction or upgrade of *specified infrastructure*,
 - (ii) the *specified infrastructure* will provide significant national or regional benefits,
 - (iii) there is a *functional need* for the *specified infrastructure* in that location,
 - (iv) the *effects* of the activity on indigenous biodiversity are managed by applying either ECO–P3 or ECO–P6 (whichever is applicable), and
 - (v) the other *effects* of the activity (excluding those managed under (1)(b)(iv)) are managed by applying the *effects management hierarchy*, and
- (2) not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:
 - (a) the application demonstrates how each step of the effects management hierarchies in (1)(b)(iv) and (1)(b)(v) will be applied to the *loss of values* or extent of the *natural wetland*, and
 - (b) any consent is granted subject to conditions that apply the effects management hierarchies in (1)(b)(iv) and (1)(b)(v).

LF–FW–P10 – Restoring *natural wetlands* Improve the ecosystem health, hydrological functioning, *water* quality and extent of *natural wetlands* that have been degraded or lost by requiring, where possible::

- (1) an increase in the extent and quality of habitat for indigenous species,
- (2) the restoration of hydrological processes,
- (3) control of pest species and vegetation clearance, and
- (4) the exclusion of stock.

LF–FW–P11 – Identifying *outstanding water bodies*Otago’s *outstanding water bodies* are:

- (1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,
- (2) Lake Wanaka and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973,
- (3) any *water bodies* identified as being wholly or partly within an outstanding natural feature or landscape in accordance with NFL-P1, and
- (4) any other *water bodies* identified in accordance with APP1.

LF-FW-P12 – Protecting *outstanding water bodies* The significant and outstanding values of *outstanding water bodies* are:

- (1) identified in the relevant *regional* and *district plans*, and
- (2) protected by avoiding adverse *effects* on those values.

LF-FW-P13 – Preserving natural character Preserve the natural character of *lakes* and *rivers* and their *beds* and margins by:

- (1) avoiding the *loss of values* or extent of a *river*, unless:
 - (a) there is a *functional need* for the activity in that location, and
 - (b) the *effects* of the activity are managed by applying:
 - (i) for effects on indigenous biodiversity, either ECO-P3 or ECO-P6 (whichever is applicable), and
 - (ii) for other effects, the *effects management hierarchy*,
- (2) not granting resource consent for activities in (1) unless Otago Regional Council is satisfied that:
 - (a) the application demonstrates how each step of the effects management hierarchies in (1)(b) will be applied to the *loss of values* or extent of the river, and
 - (b) any consent is granted subject to conditions that apply the effects management hierarchies in (1)(b),
- (3) establishing environmental flow and level regimes and *water* quality standards that support the health and well-being of the *water body*,
- (4) wherever possible, sustaining the form and function of a *water body* that reflects its natural behaviours,
- (5) recognising and implementing the restrictions in Water Conservation Orders,
- (6) preventing the impounding or control of the level of Lake Wanaka,
- (7) preventing modification that would reduce the braided character of a *river*, and
- (8) controlling the *use of water* and *land* that would adversely affect the natural character of the *water body*.

LF-FW-P14 – Restoring natural character Where the natural character of *lakes* and *rivers* and their margins has been reduced or lost, promote actions that:

- (1) restore a form and function that reflect the natural behaviours of the *water body*,
- (2) improve *water* quality or quantity where it is *degraded*,
- (3) increase the presence, *resilience* and abundance of indigenous flora and fauna, including by providing for fish passage within *river* systems,
- (4) improve *water body* margins by naturalising bank contours and establishing indigenous vegetation and habitat, and
- (5) restore *water* pathways and natural connectivity between *water* systems.

LF-LS-O11 – Land and soil

The life-supporting capacity of Otago's soil resources is safeguarded and the availability and productive capacity of highly productive land for *primary production* is maintained now and for future generations.

