

## **Resource Consent Application Form 4C – To Take and Use Surface Water (Replacement Take and Use)**



Otago  
Regional  
Council

Phone: 0800 474 082

Website: [www.orc.govt.nz](http://www.orc.govt.nz)

**To take and use surface water (replacement take and use).  
You only need to complete this form and remember to attach:**

- **Site plan**
- **Water use records and Schedule 10A.4 assessment**
- **Copy of water permit(s) being replaced**
- **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 applications to replace water permits at the following links:

<https://www.orc.govt.nz/media/13404/guide-for-retakes-off-line-damming-and-diversions.pdf>

<https://www.orc.govt.nz/media/11880/faqs-for-pc-7.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 of the point of take: \_\_\_\_\_

Legal description(s) for the area to be irrigated/where water is to be used: \_\_\_\_\_

**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. 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 is not the landowner, who is the owner of the land on which the activity occurs/is to occur:

Name of landowner: \_\_\_\_\_

Phone number:      Mobile: \_\_\_\_\_ Business: \_\_\_\_\_

Email address: \_\_\_\_\_

**5. How to pay:**

A deposit **must** accompany this application. 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:

- Online bank transfer  
 Credit card                       In person

Date of payment: \_\_\_\_\_

Amount paid: \_\_\_\_\_

Payment reference: \_\_\_\_\_

**Please note:** Your deposit will 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 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](http://www.orc.govt.nz/consents/ready-to-apply-for-a-consent/fees-and-charges)

## 2. Your activity

### 2.1 This application is for:

- An application to replace a current Water Permit  
Water permit number: \_\_\_\_\_ Expiry date: \_\_\_\_\_

*Note: Additional applications may be required for damming water (Form 2), diverting water (Form 3), river works (Form 10C), discharges or for activities that require consent under the National Environmental Standard Freshwater 2020 (e.g. wetlands, weirs) or Building Act (e.g. dam structures). Please complete separate applications for each of these activities.*

## 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 daily volume: \_\_\_\_\_ litres per day  
c. Maximum monthly volume: \_\_\_\_\_ cubic metres per month

d. 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 daily volume: \_\_\_\_\_ litres per day
- c. Maximum monthly volume: \_\_\_\_\_ cubic metres per month
- d. Maximum annual volume: \_\_\_\_\_ cubic metres per year

*Note: Some water permits refer to hourly/weekly rates. Water permits are issued in litres per second, m<sup>3</sup> per month and m<sup>3</sup> per year.*

**3.3 Frequency of water historically taken prior to 30 June 2020:**

*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 Are you seeking to replace the take as primary allocation?**

**Yes                      No**

If no, please explain whether the take is from a catchment that has no allocation regime or is for supplementary allocation, an augmented<sup>1</sup> take or is the retake of water from a water race, dam, or catchment run-off.

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<sup>1</sup> 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.

**3.5 Please provide a map(s) or coloured aerial photographs which outline the following details (as applicable):**

- The location of the existing and any proposed point(s) of take and all associated infrastructure (including water races, pipe works, points of discharge and re-takes) and the value of infrastructure.
- 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 the maximum irrigation area from the period 1 September 2017 to 18 March 2020
- The area of the community supply (if relevant)
- Other surface water bodies and wetlands, and distances from the point of take(s) to them
- Any other associated activities on site including damming, diversions, or discharges.

**3.6 Is the water permit to be replaced valid?**

Yes

No, a replacement application is not able to be made.

*Note: Your permit will not be valid if it has expired, been surrendered, been cancelled or has it lapsed. You can contact Council about the status of your permit.*

**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 Is the point of take that you proposed to take water from the same as the point of the take on the consent that is sought to be replaced?**

**Yes                      No**

*Advice Note: If the point of take is substantially different that a transfer of site application will need to be lodged prior to processing the replacement application.*

**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.*

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**5. Historical water use**

**5.1 Water abstracted up until 30 June 2020**

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

**Metered Takes**

Water metering records, attached to this application with historical water use summarised and assessed in accordance with Schedule 10A.4.

Water metering records sent to Council electronically or recorded on file by Council with historical water use summarised and assessed in accordance with Schedule 10A.4 of the Regional Plan: Water for Otago

You can seek your water metering records via a pre-application.

**A pre-application can be requested via the form found here:**

<https://www.orc.govt.nz/media/16200/request-for-pre-application-advice-feb-2024.pdf>

**Further information regarding pre-applications can be found here:**

<https://www.orc.govt.nz/consents-and-compliance/before-applying-for-a-consent>

**Non-metered takes**

For permits where metering is not required by condition of resource consent or by the Resource Management (Measuring and Reporting of Water Takes) Regulations 2010.

The rate of take and the volume of water sought is no more than the existing consented instantaneous rate of take and volumes.

