

Resource Management Act 1991
Report and Decision of Independent Hearing Commissioner

Application by Selwyn District Council CRC183459

Application

1. Selwyn District Council ('the applicant') has applied for resource consent to take and use groundwater for a community water supply at Vernon Drive, Lincoln.
2. The application is to take and use water from bore BX23/0510 for community drinking water supply at a rate of take not exceeding 70 litres per second; and with an annual volume not exceeding 453,600 cubic metres. The establishment of a new community drinking water protection zone around the bore is also proposed.
3. The application was later amended to implement a three metre community drinking water protection zone, a reduction from the original proposal of a 100 metre zone.
4. A consent expiry date of 20 May 2033 is sought.

Assessment

5. In assessing the above application, I have read the application documentation and assessment of environmental effects (AEE). I did not undertake a site visit. No hearing was required as no submitters wished to be heard.
6. I have read the Section 42A Officers Report and Addendum to the Report prepared by Mr Carlo Botha, Consents Planner for Canterbury Regional Council, in regard to the water permit application. Pursuant to section 113(3)(b) of the Resource Management Act 1991, I accept and adopt all of the assessment of the resource consent application and the conclusions reached. The Officers Report forms part of this decision.
7. I have read all submissions received and the Memorandum of Counsel (dated 20 September 2018) on behalf of Foodstuffs (South Island) Properties Limited and Lincoln New World.
8. In considering the resource consent application I have had regard to section 104 and Part 2 of the Resource Management Act 1991. Overall, I consider the activities will achieve the purpose of the Resource Management Act 1991.
9. On the basis of the evidence provided before me, I am satisfied that:
 - (a) Any adverse effects of the activity are likely to be less than minor, subject to the imposition of consent conditions; and
 - (b) The proposal is consistent with the relevant objectives and policies of the relevant planning provisions and is consistent with the purpose of the Resource Management Act 1991.

Duration

10. The Applicant has requested a consent duration expiry of 20 May 2033 for the resource consent application to Canterbury Regional Council. I accept Mr Botha's recommendation given that the consent sought should be granted, and for a duration expiring 20 May 2033.

Decision

11. It is my decision, under delegated authority on behalf of the Canterbury Regional Council, pursuant to sections 104, 104C, and subject to Part 2 of the Resource Management Act 1991, to GRANT the Selwyn District Council Water Permit CRC183459 to take and use groundwater for community water supply at Vernon Drive, Lincoln, subject to the conditions attached as Appendix 1.

Dated at Christchurch this 9th day of October 2018

A handwritten signature in cursive script, reading "S. McGarry", is displayed on a light yellow rectangular background.

Sharon McGarry

Independent Hearing Commissioner

Appendix 1

Conditions

Water Permit CRC183459 – to take and use groundwater for community water supply

- 1 Water shall only be taken:
 - a. From bore M36/5377, 250 millimetres diameter and 37 metres deep, located at map reference NZTopo 50 BX23:58169-67956, at a rate not exceeding 35 litres per second; and
 - b. From bore BX23/0510, 300 millimetres diameter and 89.18 metres deep, located at map reference NZTopo50 BX23:57561-67693, at a rate not exceeding 70 litres per second,

As shown on attached Plan CRC183459, which forms part of this consent.

- 2 A combined volume of water shall be taken from bores M36/5377 and BX23/0510 that shall not exceed 453,600 cubic metres, between 1 July and the following 30 June.
- 3 Water shall only be used for community drinking water supply purposes.
- 4 The Consent Holder shall take all practicable steps to avoid leakage from pipes and structures forming part of the reticulation system associated with the abstraction.
5. Prior to the first exercise of this consent, the Consent Holder shall install a concrete plinth around the well head of bore BX23/0510. The plinth shall:
 - a. have a minimum size of 2 metres by 2 metres; and
 - b. shall grade away from the bore casing.

The concrete plinth shall be maintained to the above specifications so that any potential contaminant flows were directed away from the well head.
6. Prior to the first exercise of this consent, the Consent Holder shall ensure that the ground surface around bore BX23/0510 and the concrete plinth is contoured to direct any rainfall run-off away from the well head and to prevent any nearby ponding of surface water.
7. Prior to the first exercise of this consent, for bores M36/5377 and BX23/0510, the Consent Holder shall:
 - a.
 - i. install a water meter(s) that has an international accreditation or equivalent New Zealand calibration endorsement, and has pulse output, suitable for use with an electronic recording device, which will measure the rate and the volume of water taken to within an accuracy of plus or minus five percent as

part of the pump outlet plumbing, or within the mainline distribution system, at a location(s) that will ensure the total take of water is measured; and

- ii. install a tamper-proof electronic recording device such as a data logger(s) that shall time stamp a pulse from the flow meter at least once every 15 minutes for takes, and have the capacity to hold at least one season's data of water taken as specified in clauses (b)(i) and (b)(ii), or which is telemetered, as specified in clause (b)(iii).

