

**Before the Commissioners appointed by Canterbury
Regional Council**

IN THE MATTER OF The Resource Management Act
1991

AND

IN THE MATTER OF Applications CRC011987 &
CRC012733 by Bellfield Land
Company Ltd for a Water Permit
to divert, take & use surface
water, and a Discharge Permit to
discharge water.

Section 42A Officer's Report

Date of Hearing: 21 September 2009

Report of *Claire Penman*

1. This report should be read together with the introductory s42A report which gives an overview of all applications presented at this hearing (Report 1), the planning and technical reports on hydrology and minimum flows (Report 2A and 2B), the planning report outlining annual allocations (Report 3) and the reports on cumulative landscape and water quality effects in the catchment (Reports 4A-F and 5).

INTRODUCTION

2. Bellfield Land Company Ltd (the applicant) have applied for a resource consents to:
 - (a) Divert, take and use 140 litres per second with an annual volume of 1,920,662 cubic metres, from the Quailburn Stream, for stockwater and spray irrigation of 190 hectares for grazing sheep and beef (*CRC011987*); and
 - (b) Discharge up to 140 litres per second excess bywash water and stock water into tributaries of the Quailburn Stream (*CRC012733*).

At Hen Burn Road and Quailburn Road, Omarama (see Attachment One for a map showing the location of the diversion and discharge, land use activities, and irrigation areas).

3. Jason Cowan of Pasley, Dean & Kirk was originally engaged to prepare the application and assessment of environmental effects on their behalf. Subsequently, Mr Bob Hall of GHD Ltd (formerly R J Hall) provided responses to some further information requests. The applicant has now engaged Haidee McCabe of IR Solutions, to respond to further information requests.
4. A duration of 16 years to 2025 is sought. CRC011987 and CRC012733 are applications for replacement consents.

Background

5. The replacement applications were previously made in the name of H M Munro but due to the sale of the property, the applicant has since changed to Bellfield Land Company Ltd.
6. The applicants have previously held consents for the Quail Burn activities (WTK702041A, B and C) which expired on 1 October 2001. Copies of these consents are included in Attachment Two. As these applications were lodged 6 months prior to the expiry of the above consents, the applicant is currently operating under s124 continuation.
7. Applications CRC011987 and CRC012733 were lodged on 29 March 2001, six months prior to the expiry of consents WTK702041A, B and C. Requests for further information have been sent covering effects including, but not limited to, water quality, landscape, irrigation volumes, minimum flows, and derogation approvals.
8. Since notification, the total irrigation area has been reduced from 208 hectares to 190 hectares, and the annual volume for irrigation and stock water has also reduced from 2,835,520 cubic metres (as notified) to 1,920,662 cubic metres.
9. Originally the proposal included a separate intake and discharge to supply another stock water race on the property. As stock water is proposed to be piped into troughs, this additional stock water only intake and discharge is no longer required. However, some stock water will still flow down the irrigation races until the trough system is fully established.
10. Consents CRC071649 and CRC071650 are currently being sought by the applicant for another proposal from the Hen Burn (see Report 8B).

Notification

11. Details of the notification and wording are contained in Appendix 4 of the introductory s42A report (Report 1). CRC011987 was notified in the ministerial call-in of December 2003, while both consents were notified in August 2007 with 200 other applications for similar activities in the Waitaki catchment.

Submissions

12. In the 2007 public notification, 22 submissions in total were made on the water permit application CRC011987. Of these:
 - (a) 2 were in support;
 - (b) 18 in opposition; and
 - (c) 2 neither supported nor opposed this application.
13. For the discharge application CRC012733, a total of 16 submissions were received. Of these, 2 were in support, 12 in opposition, and 2 neither supported nor opposed the application.
14. In the December 2003 "ministerial call-in", a total of 314 submissions were received on CRC011987.

15. Details of submissions made in response to all applications which were publicly notified at the same time in 2007 and 2003 are contained in Report 1, Appendix 5. Additionally, Table 1 below summarises only those submissions made individually on these applications, or submissions which raise particular concerns in relation to this proposal. Please note that all submissions hold equal importance, even if not specifically listed in the table below.

Submitter	Issues	Support/ Neutral/ Oppose	To be heard
T J & J Cooke ¹	Long-standing water right should be continued to allow for pastoral development	Support	No
J J Ryan ¹	Long-standing water right should be continued to allow for pastoral development	Support	Yes
Canterbury-Aoraki Conservation Board ^{1,2}	Concerns regarding effects on instream values, landscape, water quality and consider 35 yr duration too long.	Oppose	Yes
Fish & Game ^{1,2}	Quail Burn is important spawning tributary and stream is over-allocated	Oppose	Yes
DW McAughtrie ¹	Has replacement consent on stream that may be affected by this take, need to establish flow sharing regime	Oppose	Yes
F I Home ²	Concerns with cultural values. Minimum flow should be set given large number of applications on Quail Burn	Oppose	Yes
Department of Conservation ^{1,2}	Water quantity, water quality, fish passage, natural character	Oppose	Yes
Meridian Energy Ltd ^{1,2}	Effects on water quality, efficient use and need to meter take	Oppose	Yes
Ohau Co Trust ¹	Amount of water being sought exceeds that available and a fair flow sharing regime should be established	Oppose	Yes
AJ & WH Sutherland ²	Concerned about location of abstraction point	Oppose	Yes

Table 1: summary submissions for applications CRC011987 & CRC012733

¹ August 2007

² Call-in 2003

DESCRIPTION OF THE PROPOSED ACTIVITY

16. The applicant diverts water from the Quail Burn at a rate of 140 litres per second. The diversion race directs water from the Quail Burn to an intake structure and any excess water is by-washed directly back to the stream (see photos of intake structure in Attachment Three). The intake structure is located approximately 80 metres downstream of the diversion point. The race then flows around the bottom of Cloud Hill to the pump station for the centre pivot irrigator.
17. The intake, off the diversion channel, will be modified to install a buried gallery/fish screen in the race system to allow fish passage back to the river via the bywash. As the works for the upgrade will be in the race, the applicant considers that no land use consent will be required for the works. The applicant's consultant also confirmed on-site that no land use consent would be required for any maintenance work as the diversion channel was not located within the bed of the Quail Burn and as such no work needs to occur in the Quail Burn itself, only within the diversion channel.