LF-LS-O12 – Use of land

The use of *land* in Otago maintains soil quality and contributes to achieving *environmental outcomes* for *freshwater*.

LF-LS-P16 – Integrated management

Recognise that maintaining soil quality requires the integrated management of *land* and *freshwater* resources including the interconnections between soil health, vegetative cover and *water* quality and quantity.

LF-LS-P17 – Soil values

Maintain the mauri, health and productive potential of soils by managing the use and development of *land* in a way that is suited to the natural soil characteristics and that sustains healthy:

- (1) soil biological activity and biodiversity,
- (2) soil structure, and
- (3) soil fertility.

PORPS

- Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources (Policy 1.1.1)
- Provide for social and cultural wellbeing and health and safety by recognising and providing for Kāi Tahu values; taking into account the values of other cultures; taking into account the diverse needs of Otago's people and communities; avoiding significant adverse effects of activities on human health; promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing; promoting good quality and accessible infrastructure and public services (Policy 1.1.2)
- Achieve integrated management of Otago's natural and physical resources (Policy 1.2.1)
- Taking the principles of Te Tiriti o Waitangi into account including by involving Kāi Tahu in resource management processes implementation, having particular regard to the exercise of kaitiakitaka and taking into account iwi management plans (Policy 2.1.2)
- Managing the natural environment to support Kāi Tahu wellbeing (Policy 2.2.1)
- Recognise and provide for the protection of sites of cultural significance to Kāi Tahu including the values that contribute to the site being significant (Policy 2.2.2)
- Enable Kāi Tahu relationships with wāhi tupuna by recognising that relationships between sites of cultural significance are an important element of wāhi tupuna and recognising and using traditional place names (Policy 2.2.3)
- Enable sustainable use of Māori land (Policy 2.2.4)

- Safeguard the life-supporting capacity of fresh water and manage fresh water to:
 - Maintain good quality water and enhance water quality where it is degraded, including for:
 - Important recreation values, including contact recreation; and,
 - Existing drinking and stock water supplies;
 - Maintain or enhance aquatic:
 - Ecosystem health;
 - Indigenous habitats; and,
 - Indigenous species and their migratory patterns.
 - Avoid aquifer compaction and seawater intrusion;
 - Maintain or enhance, as far as practicable:
 - Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;
 - Coastal values supported by fresh water;
 - The habitat of trout and salmon unless detrimental to indigenous biological diversity; and
 - 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; and,
 - Avoid, remedy or mitigate adverse effects on existing infrastructure that is reliant on fresh water. (Policy 3.1.1)
- Manage the allocation and use of fresh water by undertaking all of the following:
 - Recognising and providing for the social and economic benefits of sustainable water use;
 - Avoiding over-allocation, and phasing out existing over-allocation, resulting from takes and discharges;
 - Ensuring the efficient allocation and use of water by:
 - Requiring that the water allocated does not exceed what is necessary for its efficient use;
 - Encouraging the development or upgrade of infrastructure that increases efficiency;
 - Providing for temporary dewatering activities necessary for construction or maintenance. (Policy 3.1.3)
- Manage for water shortage by undertaking all of the following:
 - Encouraging land management that improves moisture capture, infiltration, and soil moisture holding capacity.
 - 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 to optimise use of water available for taking;
 - Providing for water harvesting and storage, subject to allocation limits and flow management, 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)
- Identify and protect the significant values of wetlands (Policy 3.2.15 & 3.2.16)

- 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 4.4.3)
- Consider the offsetting of indigenous biological diversity, when:
 - Adverse effects of activities cannot be avoided, remedied or mitigated;
 - The offset achieves no net loss and preferably a net gain in indigenous biological diversity;
 - The offset ensures there is no loss of rare or vulnerable species;
 - The offset is undertaken close to the location of development, where this will result in the best ecological outcome;
 - The offset is applied so that the ecological values being achieved are the same or similar to those being lost;
 - The positive ecological outcomes of the offset last at least as long as the impact of the activity

Example:

The activity is consistent with the above provisions as the effects of the activity will be less than minor on the environment, including natural and human use values; the activity will provide for the economic wellbeing of the Applicant and indirectly the wider region; water will be allocated and used efficiently; and by granting only a 6-year duration a transition will be achieved for managing longer term effects.

