

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of a submission and  
further submissions by  
**TrustPower Limited**  
on the **Proposed  
Canterbury Land and  
Water Regional Plan**

**EVIDENCE IN CHIEF OF RICHARD JONATHON TURNER  
ON BEHALF OF TRUSTPOWER LIMITED – HEARING GROUP THREE**

**1. INTRODUCTION**

1.1 My full name is Richard Jonathon Turner. I am a senior resource management consultant with the firm Mitchell Partnerships Limited in Tauranga. My qualifications and experience are set out in my Evidence in Chief prepared for the Group One Hearings on the Proposed Canterbury Land and Water Regional Plan ("**Proposed Plan**") dated 4 February 2013.

1.2 I have read, and agree to comply with, the Environment Court's Code of Conduct for Expert Witnesses contained in the Practice Note 2011. I confirm that the issues addressed in this statement of evidence are within my area of expertise (unless I state otherwise). I also confirm that I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express in this evidence.

**2. SCOPE OF EVIDENCE**

2.1 In this statement of evidence I canvas and discuss matters relevant to TrustPower Limited's ("**TrustPower**") submission and further submissions on Section 12 of the Proposed Plan (*Central Canterbury Alpine Rivers*), which seeks to manage the headwaters and mainstems of the Waimakariri, Rakaia and Rangitata Rivers.

2.2 TrustPower also made a submission on the various provisions in Section 13 of the Proposed Plan (*Ashburton*), which generally applies to the boundaries of the Ashburton District Council and is centred on the Ashburton River. My evidence does not seek to canvas the matters raised in TrustPower's submission on Section 13 of the Proposed Plan as I understand that these matters will be largely addressed via the evidence on behalf of Rangitata Diversion Race Management Limited ("**RDRML**").

2.3 In preparing this evidence I have reviewed the following material:

- The Proposed Plan – specifically Section 12;
- The Proposed Canterbury Land and Water Regional Plan: Section 32 Report – August 2012 ("**Section 32 Report**");
- The Section 42A Report;
- The Canterbury Regional Policy Statement 2013 ("**RPS**");
- The National Water Conservation (*Rakaia River*) Order 1988 ("**Rakaia WCO**");
- The National Water Conservation (*Rangitata River*) Order 2006 ("**Rangitata WCO**");
- The Hearing Committee's Recommendation on TrustPower Limited's Application to Amend the National Water Conservation (*Rakaia River*) Order 1988;
- The submission and further submissions of TrustPower on the Proposed Plan; and
- The submission of Te Runanga o Ngāi Tahu ("**Ngāi Tahu**") on the Proposed Plan.

### 3. SECTION 12 - CENTRAL CANTERBURY ALPINE RIVERS

3.1 TrustPower's submission on Section 12 of the Proposed Plan supported its retention as notified, subject to a request to correctly reference the full titles of the Rakaia and Rangitata WCOs in Sections 12.2 and 12.6.1.<sup>1</sup> The Reporting

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<sup>1</sup> The full titles being the National Water Conservation (*Rakaia River*) Order 1988 and National Water Conservation (*Rangitata River*) Order 2006.

Officers have recommended that TrustPower's submission on Sections 12.2 and 12.6.1 be accepted.<sup>2</sup>

- 3.2 TrustPower also opposed a submission by Ngāi Tahu, which seeks to delete Section 12 and replace it with a new sub-regional section that is based on catchment boundaries and the management of whole catchments within one sub-regional section of the Proposed Plan. The Reporting Officers are not recommending any amendments to Section 12 in response to Ngāi Tahu's submission.<sup>3</sup> Rather, the Reporting Officers have noted that while the approach proposed by Ngāi Tahu "*may have some merit, it does not necessarily change the resource management outcomes for these rivers*".
- 3.3 In my opinion, the sub-regional catchment boundaries for the Waimakariri, Rakaia and Rangitata Rivers defined in Section 12 of the Proposed Plan are appropriate, pragmatic and accord with the desired approach for the integrated management of fresh water resources set out in Objective 7.2.4 and Policy 7.3.4 of the RPS. In this respect, I consider the sub-regional catchment boundaries reflect the headwaters and mainstems of the Waimakariri, Rakaia and Rangitata Rivers and are consistent with the administrative boundaries that apply in respect to the Rakaia and Rangitata WCOs.
- 3.4 Utilising the Rakaia River as an example, I note that it has a catchment area of approximately 2,900 km<sup>2</sup>, of which 90% is located upstream of the Rakaia River<sup>4</sup>. Likewise, the river has no significant tributaries downstream of the Rakaia Gorge – meaning that for a distance of approximately 61 km down to the Pacific Ocean there are few sources of natural<sup>5</sup> inflow to the river. In light of this, I do not see any alternative way in which to define the catchment of the Rakaia River other than in the form set out in Section 12 of the Proposed Plan.
- 3.5 In terms of the hydrological connection between the Rakaia River and groundwater resources (which is discussed in detail in the technical evidence

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<sup>2</sup> Pages 39 and 40 of Section 42A Report.

<sup>3</sup> Page 38 of Section 42A Report.

<sup>4</sup> Paragraph 24 of Hearing Committee's Recommendation on TrustPower Limited's Application to Amend the National Water Conservation (*Rakaia River*) Order 1988, 2012.

<sup>5</sup> Excluding the seasonal / intermittent discharge from the Rangitata Diversion Race.

on TrustPower's application to amend the Rakaia WCO), Canterbury Regional Council already manages resource consent applications to take groundwater that have a high degree of hydrological connection to the Rakaia River in the same manner as applications to take surface water.<sup>6</sup> That is, groundwater takes with a high degree of hydrological connection to the Rakaia River form part of the 70 m<sup>3</sup>/s allocation limit that applies to the river under the Rakaia WCO. I accept, however, that this approach could be made more explicit in Section 12 of the Proposed Plan.

- 3.6 In light of the above, it is my recommendation that Section 12 of the Proposed Plan be retained as notified, subject to the minor drafting changes to Sections 12.2 and 12.6.1 recommended by the Reporting Officers in the Section 42A Report.

#### **4. CONCLUSION**

- 4.1 As I have discussed in this evidence, I consider that the sub-regional catchment boundaries in Section 12 of the Proposed Plan are appropriate and suitably provide for the integrated management of fresh water resources. The catchment boundaries for the Rakaia and Rangitata Rivers in Section 12 also reflect the administrative boundaries that apply under the Rakaia and Rangitata WCOs. Introducing new or alternative catchment boundaries for these waterbodies has the potential to create confusion for resource users and require an allocation framework that does not reflect the existing water conservation orders that apply to these waterbodies.

**R J Turner**

**14 May 2013**

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<sup>6</sup> Rakaia Catchment Water Allocation Issues, Report No R08/75, Environment Canterbury, 2008.