18. Discharges from the system, being by-wash water at the intake and excess stock water from the races, will be discharged at two points on the property into tributaries of the Quail Burn and Cookes Pond (effectively the Ahuriri River).
19. Currently stock water is supplied to the property via this main race which feeds a number of smaller races. The applicant proposes to upgrade this system to a reticulated system once this consent is granted as they recognise that the races are an inefficient conveyance method.
20. The proposed annual volume (and derogation approval) includes provision of 362,880 cubic metres for stock water for the property. However, the applicant considers that the provision of stock water is covered by section 14(3)(b) of the RMA. CRC cannot grant a consent for an activity where resource consent is not required.
21. However, the applicant has not withdrawn this activity from the application. As such, I have included an assessment of the proposed stock water volume that is provided for in the derogation approval should the Commissioners decide that it needs to be covered by this consent.
22. The applicant proposes the following activities:

CRC011987

- (a) To divert, take and use water from the Quail Burn, at or about map reference NZMS 260 H39:645-364 and H39:646-364, at a rate not exceeding 140 litres per second, with a volume not exceeding 1,920,662 cubic metres per year.
- (b) Water shall be used for spray irrigation of up to 190 hectares for grazing sheep and beef with a volume not exceeding 1,557,782 cubic metres per year.
- (c) Water shall also be used for stock water with a volume not exceeding 362,880 cubic metres per year.
- (d) A minimum flow of 0.1m³/s is proposed at Hen Burn Road, in accordance with the Table 3, row (xi) of the WCWARP.
- (e) A fish screen will be installed on the intake, however, details of this have not been provided.
- (f) The take of water will be metered.

CRC012733

- (a) Water shall only be discharged at a rate of up to 140 litres per second into the Quail Burn and its tributaries, at or about map references NZMS 260 H39:649-338 and H39:650-347.
- (b) The water discharged shall only be unused irrigation and stock water diverted in accordance with resource consent CRC011987.
- (c) The discharge shall not cause erosion to the bed or banks of the receiving water bodies.

LEGAL AND PLANNING MATTERS

Consent Requirements

23. An overview of the consent requirements under the Resource Management Act (RMA), Transitional Regional Plan (TRP) and Waitaki Catchment Water Allocation Regional Plan (WCWARP) for water permit applications is provided in the introductory s42A report (Report 1). These applications were lodged in 2001. The TRP is the regional plan which controls the activity type for the discharge permit application (pursuant to section 88A(1) of the RMA) and the WCWARP is the regional plan which controls the activity type for the water permit application (as outlined in Report 1).
24. A summary of the requirements for this application is provided below:

Water Permit – CRC011987

TRP

The TRP permits the abstraction of surface water from any surface waterway provided the annual volume abstracted is less than 10 cubic metres per day, and the rate of take is limited to 5 litres per second. Given that the proposed take exceeds these limits, consent is required as a discretionary activity.

WCWARP

- (a) Rule 2, clause (1)(a) – The applicant proposes the minimum flow 0.1 cubic metres per second at Hen Burn Road (Table 3, row (xi)(a))
 - (b) Rule 2, clause (1)(b) – This activity is a replacement consent and it is not required to fit within the allocation limits, however it does fall within the allocation limit of 0.31 cubic metres per second for the Quail Burn (Table 3, row (xi)(b))
 - (c) Rule 2, clause (2) – Any water take for stock drinking-water is exempt from minimum flow and level regimes, but not from allocation limits.
 - (d) Rule 6 – The activity is within the allocation limit of 275 million cubic metres for agricultural activities upstream of Waitaki Dam (see Report 3 for annual allocation and priority tables).
 - (e) Rule 15 - Classifying rule
25. Overall, the proposed water permit is a **discretionary** activity under Rule 15 of the WCWARP (and TRP) and resource consent is required in accordance with section 14 of the RMA.

Discharge permit – CRC012733

TRP

There are no provisions which authorise the discharge of water into water. This activity is discretionary and resource consent is required under section 77C(1)(b) of the RMA.

Ahuriri WCO

Consent to discharge into Cookes Pond can be considered under clause (8)(2) of the Order as it will not breach the standards specified in that clause for any discharge into the "protected waters".

26. Overall, the proposed discharge permit is a **discretionary** activity under the TRP and resource consent is required in accordance with section 15 of the RMA.
27. No land use permit is required under section 13 of the RMA as the applicant considers that there will be no works undertaken in the bed or banks of any water body other than the man-made diversion channel.

Priority

28. In terms of instantaneous allocation under Rule 2 of the WCARP, a detailed list of all applicants who fall within Rule 2, Table 3(xi) can be found in Report 2A.
29. For Rule 6 of the WCWARP (annual allocations), refer to Report 3 for a full list of all existing consents and applications in priority order.
30. For application CRC011987, the allocation limits are not exceeded and there are no priority issues.

Derogation Approval

31. Meridian Energy Limited (MEL) has provided approval for Bellfield Land Co. Limited to derogate from its consents. A copy of the derogation approval is included in Attachment Four.

CONSULTATION

32. The applicant has undertaken some consultation with Fish & Game and the other Quail Burn abstractors and stated in their s92 response in December 2006 that consultation with Department of Conservation would be undertaken in 2007. No details of this consultation have been provided by the applicant.
33. MEL has provided approval for Bellfield Land Co Ltd to derogate from its consents (see Attachment Four).

DESCRIPTION OF THE AFFECTED ENVIRONMENT

34. A description of the values of the Mackenzie Basin in general is provided in the introductory s42A report (Report 1).
35. In addition to the above overall summary, the applicant notes the following:
 - (a) In terms of the flows in the Quail Burn, approximately 200 to 300 metres below the diversion, surface flow ceases typically from December until April, except for floods.
 - (b) The applicant also describes the importance of Cookes Pond for ecological values as it is a natural wetland area that provides habitat for black stilt and other wading birds. Water levels are supplemented by the discharge from the race system.

36. Fish & Game provided comment on the values in the Quail Burn in February 2002 and in their submission from the August 2007 notification, and consider it to be an important spawning and juvenile rearing tributary of the Ahuriri River. Particularly for rainbow trout which are tributary spawners. Good angling is available early in the season, in the lower reaches before these are dewatered later in the summer.
37. I also note the following:
- (a) The proposed irrigation area is predominantly flat land at the base of the adjacent hills, and is set back from the main road such that it is not visible to general traffic along State Highway 83. However, it will be visible to traffic travelling to the popular tourist spot of the Clay Cliffs.
 - (b) On CRC's GIS system, Cookes Pond, covering an area of approximately 12 hectares, is recognised as a wetland of national significance. It is noted as having carex species along its margins and being rich in bird species, being important for waterfowl and waders as well as black stilt breeding.
38. There are no other existing consented users on the Quail Burn, but there is one application for a replacement consent with higher priority (McAughtrie, Ellis-Lea Farms Ltd & Greenfield Rural Opportunities Ltd – CRC991473) and one other applicant seeking a new consent with lower priority further up the catchment (see instantaneous priority tables appended in Report 2).

ASSESSMENT OF PROPOSED ACTIVITY

39. The proposed water permit and discharge permit are discretionary activities and must be considered in the context of section 104 of the RMA.
40. Section 104(1) outlines matters that the consent authority must have regard to when considering an application for a resource consent, including any actual and potential effects on the environment, any relevant statutory provisions, and any other matter the consent authority considers relevant.

Assessment of actual and potential effects (s104(1)(a))

41. The effects that have been considered for this type of activity (surface water diversion and abstraction, and discharge of water) are identified in the introductory s42A report (Report 1). That report includes the identification of the relevant planning provisions which direct us to consider these effects. A summary table regarding the assessment of individual effects for each application is provided below and a detailed discussion of those outstanding matters or areas of concern is provided in the following sections.

