

Memo

Date	15 September 2017
To	OTOP Zone Committee
CC	
From	Peter Constantine

On Farm Water Storage

Purpose

This memo sets out the current Land and Water Regional Plan (LWRP) provisions that manage the construction and use of on-farm storage facilities. It concludes by posing the question are these provisions adequate within the OTOZ or is a bespoke response required.

LWRP Provisions

The LWRP enables, as a permitted activity and within specified limits, the construction and use of on-farm water storage infrastructure. The concerns of the LWRP can be summarised as follows:

- Minimisation of risk of overspill, leakage, slips or dam failure
- Provision for diversion of floodwaters
- Risk of inundation or other adverse effects on people, communities, or their property.

The provisions are not concerned with the abstraction of water to fill any storage facility – that is the subject of other LWRP provisions concerned with flow and allocation regimes for specific water bodies.

For a storage facility to qualify as a permitted activity the following must be complied with:

- It must be outside the bed of a river or natural lake
- Volume impounded less than 20,000m³
- Maximum depth above ground level of impounded water less than 4 metres
- If volume impounded exceeds 1,000m³, the design and construction must be certified by a Recognised Engineer
- The site is not contaminated or potentially contaminated

If these conditions cannot be met then the proposal becomes a discretionary activity and resource consent is required. There is one 'entry' condition that must be met:

- The damming does not prevent domestic or stock water being taken or reduce the reliability of supply of any existing legally authorised water take.

Failure to comply with this condition results in the proposal becoming non-complying.

From this brief outline of the LWRP provisions it can be seen that the infrastructure itself is treated separately from the abstraction to fill it. This is deliberate. The abstraction can and should be subject to any applicable flow and allocation regime established in a sub-region section of the LWRP or where there is no such regime, the default provisions in the region-wide section of the plan.

Key Decision Areas

- 1 Are the region-wide provisions adequate?**
- 2 If not, what should be amended, to what, and why?**
 - a. Size constraint**
 - b. Volume impounded**

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