b. The recording device(s) shall:

- i. be set to wrap the data from the measuring device(s) such that the oldest data will be automatically overwritten by the newest data (i.e. cyclic recording); and
- ii. store the entire season's data in each 12 month period from 1 July to 30 June in the following year, which the consent holder shall then download and store in a commonly used format and provide to the Canterbury Regional Council upon request in a form and to a standard specified in writing by the Canterbury Regional Council; or
- iii. shall be connected to the Selwyn District Council telemetry system which collects and stores all of the data continuously with that data made available in a commonly used format at all times to the Canterbury Regional Council. No data in the recording device(s) shall be deliberately changed or deleted.

c. The water meter and recording device(s) shall be made available to the Canterbury Regional Council for inspection and/or data retrieval.

d. The water meter and recording device(s) shall be installed and maintained throughout the duration of the consent in accordance with the manufacturer's instructions.

e. All practicable measures shall be taken to ensure that the water meter and recording device(s) are fully functional at all times.

8. Within one month of the installation of the measuring or recording device(s), or any subsequent replacement measuring or recording device(s), and at five-yearly intervals thereafter, and at any time when requested by the Canterbury Regional Council, the consent holder shall provide a certificate to the Canterbury Regional Council, Attention Regional Leader- Monitoring and Compliance, signed by a suitably qualified person certifying and demonstrating by means of a clear diagram that:

- a. The measuring and recording device(s) has been installed in accordance with the manufacturer's specifications; and
- b. Data from the recording device(s) can be readily accessed and/or retrieved in accordance with clauses (b) and (c) of Condition (7).

9 The Consent Holder shall provide to the Canterbury Regional Council, at least on an annual basis or upon reasonable request, auditable recorded water usage data in a

CSV format specified by Canterbury Regional Council that demonstrates compliance with Conditions (1) and (2) of this consent.

- 10 The Consent Holder shall maintain and adhere to a Water Supply Strategy that addresses all of the matters in Schedule CRC183459. The Water Supply Strategy shall be updated as necessary and supplied to Canterbury Regional Council Attention: Regional Leader – Monitoring and Compliance on request.

Advice Note: *The Water Supply Strategy does not need to be a standalone document for this consent and the matters in Schedule CRC183459 could be addressed in other Selwyn District Council documents. When a copy of the Water Supply Strategy is requested by Canterbury Regional Council, this could be provided by sending an electronic link to the document(s) on Selwyn District Council's website with notes advising where each of the matters addressed under Schedule CRC183459 can be found in the document(s).*

- 11 The Community Drinking-water Supply Protection Zone for bore BX23/0510 shall be a 3-metre radius around the bore.

Advice note: *The purpose of this condition is to provide an adequately sized zone around the bore to assist in ensuring adequate protection of the Community Drinking-water Supply from the effects of other activities.*

- 12 There shall be no storage of any hazardous substance within the Community Drinking-water supply Protection Zone for bore BX23/0510.

- 13 Prior to the first exercise of this consent, the Consent Holder shall prepare a safety plan to address any spills of hazardous substances that may occur within the Community Drinking-water Supply Protection Zone for bore BX23/0510. A copy of the safety plan shall be made available to the Canterbury Regional Council on request.

14. The Canterbury Regional Council may, once per year, on any of the last five working days of March or July, serve notice of its intention to review the conditions of this consent for the purposes 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.

