

8 September 2017



Alistair James Bell
445 Tawai Ikawai Road
RD 9
Waimate 7979

Customer Services
P. 03 353 9007 or 0800 324 636

PO Box 345
Christchurch 8140

P. 03 365 3828
F. 03 365 3194
E. ecinfo@ecan.govt.nz
www.ecan.govt.nz

Dear Sir/Madam

Notice of Decision Resource Consent Review

Record Number(s): CRC180538 (to replace CRC030342)
Applicant Name: Alistair James Bell
Activity Description: to take and use water

Decision: Granted

Overview

The Lower Waitaki-South Coastal Canterbury Zone Committee was concerned that the Waitaki Plan did not give certainty about reliability of water supply for holders of water permits. The Committee worked with consent holders and the community to develop an alternate flow regime that gives additional certainty to consent holders, and also provides a number of other benefits.

Plan Change 3 made several amendments to the Waitaki Catchment Water Allocation Regional Plan (Waitaki Plan) to establish cessation flows as an alternative to minimum flows in the Lower Waitaki River, and to provide for reliability that is set out in the Plan. Additionally, water is reserved for enhancement of mahinga kai and the associated values of Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki. Water is also reserved for augmentation flows into Wainono Lagoon.

Environment Canterbury has consulted with Meridian Energy Limited and the Waitaki Irrigators Collective extensively in the lead up to the review of these consents, as well as during the review to ensure that the changes made by Plan Change 3 are effectively implemented.

You can view the Waitaki Plan, on our website at: <https://www.ecan.govt.nz/your-region/plans-strategies-and-bylaws/waitaki-catchment-plan/>

Decision

The decision of Environment Canterbury is to change your consent to the terms and conditions specified in the attached resource consent document(s). The reasons for the decision are:

- a) Any adverse effects on the environment as a result of the changes to the conditions are minor; and
- b) The recommended conditions ensure the consent is consistent with Plan Change 3 to the Waitaki Plan.

Commencement of consent changes

The changes to your resource consent take effect from the date of this letter advising you of the decision. If you object to or appeal this decision, the commencement date will then be the date on which the decision on the objection or appeal is determined.

Your rights of objection and appeal

- **Objection to Decision**

If you do not agree with the decision of the consent authority, you may object to the whole or any part in accordance with Section 357A(1)(g) of the Resource Management Act 1991 (RMA). Notice of any objection must be in writing and lodged with Environment Canterbury **within 15 working days** of receipt of this decision in accordance with Section 357C(1) of the RMA.

- **Right to Appeal**

You may appeal the decision of the consent authority to the Environment Court in accordance with section 120 of the RMA. The notice of appeal must be lodged with the Court within 15 working days of receipt of this decision, at PO Box 2069, Christchurch. A copy of the appeal should also be forwarded to Environment Canterbury within the same timeframe.

If you are in any doubt about the correct procedures, you should seek legal advice.

Further information about your consent

A report has been prepared, with officer recommendations, to provide information to the decision makers. If you require a copy of the report please contact our Customer Services section. You can find online information about your consent document at www.ecan.govt.nz/yourconsent.pdf.

Queries

For all queries please contact Customer Services Section quoting your CRC number noted above.

Thank you for helping us make Canterbury a great place to live

Yours sincerely



Consents Planning Section

RESOURCE CONSENT CRC180538

Pursuant to Section 104 of the Resource Management Act 1991

The Canterbury Regional Council (known as Environment Canterbury)

GRANTS TO: Alistair James Bell

A WATER PERMIT (S14): to take and use water

COMMENCEMENT DATE: 08 September 2017

EXPIRY DATE: 30 April 2028

LOCATION: Waitaki River At Morven Glenavy Irrigation Company, Top Pond Intake

SUBJECT TO THE FOLLOWING CONDITIONS:

- 1 The rate at which water is used from the Waitaki River via the Morven Glenavy Ikawai Irrigation Company 'Top Pond', at or about map reference NZMS 260 J41:4826-8783, for the purpose of operating a turbine pump and irrigation, shall not exceed 1,200 litres per second; of which a maximum rate of 43 litres per second may be taken and used for irrigation, with a volume not exceeding 22,500 cubic metres in any period of seven consecutive days.
- 2 Water shall be used only for irrigation of crops and pasture as described in the application, on the area of land shown in attached plan CRC030342.
- 3
 - a. Water shall only be taken when a fish screen with a mesh size or slot width not exceeding five millimetres is operated and maintained across the intake to ensure that fish and fish fry are prevented from passing through the intake; and
 - b. The design and maintenance of the fish screen shall ensure that the velocity of flow at and through the screen will prevent fish and fish fry being trapped on the screen.
- 4 **Cessation Flow (full restrictions/minimum flow)**
 - a. The taking of water for irrigation in terms of this permit shall cease whenever the flow in the Waitaki River (expressed in cubic metres per second), as estimated by the Canterbury Regional Council based on the average flow over a 24 hour period measured from midnight to midnight using New Zealand Standard Time for the previous day at the Kurow recorder site (map reference NZMS 260 I40:079-088) falls below the Cessation Flow.
 - b. The Cessation Flow:
 - i. is as set out in Table 1, below:

Table 1: Default Cessation Flow

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Flow (m ³ /s)	111	111	111	120	142	148	148	142	120	111	111	111

UNLESS

- ii. the Canterbury Regional Council advises the consent-holder on or before 31 August of any year, it is a flow calculated by the Canterbury Regional Council and approved by its Chief Executive.

Advice note: for the purposes of clarification, the Cessation Flow is to be determined by the Canterbury Regional Council in accordance with the Waitaki Catchment Water Allocation Regional Plan and may be a flow between the flows set out in clause (b)(i) of this condition and Table 2 below, as a consequence of any authorised abstraction of water from the Waitaki River of water for mahinga-kai purposes or for the augmentation of Wainono Lagoon.

Table 2: Minimum Cessation Flow

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Flow (m ³ /s)	100	100	100	109	131	137	137	131	109	100	100	100

- c. Any Cessation Flow advised to the consent-holder under clause (b)(ii) of this condition shall apply from the following 1 September until the consent-holder is notified otherwise.
- d. The taking of water for irrigation in terms of this permit shall cease for a period of 48 hours whenever the flow in the Waitaki River falls below 150 cubic metres per second for a period of ten consecutive days, as estimated by the Canterbury Regional Council based on the average flow over a 24 hour period measured from midnight to midnight using New Zealand Standard Time at the Kurow recorder site (map reference NZMS 260 I40:079-088).

Reductions in take (partial restrictions)

- e. The rate at which water may be taken for irrigation in terms of this permit shall be reduced whenever the flow in the Waitaki River (expressed in cubic metres per second) as estimated by the Canterbury Regional Council based on the average flow over a 24 hour period measured from midnight to midnight for the previous day using New Zealand Standard Time at the Kurow recorder site (map reference NZMS 260 I40:079-088) is between the Restrictions Flow and the Cessation Flow.
- f. The Restrictions Flow is the relevant Cessation Flow in clause (b) of this condition **plus** 53 cubic metres per second.
- g. The required reduction in take under clause (e) of this condition from the authorised maximum rate of take:

- i. shall be calculated for the relevant month according to Graph 1 of the attached “Lower Waitaki River consent review: attachment for Schedule 3 consents”, which forms part of this consent. The flow in the Lower Waitaki River calculated as per clause (e) of this condition is set out in the vertical axis of the graph, the rate of take shall be reduced by the corresponding percentage set out on the horizontal axis;

UNLESS

- ii. the Canterbury Regional Council, in consultation with a Water Users Committee representing consent-holders who are subject to the same Waitaki River Restrictions Flows and Cessation Flows, has determined a water-sharing regime which restricts abstraction from the Waitaki River to that available above the Cessation Flow, then the taking of water in accordance with that determination shall be deemed to be in compliance with this condition.