Water Permit

Adverse Effects	Applicant's assessment	IO assessment	IO Conclusion
Ecosystems	Consider with fish screen & min flow that effects minor.	Minimum flow as set out in Table 3 which takes into consideration protection of ecosystems. Fish screen proposed but needs to be in accordance with recommended condition.	Effects minor.
Other water users	Another applicant has higher priority, both submitted against each other, but consider that with an appropriate flow	Water meter proposed. If flow sharing regime as proposed in report 2A adopted, then effects on other abstractors minor. Other	Effects minor.

	sharing regime then supportive. Water meter proposed.	applicant upstream of intake so no reduction in flow availability. Both applicants within allocation limit. MEL have provided derogation approval for this application.	
People, communities & recreational values	Part of substantially modified rural environment and already irrigated. Ridgeline behind flats will not be affected. Greening effects of irrigation part of agricultural landscape. Cumulative effects too remote, unnecessary to determine application & beyond scope of Regional Council. Recreational & amenity effects have not been assessed.	The irrigation area is not visible from the State Highway. I note the irrigation area is adjacent to but not within the "Outstanding Natural Landscape" areas. Conclusions of Chris Glasson on landscape effects (Report 5) consider that effect on landscape from this proposal are acceptable provided they retain a buffer from stream edge and retain riparian planting. Also that they maintain a road edge buffer. Appropriate min flow proposed to protect recreational use and aesthetic amenity of waterway. I also note that use of water for irrigation may result in improved productivity of the land & positive economic benefits for the wider community.	Effects acceptable if proposed mitigation is adopted.
Inefficient take and use	Applicant proposes 1,557,782m ³ /yr for irrigation.	Disagree that this is an efficient volume. Consider 1,231,250m ³ /yr more appropriate using the methodology outlined in Report U05/15.	Effects may be more than minor.
Water quality	MWRL report for cumulative effects.	Not satisfied given conclusions in s42A reports on cumulative effects (Report 4A-F). There are a number of submitters to be heard on this matter.	Effects may be more than minor.
Tangata Whenua values	No assessment provided.	Submissions concerned & have not been addressed by applicant.	Effects uncertain.

Adverse effects of inefficient use on other users

42. The taking of water in excess of that required for the intended use may contribute to water levels being unnecessarily reduced and less water available for other users. A number of submitters have identified this issue.

Irrigation volumes

43. The applicant proposes to take water at a rate not exceeding 140 litres per second and use up to 1,557,782 cubic metres per year for irrigation of 190 hectares. The irrigation volume has been calculated using Irricalc.
44. In terms of the irrigation component, for the proposed rate of 140 litres per second, irrigation equates to a gross daily application depth of 6.3mm/day. At 80% efficiency this works out to be approximately 5 mm/day which is achievable for the type of irrigation system proposed and appropriate for the expected rates of evapotranspiration.

45. As a comparison to the applicant's annual volume calculation, I have used CRC's GIS system and the method outlined in Report U05/15 to determine an appropriate annual volume for irrigation of the proposed area in accordance with Policy 16(c). I based this calculation on intensive land use with 165ha light soil (PAW <75mm) and 25ha heavy soils (PAW >110mm) and Effective Summer Rainfall of 190mm. PAW of the soils in the proposed irrigation area range from 40mm to 130mm, but are predominantly <75mm.
46. Using the above figures, an annual volume 1,231,250 cubic metres would be an appropriate and efficient volume of water for spray irrigation of this area using one of the methods outlined in Policy 16(c).
47. I note that this methodology (Report U05/15) assumes an irrigation efficiency of 80% which is largely achievable for modern spray systems (consistent with Policy 16(b)) and takes into consideration on-site physical and climatic factors (Policy 16(a)).
48. Given the above discussion, I cannot make a conclusion on the Irricalc method to be satisfied that the annual volume being sought by the applicant of 1,557,782 cubic metres per year would be reasonable and appropriate for the area and method of irrigation proposed.
49. I also consider that the standard efficiency condition (WP05) is appropriate to ensure that water is not applied to the soils above their average water holding capacity, nor onto unproductive areas of land.

Stockwater volumes

50. Of the proposed 362,880 cubic metres for stock water, the applicant has calculated the volume required as being 12,240 cubic metres per year. This was calculated based on provision of water for 4,700 ewes and 300 beef cattle, using the volumes in Schedule WQN11 of the PNRRP and a tolerance factor of 1.2. The applicant also states that a peak flow rate of 20 litres per second is still required for the race system to ensure water is conveyed to the end of the race system, allowing for race losses.
51. While the applicant does not consider that a consent is required for the stockwater component, I consider that the proposed rate and volume for stockwater of 362,880 cubic metres per year would be appropriate given the type of open race distribution system that it currently flows through. However, I consider this volume would be excessive and an inefficient use of water once the system is upgraded to pipe and troughs.

Conveyance / distribution efficiency

52. In terms of the race system, the applicant has acknowledged that it is a very inefficient method of distribution due to high race losses, and the higher rate required to deliver water to the whole system. As such, the applicant proposes to upgrade to a piped stock water system within the first few years after consent is granted. They consider that given the proposed upgrade, the system meets the requirements of Policy 19.
53. I note the intentions of the applicant to upgrade the system, and the substantial investment required to install a piped system. I consider that it would be appropriate to include a condition requiring the stock water distribution system to be piped within 5 years from grant of consent in order to meet the efficiency requirements of Policy 19.

Efficiency conclusions

54. Given the above discussion, I am not satisfied that that the proposed seasonal allocation is reasonable for the proposed irrigation area. In addition, once the applicant has upgraded the distribution system, I consider that the volume required for stockwater should be substantially reduced.

Adverse effect of use on water quality

Local effects

55. In terms of effects at the local scale, as this is a replacement application, the applicant has considered that effects on water quality will continue to be minor. They note that the areas currently irrigated will be upgraded to spray systems from the previous wild flooding and discharges will be eliminated over time.
56. I do not agree that this is an appropriate starting point for the assessment of the water quality effects associated with these applications. In my view there can be no presumption that the effects of the use of water authorised under the previous consents will continue to be authorised under any new consent.
57. The applicant also noted in their s92 response received 18th December 2006, that water quality tests would be carried out on the discharge into Cookes Pond and the Quail Burn to determine if there were any effects from the current system on water quality. To date, any results obtained have not been provided to CRC. The applicant also refers to a report by Dr P Espie regarding irrigation in the Mackenzie Basin (2004) which discusses the ability of modern centre pivot systems to minimise nutrient depletion and water contamination.
58. I note that no nitrates assessment for the property has been provided and depth to groundwater is unknown. I note that the Quail Burn runs alongside the proposed irrigation area and that some form of buffer strip along its length may be appropriate to protect the surface water quality from runoff and leaching of nutrients as a result of irrigation. Conditions to this effect have not yet been provided by the applicant.
59. No submissions were received on the local effects on water quality of this proposal.
60. Given the above, I cannot be satisfied that the adverse effects on water quality from the proposed activity will be minor.