Overall, the Application is consistent with the proposed and partially operative RPS.

Does the example assessment apply to your activity?

Say yes/no, provide a comment or complete your own assessment

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 and Amendment Regulations 2020

Accurate, complete and current water information is a critical building block in establishing a water management system in which water is effectively allocated and efficiently used.

The regulations apply to holders of water permits (resource consents) which allow fresh water to be taken at a rate of 5 litres/second or more, specifically:

- Regulation 8 - Permit holder must provide records and evidence to regional council

The 2020 amendments introduce additional measuring and reporting requirements in stages starting with takes of more than 20 L/s on 3 September 2022.

Through this consent process, conditions will be placed on any replacement water permit granted, to bring their water use measurement in line with what is required and to require them to provide abstraction data records in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 and 2020 Amendments.

Provide a comment or complete your own assessment (If relevant)

Resource Management (National Environmental Standards for Freshwater) Regulation 2020 (NESFW)

The NESFW 2020 regulations came into force on 3 September 2020. They impose standards on a range of farming activities and other activities relating to freshwater. They also set out a framework for consenting certain activities if the standards are not met.

Provide a comment or complete your own assessment (If relevant)

10A.4.4 Methodology for calculating Annual Volume Limit (m3)

The 'Annual Volume Limit' shall be determined by calculating the average of the actual volumes taken each year.

Methodology

- (1) Where a consent or permit being replaced does not include an 'Annual Volume Limit' the authorised volume will be calculated based one of the following formula. The formula used will be whichever produces the lower calculated Annual Limit;

$$\text{Annual Limit} = \frac{(\text{Consent Daily Volume or Calculated Daily Volume}) \times 365.25}{}$$

$$\text{Annual Limit} = \frac{(\text{Consented Monthly Volume}) \times (\text{Months where water can be taken})}{}$$

Where the consent or permit being replaced specifies the months during which water can be taken, a count of those months will be used. Where the consent or permit being replaced does not specify the months during which water can be used the number used will be 12.

- (2) Actual Annual volumes will be calculated based on the sum of the assessed Daily Volumes in each water year. For the purposes of this calculation Daily Volumes will be filtered using the same steps used when calculating the Maximum Daily Volume.
- (3) Any measurement that is at or below 0 m3 will be removed.
- (4) Any year that exceeds the authorised or calculated volume is rounded down to the authorised volume.
- (5) The 'Annual Volume' taken in each water year will then be summed across the hydrological years analysed and divided by the number of hydrological years analysed.

Guidance on using Schedule 10A.4 of Proposed Water Permits Plan Change (Plan change 7)
This guidance is solely to assist users in preparing an application for resource consent under proposed Rule 10A.3.1.

Users must note that under proposed Rule 10A.3.1.1, the Council reserves control over (among other things) the volume and rate of water taken, dammed, discharged or diverted.

It follows that the Council is not required to grant a water permit for the volume or rate of take calculated in accordance with this guidance nor for the volume or rate of take contained in an application. The Council can grant a water permit for a lesser volume and/or lower rate of take.

Calculating the 'Rate of Take Limit' (Schedule 10A.4.1)

Step 1

- a. In Excel, open the spread sheet supplied by ORC labelled "Flow."
- b. Remove any records at or below 0 litres per second (l/s)
- c. Sort your data set from smallest to largest based on the rate of take.
- d. Delete any rows which contain a negative value or a zero value.

Step 2

Any measurement that exceeds the authorised (consented) rate by less than the margin of error of the water meter is rounded down to the authorised rate.