5 The consent holder shall take all practicable steps to:

- a. ensure that the volume of water used for irrigation does not exceed that required for the soil to reach field capacity; and
- b. avoid leakage from pipes and structures; and
- c. avoid the use of water onto non-productive land such as impermeable surfaces and river or stream riparian strips.

6 The consent holder shall, within 12 months of the commencement of this consent, install, or provide for the installation of:

- a. an easily accessible straight pipe, of a length at least 15 times the diameter of the pipe, or
- b. a water flow measurement device which will measure the rate at which water is taken to within an accuracy of plus or minus five percent as part of the pump outlet plumbing or within the mainline distribution system.

7 The taking of water in terms of this permit shall cease for a period of up to 48 hours on notice from the Canterbury Regional Council, to allow measurement of the flow in the Waitaki River.

8 If required by notice in writing by Canterbury Regional Council measurements of the rate of abstraction to within an accuracy of plus or minus five percent shall be taken for the period specified and the measurements of the hours of abstraction shall also be recorded. A copy of the records shall be provided to the Canterbury Regional Council in accordance with the requirement.

9 The Canterbury Regional Council may, on any of the last five working days of June each year, serve notice of its intention to review the conditions of this consent for the purpose of dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage.

Issued at Christchurch on 4 September 2017

Canterbury Regional Council

CRC030342

Area to be irrigated



Grid Reference: J414883-8818

The information in this plot has been taken from Environment Canterbury's records. It is supplied in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent application it should be verified independently.

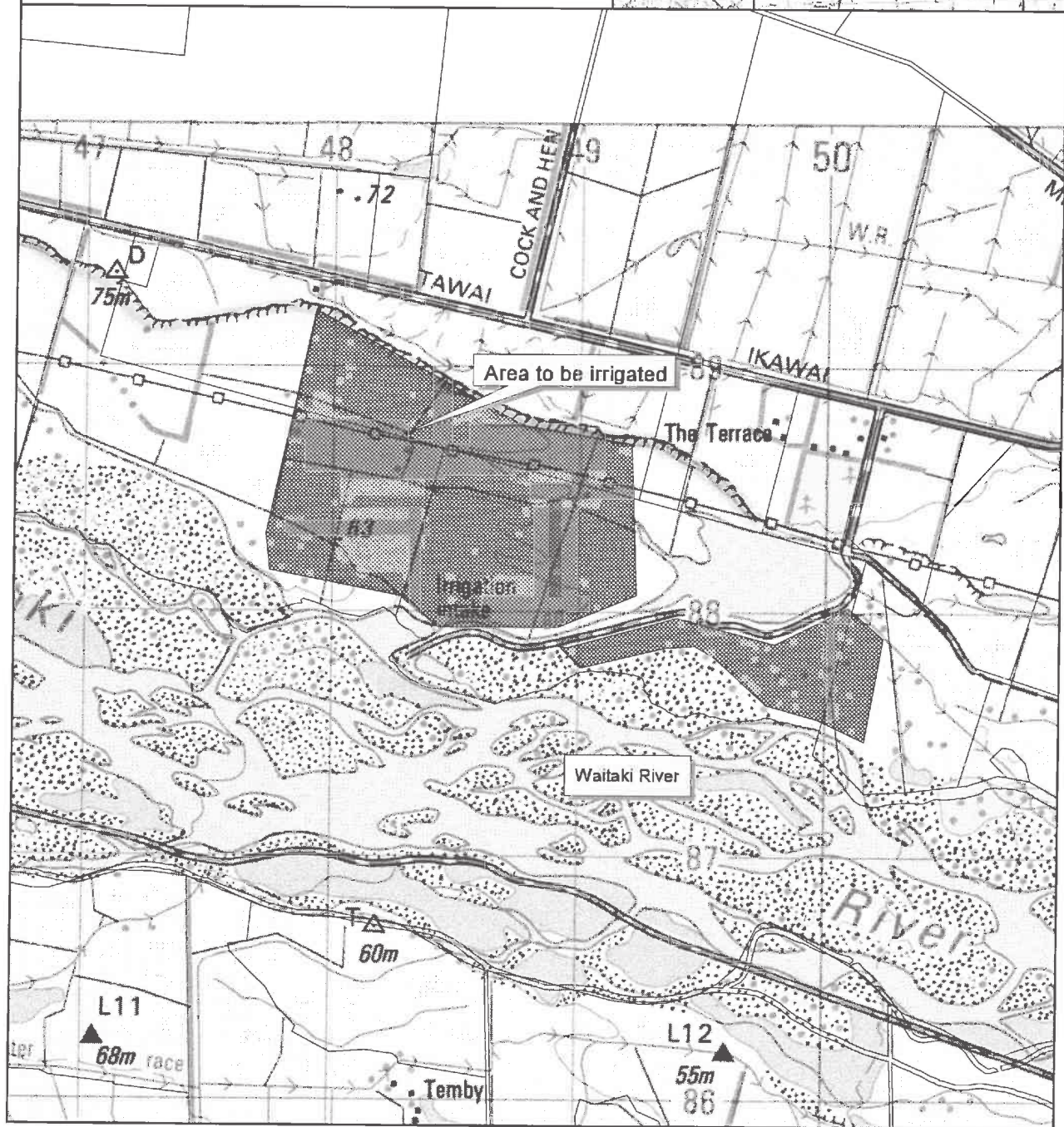
Digital Terrain Information obtained from the NZ Topo Database.
(CROWN COPYRIGHT RESERVED).