Cumulative effects

61. An assessment of cumulative effects on water quality was requested to address the above concerns and in reference to Policy 13 of the WCWARP. The applicant has been involved with the study by Mackenzie Water Research Ltd (MWRL) on cumulative effects within the catchment.
62. There are a number of submissions which identify water quality as a result of land use intensification as a concern, including a submission from Meridian Energy Ltd who effectively hold consent to use all the water in the Upper Waitaki catchment. Those submitters and their concerns are outlined in more detail in Appendix 5 of Report 1.
63. The report by MWRL has been audited and a separate s42a overview report prepared by Dr Mike Freeman as well as numerous technical s42A reports (see Reports 4A-F).

64. The conclusion of Dr Mike Freeman and other experts (as outlined in Reports 4A-F) is that given the significant level of uncertainties involved in, and technical concerns with, critical aspects of the MWRL/GHD assessment of the adverse effects, together with the lack of mitigation measures yet proposed by resource consent applicants means that it is premature to make adequate conclusions about the potential adverse cumulative effects.

Adverse effect on Tangata Whenua values

65. The applicant has not provided an assessment of the effects of the proposed activity on cultural values. The sites of the proposed activities are within the rohe of Te Runaka O Waihao, Te Runaka O Arowhenua and Te Runaka O Moeraki. All three runanga and Te Runanga O Ngai Tahu were served notice of the applications in August 2007.
66. Submissions were received in opposition to this application from Te Runanga o Ngai Tahu and Ngai-Tahu Mamoe Fisher People. The concerns of the Ngai-Tahu Mamoe Fisher People seem to relate specifically to the resource consent process, rather than this specific application.
67. Te Runanga o Ngai Tahu have raised concerns relating to mixing of waters between catchments, deterioration of water quality, dewatering and residual flows, changes to sediment flow and deposition and impacts on sites of cultural significance.
68. Given that there are a number of submissions which identify cultural values, I cannot determine the scale of the actual and potential effects on the cultural values of the area.

Discharge permit

Adverse Effects	Applicant's assessment	IO assessment	IO Conclusion
Flood-carrying capacity & erosion	Discharge will be bywash water at the point of diversion & excess stock water. Discharges are continuous, but the rate fluctuates depending on how much is being taken through the race system. Consider no adverse effect of the proposed discharges on flood-carrying capacity or erosion.	For bywash, any water discharged will not be greater than that diverted through the race, and would therefore not increase the flow in the receiving water body, and not decrease flood-carrying capacity. During my site visit, I observed that the bywash race is appropriately aligned in a downstream direction to the flow to ensure that there is no erosion of the bed or banks at the point of discharge. For the discharges from the stockwater races into Cookes Pond and smaller tributaries of the Quail Burn, I consider that the rate of flow would be low enough (20 litres per second at the head of the race before any stockwater abstractions and race losses) to ensure that there would be no increase in erosion or adverse effects on flood-carrying capacity downstream. I consider that with the recommended conditions, the effects of the discharge of flood-carrying capacity and erosion would be minor.	Effects minor.

Water quality & ecosystems	Consider no effect of the discharges on water quality and ecosystems as there would be no increase in turbidity causing sediment disturbance and affecting water quality, and any contaminants in the discharge would not result in excessive weed growth. The applicant considers that the discharge to Cookes Pond, and ultimately the Ahuriri River, will not result in adverse effects on water quality in Ahuriri River, as per the WCO requirements. They note that the Ahuriri WCO was made in knowledge of the existence of this race system and bywashes, and that it was a long-standing practice.	Previously discharges would have been excess stock water & runoff from wild flooding with higher level of sediment and faecal matter. Now as the irrigation method will be spray and the discharges from the stock water races will soon cease, there will be reduced contaminant loads in the discharges. Discharge to Cookes Pond will be no more than minor as water in the pond would undergo renovation through sunlight, sedges and filtration through sandy gravels so that the Ahuriri River is in effect protected against any contaminants present in the discharge entering Cookes Pond. For the bywash discharges, the water discharged will only be that which has been diverted down the race for approximately 10 to 20 m. Therefore no change in water quality.	Effects minor.
Downstream users and amenity values	No downstream users on Quail Burn. Discharge into Cookes Pond provides positive amenity and ecological benefit. For bywash, no change to the quality or rate of flow of the water and the discharge will occur within 10 to 20 m of the diversion. No known users of the stream between the diversion and bywash discharge points	I agree with the applicant's assessment and consider effects on downstream users and amenity values would be minor.	Effects minor.
Tangata Whenua values	No assessment provided.	As effects on water quality considered minor, I am satisfied that effects on Tangata Whenua values minor.	Effects minor.

Overall Conclusion

69. With regard to s104(1)(a), the actual and potential effects of the activities have been discussed above.
70. In particular, for the water permit application there is uncertainty regarding the following effects:
- (a) The localised and cumulative impacts on water quality;
 - (b) Whether the annual volume requested represents an efficient use of water;
 - (c) The effects on cultural values in the area.
71. The impacts on landscape values can be mitigated, if the recommended conditions requiring appropriate buffer strips and riparian planting are included, should the Commissioners decide to grant consent for this activity..

72. For the discharge permit application, I am satisfied under s104(1)(a), that the actual and potential effects of the proposed activity will be minor.

Statutory Assessment (s104(1)(b))

73. Section 88A(2) of the RMA states that any plan or proposed plan which exists when an application is considered must be had regard to in accordance with section 104(1)(b). For this reason it is appropriate to consider the objectives and policies of the PNRRP that are relevant to the application to discharge water.

Regional Policy Statement (RPS)

74. Under Section 104(1)(b)(iii) of the RMA, the consent authority shall have regard to any relevant regional policy statement. The Canterbury Regional Policy Statement has been operative since 26 June 1998.
75. Of significance to this application is Chapter 9, which relates to the management of the Region's water resources. The WCWARP and PNRRP take into account policies in the RPS and address the issues outlined in more detail. Any assessment of effects has been made using these documents and therefore I have had regard to the RPS throughout this assessment.

Waitaki Catchment Water Allocation Regional Plan (WCWARP)

76. The objectives and policies of the WCWARP that are relevant to each potential adverse effect are identified in the introductory s42A report. A table of all those objectives and policies considered to be relevant to the water permit application is appended in Attachment Five. A discussion of the objectives and policies which are particularly relevant to this application is provided in the following paragraphs.

