Submission on Proposed Canterbury Land and Water Regional Plan

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 5.00pm Friday 5 October 2012 to:
Freepost 1201 Proposed Canterbury Land and Water Regional Plan
Environment Canterbury
P O Box 345
Christchurch 8140

Full Name: **HAMISH STUART MACKENZIE**
Phone (Hm): **03 808 7778**

Organisation*: **KaiKoura**

Postal Address: **466 MAIN SOUTH ROAD**
**KAIKOURA**

Email: **k.mackenzie@extra.co.nz**

Trade Competition

Pursuant to Clause 6 of Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

a) adversely affects the environment; and
b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

- [x] I could not gain an advantage in trade competition through this submission; or
- [ ] I could gain an advantage in trade competition through this submission.

*If you have ticked this box please select one of the following:*

- [ ] I am directly affected by an effect of the subject matter of the submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
- [ ] I am not directly affected by an effect of the subject matter of the submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Signature: **Mackenzie**
Date: **1st October 2012**

Please note:
(1) All information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

- [ ] I do not wish to be heard in support of my submission; or
- [x] I do wish to be heard in support of my submission; and if so,
- [ ] If others make a similar submission, I will consider presenting a joint case with them at the hearing.
28 August 2012

Hamish and Kathy Mackenzie
466 Main South Road
Kaikoura 7376

RE: Use of aquifer test to remove minimum flow requirements

Dear Hamish,

On the 20 August 2012, a site visit of your property was undertaken to better understand the geological environment and review practical implications of conducting an aquifer test to disprove connection of bore O31/0128 to Ewelme Stream (otherwise known as Stony Creek). This letter summarises considerations for further work.

It was considered that in order to disprove connection, a bore on the northern side of Ewelme Stream be monitored whilst pumping in bore O31/0128 occurred. If a drawdown response was to be observed in this Northern bore, then it could be argued that pumping from O31/0128 does not result in stream depletion. If stream depletion did occur then no drawdown response should be observed in the potential Northern monitoring bore as river recharge would override and confuse such a response. Given the site visit, we can confirm that an appropriate monitoring bore on the northern side of Ewelme Stream is not available.

Further inspection of the springs on your property (house springs) and near bore O31/0128 lead to a consideration that pumping from the bore would likely result in the depletion of these springs rather than the depletion of Ewelme Stream. An aquifer test and stream depletion survey could be conducted to prove this connection to the house springs. The stream depletion survey would require the monitoring of a stream bore drilled adjacent to the house springs and possibly the emplacement of a weir on the nearby house springs. In conducting such a test and proving the connection to the nearby house springs, such a submission to regional council could open up the imposition of minimum flows on the nearby house springs upon review of the consent. It is unlikely that this review would occur in the short term, however.

Alternatively, the questioning of the minimum flow site and what it is trying to protect could be a further avenue to explore. Onsite observations suggest that Ewelme Stream in the vicinity of State Highway 1 is a gaining stream and not likely to be substantially impacted (or its values impacted) by pumping in bore O31/0128.

Groundwater Services is happy to further explore the undertaking of a stream depletion aquifer test, but it should be known that there are inherent risks in exploring this line of enquiry.

Yours faithfully

Groundwater Services Ltd
Terry Hughes
Hydrogeologist/Director
(1) THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT MY SUBMISSION RELATES TO ARE:

Section & Page Number = 6-2
Sub-section / point = 6.4.2

(2) MY SUBMISSION IS THAT:

Oppose / support (in part or full) = “oppose in part”

Reasons

This policy treats all groundwater takes with a high or moderate degree of hydraulically connected the same, regardless of their location. This is inappropriate because some takes, such as my own, are located at the bottom of the catchment where the streams are gaining, immediately prior to discharging to sea.

For example, Ewelme Stream (Stony Creek) below SH1 is a gaining reach (refer to the attached letter from Groundwater Services Ltd), hence any stream depletion from existing takes below this point, like mine (CRC084567), will have a minimal impact on instream values.

Any potential impact of Ewelme Stream is further minimised by the fact that there are other springs and surface watercourses closer to my bore (031/0128) – refer again to the attached letter.

This same issue may apply to the other Kaikoura streams listed in Policy 6.4.2.

(3) I SEEK THE FOLLOWING DECISIONS FROM ENVIRONMENT CANTERBURY

Amend Policy 6.4.3 on page 6-2 as follows:

“...listed in Table 2 below, shall be 1L/s, except where, in the case of Ewelme Stream, the take is below the Main North Railway Line

(1) THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT MY SUBMISSION RELATES TO ARE:

Section & Page Number = 6-3
(2) **MY SUBMISSION IS THAT:**

**Oppose / support (in part or full)** = “oppose in part”

**Reasons**

For the same reasons explained in relation to my opposition in part to Policy 6.4.2, I oppose the blanket minimum flow for all ‘A’ permits in the Ewelme Stream catchment.

This same issue may apply to other Kaikoura streams listed in Table 2.

(3) **I SEEK THE FOLLOWING DECISIONS FROM ENVIRONMENT CANTERBURY**

Amend Table 2 on page 6-3 as follows:

Ewelme Stream minimum flow for ‘A’ permits shall be:

“35 above the Main North Railway Line only. No minimum flow shall apply to existing ‘A’ permit groundwater takes with a ‘high’ or moderate’ degree of hydraulic connection below this point.”
Submission on Proposed Canterbury Land and Water Regional Plan.

Additional information that may help explain the physical location of the springs in relation to the well. Have provided a map and photos with a reference number.

Yours faithfully,

H.A. MacKenzie

P.S. I have stated above I wish to be able to present submission or speak at a hearing to present my case. This is what I would prefer.
From 1 to 2 springs
From Easement
4
5
6
Springs

From Easement

16
Property of H.S. a.k.a. Mackenzie
466 Man South Road
Kaikoura 7874