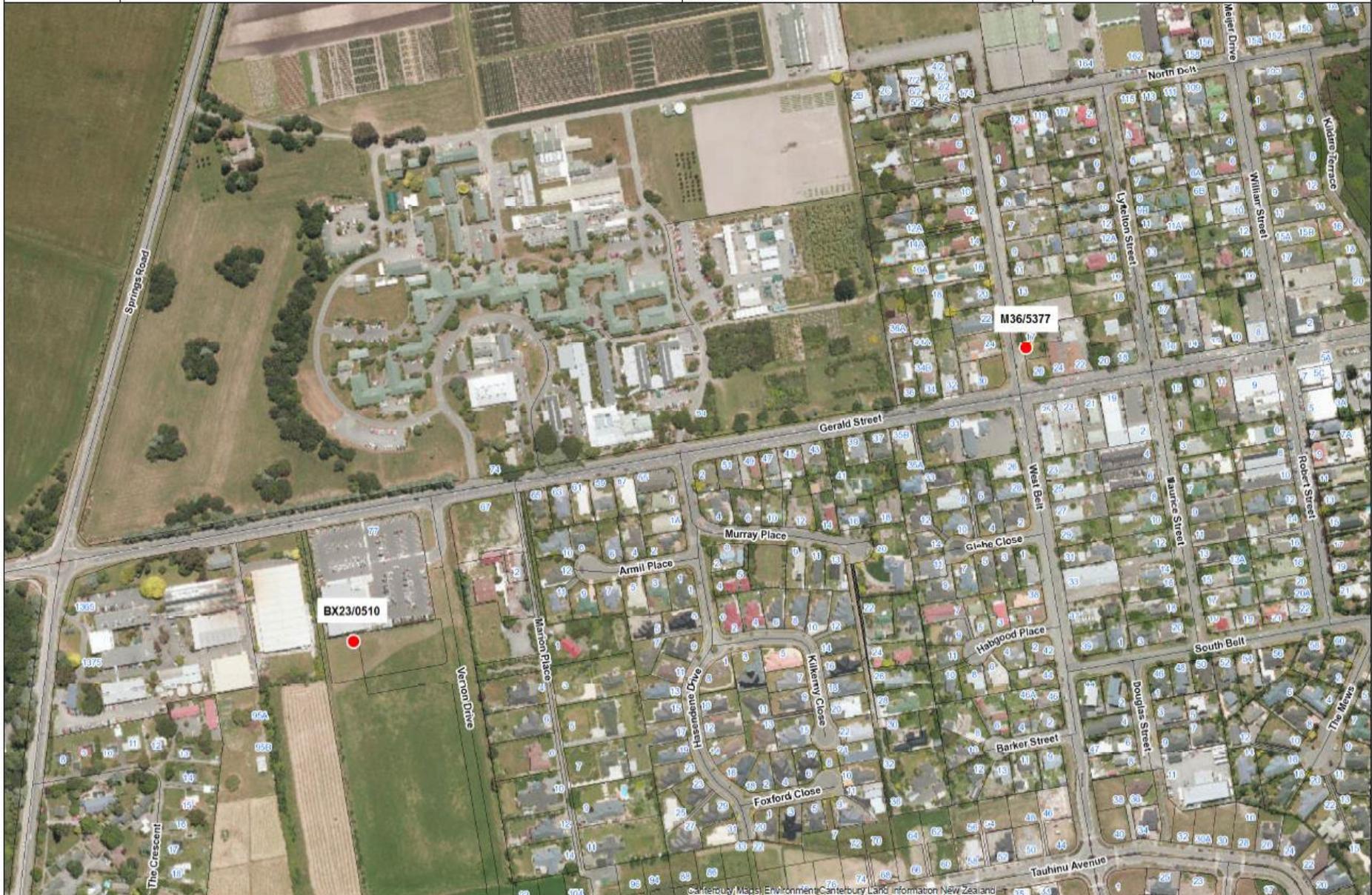
15. Prior to the exercise of this consent, a request shall be made to Canterbury Regional Council to surrender resource consent CRC981830.

16. If this consent is not exercised before 30 September 2021 it shall lapse in accordance with section 125 of the Resource Management Act 1991.



Scale: 1:3,000 @A3

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Schedule CRC183459 - Water Supply Strategy

A water supply strategy is a document required to accompany an application for resource consent to take and use water for a community water supply. It must contain the following information in sufficient detail to enable the consent authority to be reasonably informed on the nature and extent of the activity and any effects of that activity on the environment:

1. A description of the community water supply system including:
 - (a) the location of the water source, surface water or groundwater abstraction point, and any relevant bore numbers; and
 - (b) a description of the water conveyance method; and
 - (c) the geographical extent of the water supply distribution network; and
 - (d) the estimated population supplied, or to be supplied, by the network; and
 - (e) primary water uses e.g. stockwater, domestic, industrial or commercial use; and
 - (f) expected peak demand water requirements; and
 - (g) water treatment methods; and
2. An assessment of existing and future demand for water to meet:
 - (a) reasonable domestic needs; and
 - (b) public health needs; and
 - (c) the responsibilities of municipal water supply authorities under the Local Government Act 2002 with respect to the supply of water; and
 - (d) any staged increase in allocation that may be sought during the term of the water permit to meet these demands; and
3. A description of:
 - (a) any proposed water conservation methods and measures to ensure efficient use of water (including both regulatory and non-regulatory actions); and
 - (b) measures to minimise water loss from the water reticulation network; and
 - (c) how the above measures in (3)(a) and (3)(b) will be implemented; and
 - (d) performance targets to measure the effectiveness of the methods implemented; and the timeframe for review of any specified actions listed in the implementation plan; and
4. An assessment of any alternative water sources available or alternative means of sourcing water; and
5. A drought management plan that includes:
 - (a) methods to reduce consumption during water shortage conditions and particularly consumption by non-essential agricultural, residential, industrial or trade processes; and
 - (b) a description of any methods to ensure water conservancy during times of drought, including but not limited to public education programmes and compliance or enforcement measures.

This schedule has been taken from Schedule 25 of the operative Canterbury Land and Water Regional Plan.