

Submission on the Proposed Pareora River Regional Plan A

Full Name: _____

Organisation: Te Rūnanga o Arowhenua Trust, Te Rūnanga o Waihao and Te Rūnanga o Ngāi Tahu,

* the organisation that this submission is made on behalf of*

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Date: 3 September 2010

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Signature: _____

(Signature of person making submission or person authorised to sign on behalf of person making the submission) Please note: (1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

C (1) The specific provisions of the variation that my submission relates to are: (Specify page number and subsection numbering for each separate provision).	Support/ Oppose	(2) My submission is that: (State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons).	(3) I seek the following decisions from Environment Canterbury: (Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns).
Pareora Catchment Environmental Flow and Allocation Regional Plan	O	This submission should be read in conjunction with the submissions that have been lodged on the Variation 18 to the Proposed Natural Resources Regional Plan.	Ngāi Tahu seek that a commissioner with knowledge of Tangata Whenua values is appointed in respect of any hearing for this matter and/or that of Variation 18 to the Proposed Natural Resources Regional Plan.
Pareora Catchment Environmental Flow and Allocation Regional Plan	O	The Proposed Pareora Catchment Environmental Flow and Allocation Regional Plan has been prorogated without taking into account the Canterbury Water Management Strategy. Thus the plan could unnecessarily constrain what the Orari-Opihi-Pareora Zonal committee is able to consider for the Pareora River Catchment.	Withdraw the Proposed Pareora Catchment Environmental Flow and Allocation Plan; OR Delay the hearings of both Variation 18 and the Proposed Pareora Catchment Environmental Flow and Allocation Regional Plan until the Orari-Opihi-Pareora Zonal



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

B

☒ Tick this box if you do not wish to be heard in support of your submission;

☐ Tick this box if you do wish to be heard in support of your submission; and,

☐ Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing.

Return your signed submission by **Friday 3 September 2010** to: Freepost 1201 Variation 18 to the Proposed Natural Resources Regional Plan Environment Canterbury P O Box 345 Christchurch Email: mailroom@ecan.govt.nz

		Further the plan in considered to be inconsistent with the visions and principals of the CWM as it fails to recognise and provide for: • The first order priorities set out within the visions and principals of the CWMS, in particular the minimum flow and allocation regime does provide for customary uses and ensuring that ground and surface water have equal priority due to the fact that the Pareora Groundwater Zone remains within the NRRP. • The information used to assess whether the proposed minimum flows actual provide for and protect the visions and principals of the CWMS is uncertain (i.e. little field validation of flows has been undertaken) and as such a cautions approach needs to be adopted when setting minimum flows and allocations. In fact cautions approach has not been adopted rather a "status quo" approach to minimum flows has been adopted. • The plan does not allow for the exercise of kaitiakitanga in accordance with tikanga Maori.	committee is in a position to inform the planning process.
Appendix 1 and Appendix 2	O	All planning maps associated with the NRRP should be contained in one location which is Planning Maps Volume Part 1. By having Appendix 1 and 2 of this Plan there could be confusion as to what planning maps should be used within this catchment.	Remove Appendix 1 and 2 and incorporate Planning maps Map Volume Part 1 – Planning Maps; AND all other minor and consequential amendments required.
Appendix 1 and Appendix 2.	O	If the Planning maps are to remain within the specific plan, having two maps does not promote whole of catchment management. Further, the two maps have different boundaries for the surface water and groundwater allocation zones. This could lead to difficulties when implementing the plan. In particular when apportioning moderately connected groundwater (i.e. how much groundwater is allocated within surface water allocation and how much is allocated within the groundwater allocation. To avoid such	Remove Appendix 2 named "Upper Pareora Groundwater Allocation Zone" and Amend Appendix 1 to <u>Pareora River Catchment</u>; AND Amend the current Lower Pareora Surface Water Allocation Zone boundaries to be the same as the boundaries for the Pareora Groundwater Zone boundaries contained within the NRRP.

		difficulties, there should be one map showing the area to be covered by the Pareora River Plan).	AND Amend the Key of the maps to read: <u>"Upper Pareora River Catchment</u> <u>Lower Pareora River Catchment"</u> AND all other minor and consequential amendments required
Objective 1	S	The Objective of managing the Pareora Catchment in an integrated fashion is supported as this approach to the management of natural resources is consistent with Ki uta ki tai (from the source to the sea).	Retain the Objective 1.
Objective 2	O	The surface water resources and groundwater resources located below the Pareora River huts are recognised as being either at or over their sustainable limits. This objective assumes that the current ecological and cultural values of the river and its environs are acceptable and as such places the economic and social benefits of abstraction above any restoration of the ecological and cultural values associated with the catchment.	Delete Objective 2 and replace with a new Objective: <i>"The maintenance and enhancement of ecological, cultural, recreational and amenity values in the Pareora River and its tributaries are recognised and provided for when maintaining the economic and social benefits of surface abstraction from the Pareora River Catchment"</i>. AND all other minor and consequential amendments required
Objective 3	O	The surface water resources and groundwater resources located below the Pareora River huts are recognised as being either at or over their sustainable limits. This objective places the economic and social benefits of abstraction above the needs of surface and groundwater bodies.	Delete Objective 3 and replace with a new Objective <i>"To avoid any ground and surface water abstraction that has an adverse effects on surface water and groundwater recharge."</i> AND all other minor and consequential amendments required
Objective 4	S	This objective aims to ensure that any water taken within the catchment is used efficiently.	Retain the Objective in its entirety.
Objective 5	O	This objective recognises that run-of-river abstraction is over the sustainable limit and signals that some reduction in the run-of-river takes is needed. The intent of the objective is supported, however, the Objective should also recognise the pressure being placed upon the	Delete Objective 5 and replace with a new Objective <i>"To reduce the effects of abstraction on instream values by increasing the minimum flow over time, and to reduce the effects of all abstractions of water resources by encouraging efficiencies of abstraction."</i>

		groundwater resource.		AND all other minor and consequential amendments required
Policy 1.1	O	Support the intent of the policy, but wonder whether it will be able to be effectively implemented given the splitting of ground and surface water allocations and by not incorporating the Pareora Groundwater Zone currently contained within the NRRP. Further Policy 1.1 (d) is superfluous given Policy 1.1 (b) and (c) and should be removed.		Amend Policy 1.1 to: <i>"To ensure any take, use or diversion of surface water or hydraulically-connected groundwater in the Pareora River Catchment..."</i> AND Remove Policy 1.1 (d) AND all other minor and consequential amendments required
Policy 1.2	S	Support the policy. However, it is questionable whether the policy would be effectively implemented with the splitting of ground and surface water allocations and by not incorporating the Pareora Groundwater Zone currently contained within the NRRP.		Retain Policy 1.2
Policy 1.3	S	This policy recognises that at times it will be necessary for some activities to take water to upgrade and/or maintain infrastructure.		Retain Policy 1.3
Policy 1.4	S	This policy recognises that water can be taken and used for non-consumptive activities without negatively impacting upon the river systems. Such uses of water should be provided for, but only on the basis that such activities do not have an adverse effect on the river.		Retain Policy 1.4
Policy 1.5 and its explanation.	O	This policy provides the basis for managing surface and groundwater in two differing allocation regimes. This policy does not promote Ki uta ki tai (from the source to the sea). Further, implementation of such policies can be fraught as the amount of water allocated to either the surface water allocation regime and/or groundwater allocation regime can change overtime as new information comes to hand.		Delete Policy 1.5 in its entirety and to implement one allocation regime which encompasses all groundwater, whether hydraulically connected or not and all surface water bodies. AND all other minor and consequential amendments required
Policy 1.6	O	Support the policy which aims to avoid any		Amend Policy 1.6 to:

		damming of the main stem of the Pareora River. However, this policy is potentially in conflict with Policies 1.3 and 1.4 which recognise and provides for necessary infrastructure maintenance and upgrading. When undertaking such activities it may be necessary for temporary dams to be placed in the bed of the main stem of the Pareora River. The policy should be reworded to provide the ability for such weirs/dams to be installed where such structures are required for activities which are consistent with Policy 1.3.	<i>"To prevent any damming of surface water in the main stem of any waterway within the Pareora River Catchment, except where that damming was lawfully established prior to this Plan becoming operative or the dam is associated with the temporary take or diversion of water provided for by Policies 1.3 and 1.4 of this Plan."</i> AND all other minor and consequential amendments required
Policy 1.7	S	Support the intent of the policy which signals that community supply takes are able to be undertaken during periods of low flow. This policy also tries to recognise that at such times, large community takes can have a significant negative impact upon the cultural and ecological values of the river. To this end, the policy aims to provide for community takes not adhering to minimum flows only where there is an asset management plan which sets out measures to be employed to ensure that only "essential" water is taken during these times, along with measures to be employed to start reducing the rate and volume of water taken overall. However, this policy fails to recognise and provide for the aspirations of Timaru DC augmenting flows by 70L/s during Oct/Nov. Further, this policy fails to encourage community supplies to consider alternative sources of supply, for example Timaru DC may consider groundwater from the Levels Plains Groundwater Zone instead of water from the Pareora River.	Amend Policy to incorporate within the asset management plan, which not only look at ways water usage is reduced but also looks at alternative sources of supply (i.e. groundwater) and the requirement to augment flows within the Pareora River by at least 70L/s. AND all other minor and consequential amendments required
Policy 1.8	O	Support the intent of the policy which aims to limit the amount of water allocated to surface water to either that already consented or that contained in Table 1 of the Plan. However, a number of aspects of the policy are considered to be superfluous and unnecessary. Further the policy as currently drafted does not provide any	Delete Policy 1.8 and replace with a new Policy <i>"To limit the amount of water allocated from the surface water A block to:</i> (a) <i>Those consents listed in Schedule X of this Plan and any replacements of those consents; or</i>

		clarity as to the consents and associated maximum rates, daily/weekly/monthly rates of takes provided for by these consents. To provide this clarity, a schedule which is outside the plan should contain the consents, associated maximum rates, daily/weekly/monthly rates of takes provided for which can be updated regularly.	(b) No more than that contained within Table 1 of this Plan" AND all other minor and consequential amendments required
Policy 1.9	O	The intent of the policy is supported, which is to signal to existing surface water abstractors that the resource is over its sustainable limits and as such some reductions in rates and volumes of water taken from the river needs to occur. However, this policy will not promote Objective 4 which is to ensure that water being used within the catchment is done so on an efficient basis, rather it will encourage water wastage as the policy is a "use it or lose it" situation. Further this policy does not take into account that when determining the amount of water allocated, it is important to not only take into account the instantaneous maximum rate of abstraction but also the maximum daily/weekly/monthly rates of take. Rather than the "use it or lose it" option currently being employed, the policy should outline clear steps that abstractors need to take to show that the rate/volume of water requested is actually needed and is based upon efficient irrigation practices which employ appropriate technology.	Delete Policy 1.9 and replace with a new Policy <i>"To limit the amount of water allocated in any new consent that replaces a consent set out within Schedule X of this Plan to that which is needed based upon the use of efficient irrigation methods and the employment of technology, such as but not limited to, the use of soil moisture monitors and/or plan growth monitors to ensure that the water taken is used in the most efficient manner."</i> AND all other minor and consequential amendments required
Policy 1.10 and Policy 2.3	O	The intent of these policies is supported which requires all abstractive water takes to have an annual volume. However, care will need to be taken to ensure that the methods to determine annual volumes are the same as that set out within the NRRP.	Delete Policy 1.10 and Policy 2.3 and replace with <i>"All water permits within the Pareora River Catchment shall have an annual volume determined using the methodology set out within Schedule WQN 9 of the Natural Resources Regional Plan."</i> AND all other minor and consequential amendments required
Policy 1.11	O	This policy is considered to be superfluous and as such should be removed as once a consent has lapsed or it has been surrendered or	Remove Policy 1.11 to AND all other minor and consequential amendments required

Policy 1.12		cancelled it no longer legally exists. Any application to renew such a permits would have to be deemed to be a new permit not a replacement of an existing permit.	all other minor and consequential amendments required
	S	This policy aims to set out how run-of-river takes should be used. While the intent of the policy is supported, it is unclear as to how and when such a policy would be implemented.	Either remove Policy 1.12 or reword to make is clear how and which the policy is to be implemented; AND all other minor and consequential amendments required
Policy 1.13	S	This policy recognises that it may be necessary for water to be taken for frost fighting purposes. In the explanation of the policy it recognises that these types of takes are generally less than needed for irrigation, and generally occur when the "full irrigation" is not occurring (i.e. in the spring). However, it is recognised that in other catchments (i.e. the Waipara Catchment) where the water resource is under pressure, water taken for frost fighting purpose is taken from on-site storage. Thus this policy should be encouraging the move away from run-of-river takes for frost fighting towards either alternative technologies (wind mills etc) or any water taken is taken from storage.	Amend policy to encourage existing consent holder who use water for frost fighting to move away from taking water directly and encourage the use of alternatives for frost protection, but if water is requires that it is taken from storage. AND all other minor and consequential amendments required
Policy 1.14	O	The policy aims to encourage Timaru DC to release water into the river during Oct and Nov as this would be beneficial to trout. While encouraging Timaru DC to augment flows within the river is fully supported, this policy does not provide a mechanism of requiring this to be incorporated in to the asset management plan required by Policy 1.7.	If Policy 1.7 is amended as requested then delete this policy; OR If Policy 1.7 is not amended as required then amend this policy to ensure that the requirement of any augmentation is incorporated into an asset management plan; AND all other minor and consequential amendments required
Policy 1.15	O	The intent of the policy is supported which is to require any "new" takes to be managed within the B allocation block. Further this policy aims to ensure that when assessing an application to take water from the B allocation block that future users of the resource are considered. However,	Amend Policy 1.15 to "To-ensure Any additional takes other than those set out within Schedule X of this Plan of for surface water from the Pareora River Catchment are to be managed as part of the B allocation in accordance with as set out in Table 1, unless Policy 1.8 applies, and to ensure that B-Block takes

		this is difficult to implement under the current allocation mechanisms of "first in best dressed". The only way that this policy can be implemented is by apportion the B allocation block across all landowners within the catchment at the start and providing each portion to that landowner or by setting out a method by which the B allocation block will be apportioned, so that if a landowner wants more than "their allocation of B water they need to be able to justify the request.	are apportioned equitably across landowners within the catchment." AND all other minor and consequential amendments required
Policy 1.16	S	This policy recognises that there are a number of irrigation scheme proposals (such as Hunter Downs Irrigation, Morven Glenavy Irrigation etc) which could result in the river flows being augmented. This policy aims to highlight that any such applications should only occur in this catchment by way of plan change. This approach is supported.	Retain Policy 1.16.
Policy 1.17	O	This policy only requires minimum flows to be higher during the months of Oct/Nov to provide for trout fishing. Thus the policy fails to recognise and provide for the cultural values associated with the river. to provide a level of protection to the cultural values associated with the Pareora River.	Amend Policy 1.17 to <i>"To reduce the effects of run-of-river abstraction on instream values in the Pareora River Catchment by increasing the minimum flow for surface water and hydraulically connected groundwater takes (as defined using Schedule 4 of this Plan an appropriate method set out with the NRRP) during the months of October to November when this Plan becomes operative."</i> AND all other minor and consequential amendments required
Policy 1.18	S	The policy is supported, however, for clarity the consents subject to minimum flows and their rates/volumes of take should be set out within a schedule outside the plan.	Delete Policy 1.18 and replace with Policy <i>"To limit the maximum rate of take of any water take listed in Schedule X of this plan to 50% of the maximum rate of take or daily/weekly/monthly rate of take whichever is the lesser, listed in Schedule X except where the consent holder is part of a Water Users Group approved by the Canterbury Regional Council which gives effect to the environmental flow and allocation regime in Table 1."</i> AND all other minor and consequential amendments required

Policy 1.19	O	This policy requires only the minimum flow to be reviewed on a 10 year cycle. Review of the plan as a whole on a regular (i.e. not less than 10 year cycle) basis is considered a fundamental aspect.	Amend Policy 1.19 to <i>"To further review the effects of run-of-river water abstraction on instream values in within the Pareora River Catchment by reviewing the minimum flow Pareora River Plan not less than 10 years from notification of this Plan."</i> AND all other minor and consequential amendments required To remove Policies 2.1 and 2.2 and replace with a new Policy <i>"To limit the amount of water allocated from the groundwater block to:</i> (a) <i>Those consents listed in Schedule X of this Plan and any replacements of those consents; or</i> (b) <i>No more than that contained within Table 1 of this Plan"</i> AND all other minor and consequential amendments required
Policy 2.1 and Policy 2.2	O	Policy 2.1 and Policy 2.2 are repetitious and should be combined. Secondly, this policy does not promote Ki uta ki tai (from the source to the sea) as it only pertains to groundwater within the upper reaches of the Pareora River Catchment. as previously recommended the existing Pareora Groundwater Zone should be incorporated into this Plan	Delete Policy 2.4 and replace with a new Policy <i>"Where groundwater abstraction is provided for, any bores and any associated groundwater abstraction are sited and operated in accordance with the Natural Resource Regional Plan"</i>. AND all other minor and consequential amendments required Delete Policies 3.1 and 3.2 and insert new policies <i>"By facilitating the transfer of consents from one part of the catchment to another where this is consistent with the provision of this Plan, including being subject to the allocation regime and flow regimes set out within Table 1 and water metering."</i> AND all other minor and consequential amendments required
Policy 2.4	O	This policy sets out the methodology for assessing groundwater takes. Such assessment matters are covered in great detail in the NRRP. Care will need to be taken to ensure that a consistent approach is undertaken when undertaking such assessments. To ensure this occurs, it is considered that this policy should refer back to the NRRP for such assessments.	Delete Policy 2.4 and replace with a new Policy <i>"Where groundwater abstraction is provided for, any bores and any associated groundwater abstraction are sited and operated in accordance with the Natural Resource Regional Plan"</i>. AND all other minor and consequential amendments required Delete Policies 3.1 and 3.2 and insert new policies <i>"By facilitating the transfer of consents from one part of the catchment to another where this is consistent with the provision of this Plan, including being subject to the allocation regime and flow regimes set out within Table 1 and water metering."</i> AND all other minor and consequential amendments required
Policy 3.1 and Policy 3.2	O	These policies aim to provide the policy framework for allowing the transfer of both surface and groundwater within the catchment. The intention of the policies are supported however, they are overly complex and as such effective implementation of could be fraught. Further, only one policy for the transfer of water is required as the mechanisms of how transfers are to occur should be contained within the rules rather than within policies.	Delete Policy 2.4 and replace with a new Policy <i>"Where groundwater abstraction is provided for, any bores and any associated groundwater abstraction are sited and operated in accordance with the Natural Resource Regional Plan"</i>. AND all other minor and consequential amendments required Delete Policies 3.1 and 3.2 and insert new policies <i>"By facilitating the transfer of consents from one part of the catchment to another where this is consistent with the provision of this Plan, including being subject to the allocation regime and flow regimes set out within Table 1 and water metering."</i> AND all other minor and consequential amendments required

Policy 3.3	S	This policy sets out what is required to ensure that water within the catchment as a whole is used efficiently.	Amend Policy 3.3 (e) to “(e) Require any water take to be for a specified use and ensuring that the rate of abstraction and annual volumes (as calculated using Schedule-2 methodology set out within NRRP) are reasonable and efficient for the proposed end use.” AND all other minor and consequential amendments required
Policy 3.4	S	This policy aims to ensure that all water taken is metered and data recorded and provided to Ecan.	Retain Policy 3.4
Policy 3.5	O	This policy aims to ensure that should any additional water come into the catchment for irrigation that as a result of this, Table 1 of the Plan will be reviewed. However, it is noted that Policy 1.16 aims to ensure that such activities are provided for by way of plan change, which inherently requires Table 1 to be reviewed. Therefore it is unclear where this policy is needed.	Remove Policy 3.5 as it is repetitive given Policy 1.16. AND all other minor and consequential amendments required
Policy 3.6	S	This policy aims to set a common date at which water permits will expire within the catchment. However, the proposed common date is 2025 some 15 years from now. Given that it is acknowledged that the Pareora River Catchment water resources are under pressure, a common expiry date some 10 years from now is considered appropriate.	Amend Policy 3.6 to “To limit the duration of any new consent to take, use or divert surface water or stream-depleting groundwater from within the Pareora River Catchment to no later than 1 January 2025 2020.” AND all other minor and consequential amendments required
Policy 3.7	O	This policy aims to provide the policy framework for incorporating the CWMS into this Plan. However, as outlined above, the implementation of this plan may in fact place unnecessary constraints on the Orari-Ophi-Pareora Zonal Committee. Further the proposed plan is considered to be inconsistent with the vision and principals of the CWMS. If the plan is not withdrawn or the hearing of the plan are not put on hold until the zonal committee is able to inform the planning process then this policy	Delete Policy 3.7 and replace with a new Policy “Review the plan as a whole to incorporate the outcomes of the Canterbury Water Management Strategy” AND all other minor and consequential amendments required

Rule 1.1		should be amended to require the Plan as a whole to be reviewed to incorporate the outcomes of the CWMS process.		Amend Rule 1.1 to <i>"The damming, diverting and discharge of surface water for the purpose of maintaining, repairing or replacing existing infrastructure, provided all of the following conditions are complied with:..."</i> AND all other minor and consequential amendments required
Rule 2.1	S	This rule provides for water to be diverted when undertaking maintenance activities. This supported, however, this rule fails to provide for dams/weirs which facilitate the diversion of water or the discharge of this water back into the waterway associated with the maintenance, repairing or replacing of existing infrastructure.		Amend Rule 2.1 to <i>"The taking, using, diverting and discharging of surface water for any non-consumptive activity, provided it complies with all of the following standards and terms: ...</i> <i>(b) The water is discharged back into the same surface water body from which it is taken at the same rate and quality; and..."</i> AND all other minor and consequential amendments required
Rule 2.2 and Rule 6.2	O	This rule only provides for the diversion, taking and using of water for non-consumptive purposes. The intent of the rule is supported. However the rule should be expanded to also provide for the associated discharge of water back into the surface water body, provided that the quality of the water being discharged has not deteriorated. This is consistent with the definition of non-consumptive activities within this Plan.		Delete Rules 2.2 and Rule 6.2 and insert a new rule <i>The taking and use of water for community supplies is a restricted discretionary activity provided it complies with the following standards and terms:</i> <i>Standards and Terms</i> <i>(a) Any replacement consents of a consent for a community supply contained in Schedule X will before same or lesser rate and volume;</i> <i>(b) An Asset Management Plan will be prepared and provided to the Canterbury Regional Council which includes, but is not limited to the steps to be undertaken to reduce the rates/volumes of water used along with timelines by which such steps will be undertaken, how the steps will be monitored and reported and what investigations into alternative supply sources are to be undertaken;</i>
	O	These rules are intended to implement Policy 1.7 which requires community supplies to prepare an asset management plan which sets out how water usage is to be reduced during periods of low flow. However, this rule fails to require Timaru DC to augment flows by 70L/s during Oct/Nov as proposed by Policy 1.7. Further this rule fails to require communities supplies to consider alternative sources of water.		

Rule 2.3 and Rule 6.1	O		(c) The Timaru District Council augmentation of the Pareora River by 70L/s from 1 October to 30 November; (d) Fish will be as far as is practicable, excluded from entering the intake. AND all other minor and consequential amendments required
		Both Rule 2.3 and 6.1 but in particular Rule 2.3 is overly complex and could lead to confusion and being unable to be effectively implemented. Alternative rule is proposed which captures all aspects set out within Rules 2.3 and 5.1 but is clear and concise.	Delete Rules 2.3 and Rule 6.1 and include a new Rule: "The taking, using or diverting of ground and surface water is a restricted discretionary activity provided it complies with all of the relevant following standards and Terms: Standard and Terms (a) The diversion or taking of water by itself or in combination with any other take or diversion: (i) Complies with the allocation and flow regime set out within Table 1 of this Plan; except where it is for a replacement consent or the use of water is for frost fighting purposes and is set out within Schedule X; (ii) Any replacement of a consent contained in Schedule X is for same or lesser rate and volume including any existing annual volume; (iii) Any replacement surface water take must provide evidence of measures which have been and will be implemented to ensure that the rate and volume of water being abstracted will enable compliance with flow and allocation regime set out within Table 1 of this Plan; (iv) Any new consent and/or replacement consent which does not contain an annual, an annual volume will be calculated in accordance with the methodology set out within the NRRP; (v) For surface water takes, fish are, as far as is practicable, excluded from entering an intake. (vi) For groundwater takes the take does not cause drawdown in other lawfully established bores of

			more than 0.1m or 20% of the available drawdown unless the unconditional written approval of the bore owner has been obtained. (vii) For groundwater takes which have a stream depletion of more than 5 litres per second (as defined using an appropriate method set out with the NRRP) it must comply with the minimum flow regime set out within Table 1 of this Plan." AND all other minor and consequential amendments required	Amend Rule 3.1 to "The damming of surface water ways in the Pareora River Catchment is a discretionary activity except where Rule 1.1 and Rule 4.2 apply." AND all other minor and consequential amendments required
Rule 3.1	S	This rule is supported, however, given Rule 1.1, the ability to install a temporary dam/weir to facilitate the diversion and discharge of water when undertaking repairs, upgraded and/or replacement of existing infrastructure needs to be recognised and provided for by this rule. .	Delete Rule 4.1, Rule 7.1 and Rule 9.3 and insert a new rule Unless specified as a permitted, controlled or restricted discretionary activity, the diversion, taking, use or transfer of water is a non-complying activity. AND all other minor and consequential amendments required	Delete Rule 4.1, Rule 7.1 and Rule 9.3 and insert a new rule Unless specified as a permitted, controlled or restricted discretionary activity, the diversion, taking, use or transfer of water is a non-complying activity. AND all other minor and consequential amendments required
Rule 4.1, 7.1 and 9.3	O	These rules are repetitive and as such should be amalgamated.	Delete Rule 4.1, Rule 7.1 and Rule 9.3 and insert a new rule Unless specified as a permitted, controlled or restricted discretionary activity, the diversion, taking, use or transfer of water is a non-complying activity. AND all other minor and consequential amendments required	Delete Rule 4.1, Rule 7.1 and Rule 9.3 and insert a new rule Unless specified as a permitted, controlled or restricted discretionary activity, the diversion, taking, use or transfer of water is a non-complying activity. AND all other minor and consequential amendments required
Rule 4.2	S	This rule aims to ensure that the damming of the main stem of the Pareora River is a non-complying activity.	Retain Rule 4.2	Retain Rule 4.2
Rule 4.3	S	This rule aims to ensure that any water takes which may impact upon wetlands are considered to be non-complying activities.	Retain Rule 4.3	Retain Rule 4.3
Rule 5.1	O	This rule aims to prove some context in which water can be taken from a bore to undertake a pump test. Care will need to be taken to ensure that the approach adopted in this plan is consistent with the approach adopted by the NRRP and/or staff policy. For example, in some	Amend Rule 5.1 The taking or use of groundwater when undertaking either a bore development test or a pumping test is a permitted activity provided it complies with the rules and standards contained within the NRRP.	Amend Rule 5.1 The taking or use of groundwater when undertaking either a bore development test or a pumping test is a permitted activity provided it complies with the rules and standards contained within the NRRP.

		areas (new areas such as the Upper Pareora Groundwater Zone) it may be appropriate to require 7 day pump tests not 3 day pump test.		AND all other minor and consequential amendments required
Rule 8.1	O	This rule sets out where the Plan applies. This rule is unnecessary due to the fact that specific plans always take precedence over any generic Plans such as the NRRP.		Delete Rule 8.1 AND all other minor and consequential amendments required
Rule 9.1		This rule sets the context in which the surface water permits can be transferred. Given the desire to have one Plan which covers all water permits within the Pareora River Catchment, Rule 9.1 needs to be amended.		Amend Rule 9.1 to <i>The transfer of a consent to take or use groundwater wholly within the Upper or Lower Pareora one surface water- Allocation-Zone River Catchment, as shown in Appendix 1, provided it complies with all of the following standards and terms...</i> AND Add a new Standard and Term <i>(a) The transfer must comply with the allocation and flow regime set out within Table 1;</i> AND all other minor and consequential amendments required
Rule 9.2	S	This rule sets the context in which the groundwater permits can be transferred. Given the desire to have one Plan which covers all groundwater within the Pareora River Catchment, Rule 9.2 needs to be amended to incorporate the lower groundwater zone currently provided for by the NRRP.		Amend Rule 9.2 to <i>The transfer of a consent to take or use groundwater wholly within the Upper or Lower Pareora Groundwater Allocation-Zone River Catchment, as shown in Appendix 21, provided it complies with all of the following standards and terms...</i> AND Add a new Standard and Term <i>(a) The new location must be within the within the same River Catchment as shown in Appendix 1.</i> AND all other minor and consequential amendments required
Table 1: Environmental flow and allocation regime for the Pareora River and Tributaries.	O	The minimum flows contained within Table 1 of the Plan fail to take into account the fact that the river is under stress and has exceeded its		Delete Table 1 and replace with a new Table 1 as shown below AND

		sustainable limits, which the plan acknowledges, by adopting minimum flows which are consistent with those currently on existing surface and connected groundwater permits. This approach fails to take into account the cultural values associated with the river and as such will result in these values continual degradation. Such a situation is unacceptable. Further the only field investigations undertaken as part of the preparation of this plan were undertaken as part of the Cultural Health Index assessment undertaken by Tipa and Associates. Thus when determining minimum flows a precautionary approach must be adopted. given this it is totally inappropriate to simply adopt the current minimum flows as these are deemed to be totally inadequate to not only protect, but allow for the enhancement of the cultural values associated with the Pareora River Catchment.	all other minor and consequential amendments required
Schedule 1	O	This schedule aims to provide some guidance as to how to determine hydraulic connection and then how to apportion between surface and groundwater allocations. There is the ability for this schedule to be inconsistent with any such schedule contained within the NRRP. While it is our submission that apportioning is inappropriate, should there be a need to apportion between ground and surface water allocations, the mechanism used should be the same as that within the NRRP.	Delete Schedule 1 AND all other minor and consequential amendments required
New Schedule X		As outlined in this submission, a schedule which sits outside the plan and contains the activity (i.e. irrigation/storage/frost fighting and community supply) along with the maximum rates/volumes of all consents within this catchment needs to be included. This would allow for the ongoing tracking of consents within the catchment to ensure that the objectives of the plan are being met.	Incorporate a schedule which contains: • The consent number; • The consent holder's name; • Location of the consent (point of take); • Whether it is a surface water or groundwater take; • Whether the take has a minimum flow requirement; • What the water is used for (irrigation/storage etc);

Table 1 Environmental Flow and Allocation Regime for the Pareora River Catchment

Environmental Flow Regimes		
Pareora River Catchment	An allocation limit of 45,658,226 cubic meters per year.	
Pareora River (including all tributaries and hydraulically connected groundwater)	A Permits listed in Schedule X At all times - An allocation limit of 198 liters per second and 2,566,080* cubic meters per year. - A minimum flow of 1,600 liters per second where the take is used for storage purposes. - The take or diversion of water above the minimum flow of 1,600 litres per second must be such that no more than half the water can be taken or diverted. - Minimum flows are measured at the huts recorder. From October to April 50% reduction in maximum rate of take at 660 litres per second when Timaru District Council are not discharging; - When Timaru District Council are not discharging a minimum flow of 480 liters per second; 50% reduction in maximum rate of take at 730 litres per second when Timaru District Council are discharging; - When Timaru District Council is discharging a minimum flow of 550 liters per second; From May to August 50% reduction in maximum rate of take at 660 litres per second; - A minimum flow of 470 liters per second.	B Permits - A minimum flow as measured at the "huts" recorder of 5,000 litres per second; - The take or diversion of water above the minimum flow of 5,000 litres per second must be such that no more than half the water can be taken or diverted. - An allocation limit of 2,500 litres per second and 32,400,000* cubic meters per year. Of this allocation, no more than 500 litres per second and 6,480,000 cubic metres per year can be allocated above the huts recorder. Further no more than 500 litres per second and 6,480,000 cubic metres per year can be allocated per property.
Groundwater takes from Upper Pareora River Catchment	An allocation limit of 1,312,146 cubic meters per year.	
Groundwater takes from Lower Pareora River Catchment	An allocation limit of 9,380,000 cubic meters per year.	

* These annual volumes have been based upon the maximum rate of take being taken 24 hours per day, 7 days a week for 150 weeks per year.

			• The maximum rate (weekly/monthly/yearly) of take. AND all other minor and consequential amendments required	and volume
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