Objectives

77. Objective 1 is a key objective in relation to the proposed taking of water. I have considered whether Objective 1 can be met in terms of sustaining the quality of the river and surrounding environment. While the proposal may not entirely be consistent with Objective 1 and the associated policies (particularly policy 13 relating to water quality and policies 15 & 16 relating to efficient use), it is difficult to determine if the inconsistencies are significant enough to make the proposal contrary to Objective 1.
78. The proposed activity will impact on the matters outlined in Objective 1. In particular, (a) relating to spiritual and cultural values, given that effects on Tangata Whenua have been raised as a concern by submitters and have not yet been addressed by the applicant, and (b) life-supporting capacity of river and ecosystems, given that the potential adverse effects on water quality remain an outstanding concern. The cumulative impacts of the proposal on natural character and landscape values of the catchment (c) may be addressed by requiring appropriate buffer distances between the irrigation area and sensitive areas, such as the Hen Burn Road and the Quail Burn. There have been a wide range of people who have submitted against the proposed activity due to concerns about impacts on these values. Given this, and that no mitigation has been proposed by the applicant, I cannot determine whether the proposed activity is contrary to these values at the time of preparing this report.
79. The proposed activity is within the allocation limits set by the WCWARP, therefore, it may be considered to be consistent with Objective 2.
80. Objective 4 aims to achieve a high level of technical efficiency in the use of water. The applicant has not provided sufficient information to confirm that the annual

volume of water requested is reasonable to meet the demands of the soils within the irrigation area, therefore, the proposal may not be consistent with Objective 4.

81. I am satisfied that the proposal will not affect the reliability of supply to other users downstream on the Quail Burn. And can conclude that it is consistent with Objective 5 of the WCWARP.

Environmental flow and level regimes

82. Policies 2 – 8 deal with minimum flows for the Quail Burn.
83. Policies 3 and 4 outline the values that must be maintained in the water bodies, and a number of matters that must be considered when setting an environmental flow and level regime, and are particularly relevant to this application. As the applicant is proposing to adopt the minimum flow required by the WCWARP and falls within the instantaneous allocation limits, I am satisfied that the proposal is consistent with these policies.

Policies on water quality

84. Policy 13 deals with water quality issues resulting from land use intensification and enables the consent authority to have regard to the water quality objectives in the PNRRP. The WCWARP incorporates by reference Objectives WQL1, 2 and 3 of the PNRRP which contain particular outcomes to be achieved in the regions waterbodies. Report 4F, by Dr Mike Freeman, addresses this policy in more detail, particularly on the cumulative scale. Given his conclusions, I cannot determine if this application is contrary to this policy.

Policies on efficient and effective use

85. Policies 15 – 20 deal with efficient and effective use and all are applicable to this application.
86. Policy 15 ensures that the rate of abstraction and the annual volume is reasonable for the intended use. As discussed in the assessment of effects section of this report, I am not satisfied that the annual volume is reasonable for the intended use.
87. Policy 16 provides guidance for determining reasonable and efficient use for agriculture activities. As discussed in the assessment of effects, I am not satisfied that the requested volume of water is required under these consent applications.

Replacement consents

88. Policy 28 provides guidance as to matters which must be considered when deciding whether to grant or refuse an application for replacement of existing consents.
89. These include consideration of attempts to meet the efficiency expectations of the plan, recognition of the value of the investment by the consent holder and maintenance of the consent in any allocation limits and priority bands if granted.
90. I consider that the applicant has made attempts to show that they are meeting the efficiency expectations of the plan, however, as conclusions cannot yet be made on the annual volume, I cannot conclude the proposal is consistent with this policy.

Policies for other rivers and streams in the upper catchment

91. Policy 40 deal with the environmental flow regime in the rivers and streams in the upper catchment (see Map 2 in the WCWARP). Policy 40 enables access to water for the activities identified in Objective 2, to the extent consistent with Objective 1.
92. As the environmental flow and level regime in the plan is proposed by the applicant, and as it is within the allocation for agricultural and horticultural activities identified in Rule 6, Table 5, the proposal would be considered to be consistent with this policy.

Proposed Natural Resources Regional Plan (PNRRP)

93. Section 88A(2) of the RMA states that any plan or proposed plan which exists when the application is considered must be had regard to in accordance with section 104(1)(b). For this reason it is appropriate to consider the objectives and policies of the PNRRP that are relevant to the application to discharge of water. A discussion of the relevant objectives and policies is provided below.

Objective WQL1.1 – Water quality outcomes for rivers

This objective aims to maintain and improve water quality, physical and chemical characteristics of the rivers. The proposed discharge into Cookes Pond (feeding in to the Ahuriri River) and the Quail Burn will be consistent with the outcomes required by this objective.

Policy WQL1 – Point source discharges into surface water

This policy refers to consideration of whether the discharge is necessary, or whether other options are available. Consideration of the zone of non-compliance, the assimilative capacity of the receiving body, effects on cultural values and ecosystems are also referred to. The proposed discharges are in the most appropriate location for the systems and will be within the same catchment they originate from. The discharge into the Cookes Pond will meet the water quality standards in the Ahuriri WCO outside the zone of non-compliance.

The discharge into the Quail Burn falls through a gap in the relevant planning documents for water quality. It is within the Ahuriri catchment, but is specifically excluded from the discharge requirements under the Ahuriri WCO as it does not form part of the “protected waters”. However, as it is incorrectly identified on the PNRRP planning maps as being covered by the Ahuriri WCO, it does not have any specified water quality standards in accordance with the classifications in the PNRRP. Given the lack of any notified water quality standards, I have referred to a review of the PNRRP water quality objectives and standards undertaken by surface water quality scientists at CRC¹. In this review, which is not CRC policy, they consider the water quality standards for the Quail Burn should be “*Spring-fed – upland*”. The proposed discharges would meet these recommended water quality standards outside the zone of non-compliance.

Conclusion

94. With regard to s104(1)(b), for the water permit application the relevant provisions of the RPS and WCWARP have been considered above. I do not consider that this application is consistent with Objective 1, and Policies 13, 15, 16 of the WCWARP.

¹ Hayward, Meredith & Stevenson (2009) “*Review of proposed NRRP water quality objectives and standards for rivers and lakes in the Canterbury region*” Environment Canterbury Technical Report.

95. For the discharge permit application, I am satisfied that the application is consistent with the relevant plan provisions of the RPS and PNRRP. There are no policies or objectives in the TRP.

Part II Purpose and Principals

96. Part 2 of the RMA contains sections 5 to 8 which define the purpose and principals of the RMA.

Purpose of the RMA (s5)

97. Under Section 104, the consent authority must consider applications “subject to part II” of the RMA. The purpose of the RMA (Section 5(1)) is to:

“promote the sustainable management of natural and physical resources.”

98. Section 5(2) defines the meaning of “sustainable management”, which is to manage resources in a manner that provides for the social, economic and cultural wellbeing of communities while protecting the life-supporting capacity of the environment for the needs of future generations. This section also states that this should be achieved while “safeguarding the life-supporting capacity of water” and “avoiding, remedying or mitigating” the adverse effects of activities.
99. The proposal will allow the development of land to occur, which may provide for the economic and social well-being of the community. The applicant however has not proposed measures to “safeguard the life-supporting capacity of water” and “avoid, remedy or mitigate” the potential impacts on water quality and landscape values as required in Section 5(2)(c), or provided information to confirm that the proposed annual volumes requested are reasonable and consistent with the objectives of Section 5(2)(a), which aims to provide for the needs of future generations.

