

## File Note

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### Partial Transfer of CRC153349 from Hurunui Water Project (CRC172780) to Ngāi Tahu Farming Limited (CRC172781)

1. Hurunui Water Project Limited (HPWL) holds land use consent CRC153349, which authorises the use of land for the farming of up to 48,600 hectares of land within the Hurunui District, with a nitrogen load limit of 1,370 tonnes per year. HWPL has applied to partially transfer CRC153349 to Ngāi Tahu Farming Limited in the form of 4,838 hectares of land with a nitrogen load of 100 tonnes per year under Section 134<sup>1</sup>(3) of the Resource Management Act 1991 (RMA).
2. To facilitate the partial transfer outlined above, the following amendments to the conditions of CRC153349 (CRC172780) are required (cancellations are ~~struck out~~, and additions are **bolded**):

#### AMENDMENTS TO CONDITIONS OF CRC153349

##### Condition (1)

The use of land for farming shall occur only within a maximum area of ~~48,600~~ **43,762** hectares within the Hurunui River Catchment as shown on Plan ~~CRC153349~~ **CRC172780**, which forms part of this consent.

##### Condition (2)

The maximum annual amount of nitrate-nitrogen that is leached below the root zone from farming activities in the command area within the Hurunui catchment above State Highway 1 for this irrigation scheme shall not exceed a modelled dissolved inorganic nitrogen load of ~~1370~~ **1270** tonnes per year.

*Advice Note: The soil nitrogen leaching loss of ~~1370~~ **1270** tonnes per year has been calculated based on the estimated total soil leaching loss below the root zone and a ~~48.5%~~ **16%** increase in the 2005 – 2011 average annual nitrogen load in the Hurunui River at State Highway 1 in accordance with the Technical Note attached as Annexure 2 of ~~CRC153349~~ **CRC172780** which forms part of this consent. This figure was derived by defining the soil leaching loss from the HWP command area within the Hurunui catchment as at 20 December 2013 and then increasing that number by ~~48.5%~~ **16%** of the total modelled root zone loss to reflect the same percentage increase in the Hurunui River at State Highway 1. In order to track the change in leaching as land use change occurs the land use and irrigation database will be updated to reflect the changes. Updated nitrate nitrogen leaching numbers will be assigned to properties where land use change has occurred and the leaching numbers from all properties in the area defined in condition 2 will be summed to check compliance with the limit of ~~1370~~ **1270** tonnes.*

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<sup>1</sup> Land use and subdivision consents attach to land

### Condition (27)

The Canterbury Regional Council may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent, including reviewing the load of ~~4370~~ **1270** tonnes set in condition 2 above, for any of the following purposes:

- a. dealing with any adverse effects on the environment which may arise from the exercise of this consent; or
  - b. dealing with any matter arising out of a review or survey required under condition 28.
3. Amendments are also required to be made to Annexure 2 of CRC153349, as outlined below (cancellations are ~~struck out~~, and additions are **bolded**):

### **AMENDMENTS TO ANNEXURE 2 OF CRC153349**

#### Paragraph 1:

This note summarises the procedure used to estimate the allowable soil leaching loss for the HWP consent. That was achieved by defining the current soil leaching loss from the HWP command area and increasing that number by ~~18.5%~~ **16%** of the total modelled root zone loss at SH1.

### **EXPLANATION**

4. During the development of the Hurunui and Waiau River Regional Plan (HWRRP), a Nutrient Load Limit (NLL) for Dissolved Inorganic Nitrogen (DIN) for the Hurunui Catchment at the State Highway One flow recorder of 963 tonnes per year was set. This figure is an in river concentration load of DIN, and was determined based on the average load of DIN at State Highway One during 2005 – 2011, and then increased by 25%.
5. Subsequent to the decisions on the HWRRP being released, HWP were granted water permit CRC120675, and were allocated 18.5% of the 25% increase of DIN, which amounted to 143 tonnes per year as an in river load concentration .
6. The grant of CRC120675 was appealed by Amuri Irrigation Company (AIC), and was subsequently mediated. Through the mediation process, HWP agreed to obtain a land use consent to use land for farming (CRC153449), and were allocated the 18.5% increase of DIN lost below the root zone taking into account an attenuation factor, which amounted to 360 tonnes of nitrogen per year. Compliance with this load limit is determined in accordance with the “Assessment of Soil Leaching Loss for HWP” Table, contained within Annexure 2 of CRC153349.
7. Accordingly, the following amendments are required to be made to this table of Annexure 2 to reflect the 100 tonnes per year to be partially transferred:
  - a. The removal of Balmoral Forest from Stage 2 of the HWP command area, which amounts to 50 tonnes per year, to be transferred to Ngāi Tahu Property Limited;
  - b. Reducing HWP’s existing load rate from 1,009 tonnes per year, to 959 tonnes per year to reflect the removal of Balmoral Forest from Stage 2 of the HWP command area;

- c. Reducing HWP's leaching contribution at State Highway One from 360 tonnes per year, to 311 tonnes per year to reflect the remaining 50 tonnes of nitrogen per year to be transferred to Ngāi Tahu Farming Limited;
- d. Reducing the total nitrogen load limit from 1,370 tonnes per year, to 1,270 tonnes per year to reflect the 100 tonnes per year transferred to Ngāi Tahu Property Limited;
- e. Reducing the 18.5% of total leaching load, to 16%, as the original 360 tonne per year value has been reduced to 311 tonnes per year.