**Yes                      No**

**5.2 Provide a summary of the Schedule 10A.4 analysis below:**

- a. Maximum rate of take: \_\_\_\_\_ litres per second
- b. Maximum daily volume \_\_\_\_\_ cubic metres per day

- c. Maximum monthly volume: \_\_\_\_\_ cubic metres per month  
d. Maximum annual volume: \_\_\_\_\_ cubic metres per year

**5.3 For which years have these maximum rates and volumes been recorded?**

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**5.4 Are you seeking to take rates and/or volumes greater than Schedule 10A.4 analysis?**

Yes, continue to Section 5.5  
No, move to Section 6 below

**5.5 Please provide and attach evidence if you are seeking rates and/or volumes that are greater than the Schedule 10A.4 analysis due to meter malfunction or lack of metering data in the reference period. This evidence needs to reflect water taken before 30 June 2020. Clearly outline how the data and methods reflect historic use below.**

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*Note: This may include, but is not limited to, extrapolation of electricity records, use of Aqualinc <https://www.orc.govt.nz/media/4499/aqualinc-irrigation-guidelines-2015.pdf>, additional seasons of water meter data with justification as to why the measuring during the reference period is not representative of historic use or other models/evidence of use. It is likely that a combination of methods will be required to support an application.*

**6. Water use and management**

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

- Stock water and/or dairy shed use
- Irrigation
- Community supply
- Commercial/ industrial supply including frost fighting
- Hydroelectricity



Domestic supply

Other

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

- a. How many hectares of land will be irrigated?
- b. What you will be irrigating (i.e. crop type, pasture etc in ha)?
- c. Show the maximum area irrigated between 1 September 2017 and 18 March 2020 on the plan required by question 3.5.
- d. Confirm that the total land area to be irrigated no more than the maximum area irrigated between 1 September 2017 and 18 March 2020?

**Yes**

**No**

Please provide any information to support this, such as maps, aerial photographs and infrastructure scheme plans as evidence that these areas have and can be irrigated.

**6.3 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 measuring system is currently installed or proposed to be installed?**

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**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. 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 reassessed and reissued with the replacement consent if there are no changes to the intake and/or point of take location.*

No – complete Application Form 24 – Application for Exemption

## 8. 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 (AEE) however Council's control is limited by Rule 10A.3.1.1.*

**8.1 List and detail below any existing residual flow, minimum flow or take cessation conditions on the water permit that is being replaced.**

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**Do you propose to carry over any existing residual flow, minimum flow, or take cessation condition?**

Yes                      No

**8.2 Are there any of the following positive effects from the take?**

Supporting local jobs and businesses

Community and economic wellbeing

Other:

## 9. Statutory Assessment

All applications need to come in with a policy assessment. Please tick if you agree with the below assessments. If not, then please complete your own assessment and attach it to this application form.

*Note: If you are applying for additional consents for other activities associated with the take and use these will require a separate policy assessment.*

I agree with the assessment below and adopt it as my own. It applies to my application and activity.

**Plan Change 7 to the Regional Plan Water**

<p><i>Provisions</i></p>	<p><i>Assessment</i></p>	<p><i>Does the example assessment apply to your activity?</i></p> <p>Say yes/no, provide a comment or complete your own assessment</p>
<p><b>Objective 10A.1.1</b>  <i>Facilitate an efficient and effective transition from the operative freshwater planning framework toward a new integrated regional planning framework, by managing:</i>  <i>(a) the take and use of freshwater; and</i>  <i>(b) the replacement of Deemed Permits, and</i>  <i>(c) the replacement of water permits for takes and uses of freshwater where those water permits expire prior to 31 December 2025.</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><b>Policy 10A.2.1 – replacement consents</b>  <i>Irrespective of any other policies in this Plan, avoid granting resource consents that replace Deemed Permits, or water permits for takes and uses of 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>  <i>(a) The Deemed Permit or water permit that is being replaced is a valid permit; and</i>  <i>(b) There is no increase in the area under irrigation, except where any additional area to be irrigated is only for orchard or viticulture land uses and all mainline irrigation pipes servicing that additional area were installed before 18 March 2020; and</i>  <i>(c) Any existing residual flow, minimum flow or take cessation condition is applied to the new permit; and</i>  <i>(d) For takes other than community water supplies there is no increase in:</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 except where there was existing infrastructure (installed before 18 March 2020); I am proposing that existing conditions relating to any residual flow, minimum flow or take cessation are carried over and there is no increase in the historic rate of abstraction or historic water use. As all of these provisions are met, granting of this application is consistent with this policy.</i></p>	

<p>(i) the historical instantaneous rate of abstraction; and  (ii) any historical volume of water taken.</p>		
<p><b>Policy 10A.2.2 – Duration</b>  Irrespective of any other policies in this Plan concerning consent duration, only grant resource consents for takes and uses of freshwater, where this activity was not previously authorised by a Deemed Permit or by a water permit expiring prior to 31 December 2025, for a duration of no more than six years.</p> <p><i>*note if you are a hydro scheme listed in the schedule to PC7 then you will need to assess Policy 10A.2.3</i></p>	<p><i>The application is for a consent duration of six years so is consistent with this policy.</i></p>	

**Declaration**

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

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

Name(s):

*(or person authorised to sign on behalf of applicant)*

Signature(s):\*

*\*(e.g. owner, manager, consultant)*

Designation:

Date: