

**Before the Commissioners Appointed by The Canterbury
Regional Council**

**In the Matter of: The Proposed Waipara Catchment
Environmental Flow and Water Allocation Regional Plan.
April 2010**

T M & S E Porter Submission

Submission by Tom Porter 4 April 2011

We live and work along the river and witness its changing flows dependent upon the intensity of the coastal rains.

My wife and I live in a house overlooking the Upper Waipara River half way between White Gorge and the confluence, our property is approximately 15 Ha. I have a small consent to take 2.95l/s from a spring 300m from the river. Permission for a gallery with a depletion rate of 1.6 l/s We have a 1 Ha Olive Grove and 5.5 Ha Home Block Vineyard plus some 5 ha of grazing 1 of accretion along side the Waipara River. Our son who is a winemaker runs the vineyard and winery, a daughter who keep the books part time. Two beef cattle and a horse.

Page 13 Part 6 Policy 1.1

To manage the portion of Ground water takes which are hydraulically connected to surface water bodies (as defined in this plan) as surface water takes. *Excluding any takes which have a stream depleting effect of 3 l/s or less from groundwater takes, galleries, bores, springs and ponds. (As assumed Matthew Smith page 6 Para 34)*

*See also (Concluding Comments) The adoption of a groundwater Zone within which all groundwater takes below 30m deep are considered to be directly connected to the surface water, **would simplify water accounting within this zone.** This appears to me to suggest that changes of definition of groundwater takes are being made just to make someone's job easier.*

As these excavated takes in the Upper Waipara River are situated between 70 and 300 metres from the river. Deeming them to be directly connected to the surface of the river is part of the Ecan concrete drain vision of river flows. These are groundwater takes under NRRP definitions and should not be lumped into surface water takes for administrative convenience,

Many of our discussions with Staff encouraged us in the view that takes below 3 l/s would not be subject to minimum flows. (Whether classified as ground or surface water takes) In two cases rates were actually reduced by a combined 16l/s as this was seen as an environmental gain in exchange for which we would be allowed to augment our very efficient irrigation systems at times of high water stress and long periods of no take with very low rates of takes. This policy leaves those consent holders in a worse position than before., without this proposed addition.

Page 14 Part 6 Policy 1.8
Amend

To limit the amount of water allocated in any new consent that replaces an expiring consent to take water within the A block set out in Table1 to no greater than the previous take, provided that regard must be had to allow existing consents to utilise water from their consented take for planned future development or maturing Grapes and Olive Trees, planned planting of these and crops being planted in stages as well as an improved technical efficiency in the use of water.

This seems an eminently reasonable request, there is no intension to increase the consented take. But to utilise previously unused portions if a maturing crop requires it. Or a stage planned development is part way through implementation. It would be quite senseless to cap say a 2 year old vineyard or Olive Grove at the previous years irrigation use. There is a strong tendency within Ecan to want to micro manage takes. You will have heard already that the industry is in a parlous state with abandoned vines. What is the position of a consent holder who wants to replace grapes with say Fijoas do they loose their consent because they no longer tend vines?

Page 14 Part6 Policy 1.10
Amend

- (a) end sentence "after table 1" delete "and"
- (b) delete all

This refers to the proposal which sought to set a minimum flow of 80l/s for A block takes to storage. If this is not deleted the effect will be to severely limit the use we could make of our storage dam. Because the dam is used as a buffer for collecting water to be used as an instantaneous take. It would have resulted in raising our minimum flow to 80 l/s which with partial restriction would render it useless as in some years we could be on stop for months.

Page 15 Part 6 Policy Section 2 Groundwater

Amend to

Note: Groundwater abstraction with a stream depleting effect greater than 3l/s is managed as a surface water allocation in accordance with Policy 1.1 and the definitions in Part 9.

To be consistent with this plan.

Page 18 Part7 Rule2.2

Delete (c) (i) (b)

(ii) (b)

Because the deleted sections discriminated against storage.

I am unable to find any reference to this submission in the Submissions Analysis, but note reference to the proposed A block Frost protection and storage minimum flow have been deleted in table 1. This rule could have rendered our storage unusable for months, because of extended number of days of no take. We use our dam as a buffer storage today's water is pumped in and then used at the next irrigation schedule, as distribution to Grove and Vineyard is built around pump from Dam.

For the last 9 years of consultation it has been to encourage the use of storage, strangely this proposal would actually discourage abstractors from putting storage in.

Page19 Rule 6.1(c)

This provision is inconsistent with the definition of hydraulically connected Groundwater – see definition Page 22

This rule should be amended to show:

If the groundwater take has a stream depletion effect of Greater than 3l/s on any surface water body in the Waipara Catchment, the groundwater take, singly or in combination with other lawfully established take, complies with the environmental flow and allocation regime for that surface water body as set out in table 1.

Rather than 3l/s or more it should read more than 3l/s. To comply with the definition as Groundwater. I was thinking of renewal of takes of 3l/s not subject to minimum flow.

Variation 17

We support the amendments and additions to the proposedNRRP as show in Variation 17 to allow the Waipara River plan to stand alone.

We oppose the raising of the minimum flows in the main stem of the Waipara River. Above the existing levels of 50l/s at White Gorge and 110 l/s at Teviotdale as voted by the Elected Council. Because there is no proven negative effect from current levels of abstraction so raising minimum flow will not improve the river.

We fully support the submissions from Waipara River Group particularly the need for accurate scientific investigation into ground water flows and the actual stream depleting effects of abstraction on the main stream. To be completed before any change is made to minimum flows of 50 l/s and 110 l/s from the notified plan.

We strongly support the augmentation of the Waipara from the Hurunui because it will cover all major concerns with even a relatively small addition. And could compensate for water lost to forestry, and perhaps even allow further forestry planting to occur or irrigation of land towards Amberley.

*Tom Porter
4 April 2011*