- a. Check your margin of error. This will be specified on your consent or on your latest verification.
- b. Round the margin of error to either 5% or 10%, whichever is closer (0-5 = 5%, 6-10 = 10%). If you can't find this specified anywhere, use 5% when the meter is located at or measuring a piped take and 10% where the meter is located in an open channel.
- c. Sort your data from largest to smallest and round any measurements where the value is above the consented limit but within the margin of error, down to the consented limit.

For example

On a consent with a rate of take limit of 55 l/s and a margin of error of 10%, the margin of error would be 5.5 l/s. So anything that is between 55.1 l/s and 60.5 l/s (which is the sum of the consented take of 55 l/s + margin of error of 5.5) is rounded down to 55 l/s.

Step 3

Any measurement that exceeds the authorised rate of take by more than the margin of error of the water meter will be removed from the data and not considered further.

So for the above example, anything greater than 60.5 l/s should be removed

To do this:

- a. Sort your data again from largest to smallest.
- b. Any values which are more than the margin of error above your consented take should be deleted.

Step 4

Find the highest remaining single rate of take in each water year. A water year runs from 1 July to 30 June.

There are a number of ways to do this. Methods include separating the data for each water year and sorting to find the maximum value, or creating a pivot table to select the maximum rate in each month and selecting the maximum rate in each water year from that list.

If you've followed the steps above your maximum rate of take in each year cannot be higher than your current consented rate of take.

Step 5

Take the maximum rate of take for each water year (values identified under step 4). If you have a full set of data then you will have five numbers at this point.

To apply the methodology outlined in proposed Schedule 10A.4.1, add these numbers together and divide them by the number of years for which you have data. The resulting number will be the instantaneous rate of take limit that is likely to be stated on your new water permit.

<i>For example Year</i>	<i>Max Rate</i>
2012/13	55 l/s
2013/14	55 l/s
2014/15	45 l/s
2015/16	43 l/s
2016/17	50 l/s

$(55 \text{ l/s} + 55 \text{ l/s} + 45 \text{ l/s} + 43 \text{ l/s} + 50 \text{ l/s})/5 = 49.6 \text{ l/s}$

Deemed Permits for Dams– Advice Note for Applications

The replacement of deemed permits includes some deemed permits that relate to damming. The following provides some advice on the information to include within a deemed permit damming application for a 6 year term.

For a 6 year application Council will be expecting supply and consideration of the best available desk top information/existing studies for understanding the receiving environment and nature of the damming activity rather than new investigations.

Firstly, complete as much of the **above Form 4B** as it generally relates to making an application (Part 1) or that can be reasonably answered for a damming activity.

Complete **Application Form 2** – on the basis of the above limitations e.g. a new dam break assessment would not be required but a risk assessment report provided if one has been completed and a description of the environment below the dam provided.

In addition, the Application should provide sufficient details on the following.

- Evidence to support the deemed permit being 'valid'.
- Irrigation area that is supported by the damming activity. Advise of any deemed permits or other takes that enable water to be taken from the dam and reference irrigation area/changes.
- Outline whether any residual flows are proposed below the dam (damming activity) with an explanation of the residual flow and how it will be maintained, if proposed, or why a residual flow is not proposed
- Outline how potential fish entrainment associated with the damming will be managed.
- Outline how potential fish passage effects associated with the damming will be avoided, remedied, mitigated.
- Provide details on the volume of water dammed and a brief summary of effects as they pertain to the volume of water dammed (e.g. flooding, dam break).
- Outline any investigations or proposed works that may be undertaken over the 6 year period to obtain a better understanding of the receiving environment prior to replacement applications being lodged.

Statutory Assessment

The statutory assessment in this form provides guidance on the relevant documents and objectives and policies to consider. In addition, the following may need to be considered:

- Regional Plan: Water for Otago – Policy 5.4.3, Policy 8.4.1, Policy 8.5.1, Policy 8.5.3, Policy 8.6.1