Matters of National Importance (s6)

100. Sub-sections (a), (b) and (e) of Section 6 of the RMA are particularly relevant to this application. The proposal will may impact on the visual aesthetics in an area of high amenity that need to be mitigated and may result in effects on water quality and ecosystems that have not yet been adequately mitigated. The applicant has not yet proposed measures to address these effects. The applicant has not assessed the impacts on cultural values, and runanga have submitted in opposition on this application.

Other Matters (s7)

101. In achieving the purpose of the RMA, the consent authority is directed to have particular regard to a number of matters as set out in (a) – (j) of Section 7.
102. Sub-sections (b), (c) and (f) are specifically relevant to this application and should be considered when deciding the acceptability of effects resulting from the proposed take and use of water from the Quail Burn. Section (b) relates to the efficient use of water and as discussed above there is currently insufficient conclusive evidence to confirm that the applicant’s requested annual volume is reasonable.
103. Section (c) refers to the maintenance and enhancement of amenity values. The applicant has not proposed mitigation measures to ensure that this objective is achieved. However, maintaining buffer distances between the irrigation area and areas used by the public, such as roads and the Quail Burn, may ensure that the amenity values of the area are not compromised.

104. Section (f) refers to the maintenance and enhancement of the quality of the environment. The applicant has not proposed mitigation measures to ensure that this objective is achieved, particularly with regards to water quality.

Principles of the Treaty of Waitangi (s8)

105. Section 8 of the RMA requires the consent authority to take into account the principles of the Treaty of Waitangi. The site lies within the rohe of Te Runaka O Waihao, Te Runaka O Arowhenua and Te Runaka O Moeraki. Runanga were informed separately when ECan received the application and later when the application was notified. Submissions have been received from Ngai Tahu and runanga on this application.

RECOMMENDATION

Grant or Refuse

106. Section 104B applies to any application which is a discretionary or non-complying activity and states that the consent authority may grant or refuse the application and may impose conditions under s108.
107. For the discharge permit application (CRC012733), having considered all relevant matters outlined in section 104(1), I am satisfied that the actual and potential effects of the proposed activities are acceptable. Under section 104B I recommend that application CRC012733 be granted, subject to the attached recommended conditions.
108. For the water permit application (CRC011987), I am not satisfied that the actual and potential effects of the proposed activity are acceptable. In particular, there are a number of outstanding matters as follows:
- (a) *Water quality* - No impact assessment or measures to address the water quality impacts that could arise from irrigation at this site. Given the conclusion regarding the potential cumulative adverse effects on water quality, it is premature to make any recommendation to grant or refuse this application as it relates to cumulative water quality;
 - (b) *Efficient and reasonable use* – There is a lack of conclusive information to support the annual volume requested in accordance with the direction provided by Policies 15-20 of the WCWARP;
 - (c) *Ecosystems* – The applicant has proposed a fish screen but has not included any details of what this will entail;
 - (d) *Landscape and amenity* – The irrigation area is close to sensitive amenity areas and will be visible to the public using Hen Burn Road;
 - (e) *Cultural values* – The applicant has not provided any assessment on cultural values and there are outstanding submissions from runanga in opposition to this proposal.
109. I have recommended conditions to address (c), above, however having considered all relevant matters outlined in section 104D, I am not satisfied that the actual and potential effects of the proposed activity are minor due to concerns those matters outlined as (a) (b) (d) and (e) above. I also cannot be satisfied that the proposal is consistent with objectives and policies of the relevant planning documents given that no assessment or mitigation has been provided for the above.

110. Under s104B, I cannot recommend that consent application CRC011987 be granted.

RECOMMENDED CONDITIONS

111. Comments on the mitigation proposed by the applicant are provided earlier in this report.
112. If the Commissioners decide to grant these applications, a list of conditions that are usually included in a water permit are provided in Appendix 6 of the introductory s42A report. A list of draft recommended conditions specific to this application is provided below.
113. It should be noted that the investigating officer is not satisfied that these conditions would adequately mitigate the adverse effects that are identified in paragraph 108 above.
114. Draft recommended conditions for the discharge permit CRC012733 are included below.

Table 3: Recommended draft conditions for water permit CRC011987		
No.	Condition Code²	Details
Divert & Take		
1	WP01	<p><i>Name of waterbody:</i> Quail Burn</p> <p><i>Map reference:</i> NZMS 260 NZMS 260 H39:645-364 and H39:646-364</p> <p><i>Instantaneous rate:</i> 140 litres per second</p> <p><i>Volume:</i> 12,096 cubic metres per day and 1,594,130 cubic metres between 1st July and the following 30th June of which 362,880 cubic metres is stock water</p>
Use		
3	WP04	<p><i>Type of irrigation:</i> Spray irrigation & stock water</p> <p><i>Number of hectares:</i> 190 hectares</p> <p><i>Use:</i> crops and pasture for grazing stock excluding milking dairy cows</p> <p><i>Plan No:</i> "CRC011987" (Attachment 1)</p>
4	WP05	Efficiency of use
5	WP06	Backflow preventer
Mitigation		
6	WP07	<p><i>Name of waterbody:</i> Quail Burn</p> <p><i>Map reference:</i> NZMS 260 H39:6553-3542</p>

² See Report 1, Appendix 6 for condition code and wording.

		<i>Minimum flow:</i> 100 litres per second <i>Flow graph:</i> See Report 2A
7	WP09	Fish Screen
8		The consent holder shall ensure water races used to convey water diverted in terms of this permit are well maintained to minimise losses.
Measuring & Metering		
9	ME03	Open channel
10	ME04	
11	ME05	
12	ME06	
13	ME07	<i>Waterway:</i> Quail Burn
14	WP08	<i>Waterway:</i> Quail Burn <i>Map reference:</i> NZMS 260 H39:6553-3542 To be used with ME03-05
Administrative Conditions		
15	AD01	
16	AD02	<i>Number of working days:</i> 5 <i>Month 1:</i> March <i>Month 2:</i> July <i>Waterbody:</i> Quail Burn <i>Cross reference to Condition:</i> 6
17	AD04	Lapse date

Table : Recommended draft conditions for discharge permit CRC012733		
No.	Consent Code³	Details
Scope		
1	DP01	<i>Waterbody from:</i> Irrigation & stock water race <i>Waterbody to:</i> Quail Burn & Cookes Pond <i>Map reference:</i> NZMS 260 H39:649-338 and H39:650-347 <i>Discharge rate:</i> 140 litres per second <i>Plan:</i> "CRC012733" <i>Other:</i> The water shall by unused irrigation and stock water and shall contain no contaminants.

³ See Report 1, Appendix 6 for condition code and wording.

Operation and Maintenance		
2	DP02	<i>Waterbody:</i> Quail Burn & Cookes Pond
3	LU13 modified	The discharge shall not occur in a manner likely to cause erosion of, or instability to, the banks or bed of Quail Burn & Cookes Pond; or reduce the flood-carrying capacity of the waterway
4	DP03	
5	DP04	
Administrative Conditions		
6	AD03	Review
7	AD04	Lapse date

Signed:



Date: 31st August 2009

Claire Penman
Consents Investigating Officer

REFERENCES

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Canterbury Regional Council 1998. Regional Policy Statement. Report No R98/4. ISBN 1-86937-337-5.

Canterbury Regional Council 1991. Transitional Regional Plan. October 1991.

Gabites, S, & Horrell, G. 2005. Seven day mean annual low flow mapping of the tributaries of the Waitaki River. Canterbury Regional Council Report R05/16. ISBN: 1-86937-570-X.

Ministry for the Environment, 2006. Waitaki Catchment Water Allocation Regional Plan.

New Zealand Society on Large Dams, 2000. New Zealand Dam Safety Guidelines.

Te Maire Tau, Anake Goodall et al., 1990. Te Whakatau Kaupapa: Ngai Tahu Resource Management Strategy for the Canterbury Region. ISBN: 0-908925-06-9.

The Resource Management Act 1991. Consolidated version including the Resource Management Amendment Act 1995. August 2005.

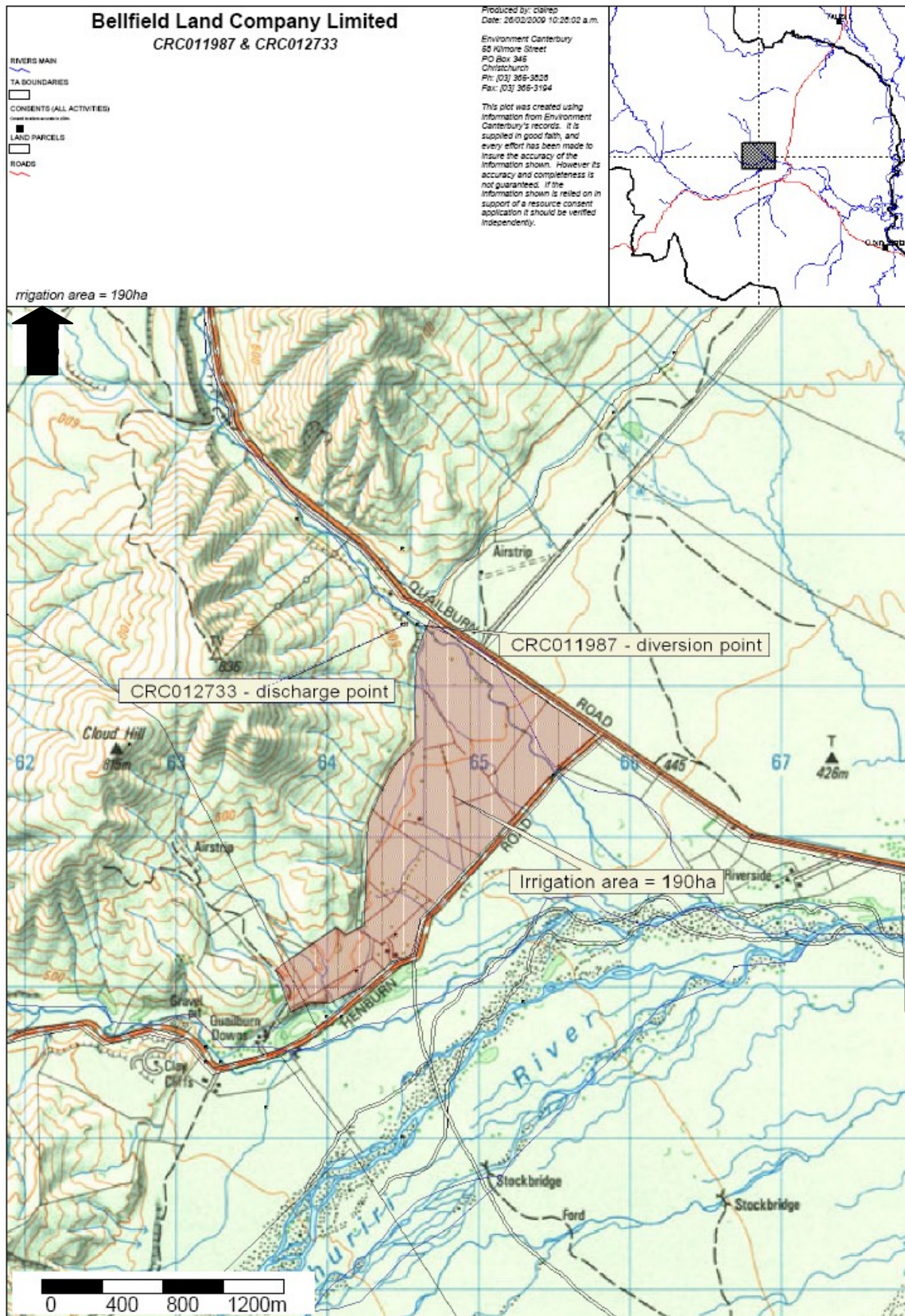
Waitaki Catchment Water Allocation Board 2006. Waitaki Catchment Water Allocation Regional Plan. ISBN: 0-9582620-7-1.

Waitaki Catchment Water Allocation Board 2006. Waitaki Catchment Water Allocation Regional Plan, Material Incorporated by Reference. ISBN: 0-9582620-6-3.

Waitaki Catchment Water Allocation Board 2006. Waitaki Catchment Water Allocation Regional Plan, Annex 1 – Decision and principal reasons for adopting the Plan provisions. ISBN: 0-9582620-4-7.

Waitaki Catchment Water Allocation Board 2006. Waitaki Catchment Water Allocation Regional Plan, Section 32 Report. ISBN: 0-9582620-5-5.

ATTACHMENT ONE – LOCATION MAP



ATTACHMENT TWO – PREVIOUS CONSENTS

RecordNo WTK702041A

Type Consent
Source Applic /New
PermitType Water Permit
FileNo CO6T/00990

Consent Summary



ClientID 1865 **ClientName** Mr H M Munro Junior
To DVT <85 ML WTR/WK @MXRT 140 L/S FR QUAILBURN @MR, S108:622451

Location

Status Expired
Events 22/Jan/1970 Consent Issued
01/Oct/2001 Consent Expires

RecordNo WTK702041B

Type Consent
Source Existing Use Wtr
PermitType Water Permit
FileNo CO6T/00990

Consent Summary



ClientID 1865 **ClientName** Mr H M Munro Junior
To TK <85 ML WTR/WK @MXRT 140 L/S FR QUAILBURN @MR, S108:622451 &

Location

Status Continuation until new application determined
Events 22/Jan/1970 Consent Issued
21/Jan/1972 Given Effect To
22/Jan/1972 Lapse Date if not Given Effect To
23/Mar/2001 1st Expiry Reminder
01/Oct/2001 Consent Expires
01/Oct/2001 Sec 124 continuation starts

RecordNo WTK702041C

Type Consent
Source Existing Use Wtr
PermitType Discharge Permit
FileNo CO6T/00990

Consent Summary



ClientID 1865 **ClientName** Mr H M Munro Junior
To to discharge up to 85 megalitres of water per week at a maximum rate of 140 litres per second at map reference to dispose of surplus water.

Location

Status Expired
Events 22/Jan/1970 Consent Issued
23/Mar/2001 1st Expiry Reminder
01/Oct/2001 Consent Expires

ATTACHMENT THREE – PHOTOS OF INTAKE & RACE



Diversion channel on left of photo with Quail Burn continuing down right of photo (looking upstream)



Bywash discharge back into Quail Burn



Control structure in race



Pump shed from small holding pond at end of race



Bywash back into Quail Burn



Quail Burn downstream of Hen Burn Rd bridge – minimum flow site

ATTACHMENT FOUR – DEROGATION APPROVAL



meridian

8 December 2008

Gillian Ensor
Environment Canterbury
PO Box 345
Christchurch

Dear Gillian

Application by Bellfield Land Company Limited

- 1 We write to you to outline the basis of Meridian Energy Limited (*Meridian*) providing its derogation approval of the application numbered CRC011987 by Bellfield Land Company Limited (*Bellfield*). We refer to the letter to ECan from Chapman Tripp dated the 26th of June 2008 setting out Meridian's position on derogation approvals generally.
- 2 Meridian has read and considered the application CRC011987 by Bellfield and provides derogation approval on the following basis:
 - 2.1 Bellfield shall only be entitled to divert, take and use water from Quailburn Stream (at location H39: 645-364 and H39: 646-364) at a maximum rate of 140 litres per second for the irrigation of 190 hectares and stockwater supply identified in the application;
 - 2.2 the annual volume shall not exceed 2,365,480 cubic metres per annum (of which 630,720 cubic metres per annum is stockwater) and this shall be allocated as an agricultural and horticultural activity upstream of Waitaki Dam but not upstream of the outlets of the glacial lakes under Rule 6, Table 5 of the Waitaki Catchment Water Allocation Regional Plan;
- 3 Any amendment or modification to the above will require further written derogation approval from Meridian. On the same basis any subsequent variation, transfer or replacement application that is relevant to the volume or location of the take may also require further approval.
- 4 This letter is not an affected party approval to the consent application under section 94 of the Resource Management Act. Meridian may choose to submit in support or oppose the application on grounds which do not relate to the derogation of its rights, or not to submit at all.
- 5 This letter does however record (subject to the above) that Meridian will not oppose the granting of the Bellfield application on the ground that it will reduce the quantity of water available under Meridian's existing consents.

- 6 Please advise if any basis for Meridian's approval outlined in paragraph 2 will not be met by the resource consent.

Yours sincerely

A handwritten signature in blue ink that reads "Garth Dibley". The signature is written in a cursive style with a large initial 'G'.

Garth Dibley
Markets and Production Director

ATTACHMENT FIVE – OBJECTIVES & POLICIES

Objective / Policy	Description	Assessment
Objective 1	To sustain the qualities of the environment of the Waitaki River and associated beds, bars, margins, tributaries, islands, lakes, wetlands and aquifers.	The proposed activity will impact on the matters outlined in Objective 1, particularly (a), (b) and (c). There have been a wide range of people who have submitted against the proposed activity due to concerns about impacts on these values. I therefore cannot determine whether the proposed activity is contrary to these values at the time of preparing this report.
Objective 2	Provide water for different activities.	The proposed activity is within the annual allocation limit for agricultural and horticultural activities outlined in Rule 6. Therefore, this application would not affect availability of water to other users.
Objective 3	Recognise that there are beneficial and adverse effects on the environment at a national and local scale.	These factors have been considered in the assessment of effects.
Objective 4	Achieve a high level of technical efficiency in the use of water.	The applicant has not demonstrated that the use of water for irrigation is technically efficient.
Objective 5	Provide for practical and fair sharing of allocated water during times of low water availability.	Appropriate minimum flow proposed and the proposal would not affect the reliability of supply to other users to a less than acceptable level.
Policy 1	Recognising connectedness between all parts of the catchment	By providing a suitable minimum flow, the connectedness with the catchment is recognised.
Policy 3	Setting of environment flow and level regimes for all activities in Objective 2 and consistent with Objective 1.	Applicant proposes minimum flow as established in Table 3 of the plan which will enable access for the activities in Objective 2.
Policy 4	Outlines a number of matters that must be considered when setting an environmental flow and level regime	Applicant proposes minimum flow as established in Table 3 of the plan which will ensure those matters have been considered
Policy 8	Promoting water harvesting when flows are low	Water harvesting is not proposed
Policy 9	Discouraging further mixing of water between catchments	Water will be taken and used within the same catchment and sub-catchment
Policy 10	Enabling small amounts of water to be taken or diverted where effects are minor.	The proposed volume exceeds what is considered to be a small amount
Policy 11	Consider effects on Tangata Whenua values, local and national effects when allocating water to activities	Submissions received on Tangata Whenua values, but application falls within allocation limits for agricultural and horticultural activities
Policy 12	Outlines matters that must be considered when establishing allocation limits.	Application falls within allocation limit for activities in Objective 2
Policy 13	Addresses water quality objectives in the NRRP	Addressed in more detail in Report 4A
Policy 15	Ensuring take and use of water is reasonable for its intended use	Applicant is seeking what I consider to be an unreasonable volume of water
Policy 16	Requiring irrigation applications to meet the specified reasonable use test	As above – applicant has not provided an adequate assessment

Policy 18	Requiring the volume of water on existing consents to reflect actual use.	Through the replacement of the existing consent an annual volume will be specified in the conditions
Policy 19	Encouraging piping or sealing of water distribution systems to minimise water losses and maintain water quality.	The proposed conveyance via open water race will mean here is some water loss via evaporation, but the applicant considers it will be upgraded within the first 5 years to a piped system for stock water.
Policy 20	Promoting the integration of multiple uses of water.	Multiple uses of water are not proposed
Policy 21	Requiring the installation and use of water-measuring and recording devices.	A suitable water metering device is proposed to be installed
Policy 23	Restricting taking or diverting of water (surface and shallow and connected groundwater) upstream of Lake Benmore during times of low flow except for essential uses	A suitable minimum flow is proposed for restricting the abstraction of water in times of low flow.
Policy 25	Allowing for sharing of available water within a water-users group	A flow sharing regime is proposed in Report 2A.
Policy 26	Setting priority bands for upper or mid-catchment tributaries and the Ahuriri catchment.	Priority bands have not been established for this catchment
Policy 27	Giving priority during low flows or levels to integrated schemes where water used for more than one purpose.	There are no integrated schemes with this sub-catchment
Policy 28	Considerations for granting or refusing replacement consents	While there has been considerable investment by the consent holder, I do not consider that they have adequately addressed the efficiency expectations of the plan
Policy 40	Setting an environmental flow and level regime for these rivers and streams.	An appropriate minimum flow has been proposed to ensure consistency with this policy