Created by the Environment Canterbury's GIS PLOTS system (2001).

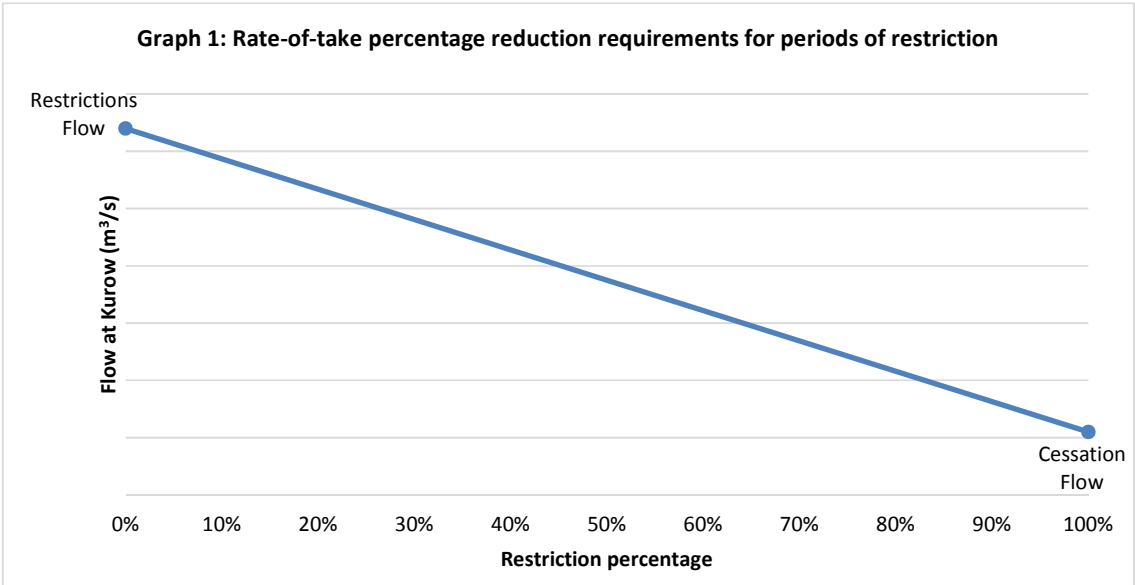
Created by: John H. M.
Date: September 20, 2002
Scale: 1:204222

Land Parcels
District Boundaries

0.0 0.2 0.4 Kilometers



Lower Waitaki River consent review: attachment for Schedule 3 consents



Advice note: as the Restrictions Flow and Cessation Flow may change over time, graphs showing specific river flows on the vertical axis with corresponding reduction in take requirements will be made available by the CRC to the consent holder, so that the required percentage reductions in take can be calculated.