

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

**IN THE MATTER OF** The Resource Management Act  
1991

**AND**

**IN THE MATTER OF** Application CRC042561 by  
Haldon Station Limited for a  
Water Permit to take & use  
ground water.

**Section 42A Officer's Report of Susannah Vesey**

**Date of Hearing: September 21<sup>st</sup> 2009**

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 overview and technical reports on hydrology and minimum flows (Report 2A and 2B), the report outlining annual allocations (Report 3) and the reports on cumulative landscape and water quality effects in the catchment (Reports 4(A-F) and 5).

**INTRODUCTION**

2. Haldon Station Limited (the applicant) have applied for a resource consent to take and use water at a maximum combined rate of 100 litres per second with a volume not exceeding 8,640 cubic metres per day and not exceeding 1,140,000 cubic metres per year, from bore I39/0004 (300mm diameter and 70.3 metres deep) and bore I39/0005 (300mm diameter and 80 metres deep) for the spray irrigation of 190 hectares of pasture.
3. See Attachment One for a map of the location of take and irrigation area.
4. The applicant has engaged Mr Richard de Joux of Environmental Consultancy Services to prepare the application and assessment of environmental effects on their behalf.
5. The applicant seeks an expiry date of 30 April 2025 which is consistent with the expiry of their MacKenzie Irrigation Company shares. This is an application for a new activity.

**Background**

6. Haldon Station are seeking two proposals at this hearing:
  - (a) Replacement water permit and associated consents (CRC082269, CRC082268, CRC082270 and CRC082271);
  - (b) This new application to take and use groundwater
7. Application CRC042561 was lodged on 24 May 2004 and considered to be notifiable on that date. A request for further information was sent covering effects including, but

not limited to, water quality, landscape, irrigation volumes and efficiency of use, and stream depletion effects.

8. The applicant currently irrigates 470 hectares under their existing consent WTK864681B.1. These consents were to expire on 30 June 2008 and as such replacement applications have been made. As application CRC042561 and CRC082269 seek to irrigate separate areas with different water sources; CRC082269 is subject to a separate report (Report 18A).
9. On 28 August 2009 the applicant proposed a set of MIC/MEL common consent conditions which they advised form part of their consent application. However given the time they were received by the Canterbury Regional Council (CRC), I have not had time to audit these conditions and as such are not discussed in my report.
10. The applicant proposes to irrigate 190 hectares of their property in the vicinity of Mt Maggie. The applicant is not seeking any stock water under this consent application.
11. The applicant applied for bore permit CRC021117 in December 2001. This application was granted on 18 December 2001 and authorised the drilling of bores I39/0004 and I39/0005. These bores were drilled in February 2004 before CRC021117 expired on 17 December 2004.
12. I met with Mr Paddy Boyd of Haldon Station on 27 January 2008. The purpose of this visit was primarily in relation to their replacement consents – to gather an understanding of their operation. However while I was here, I was shown the proposed irrigation area under CRC042561 and bore I39/0004. Given the similarity in bore dimensions, it was not considered that I needed to see bore I39/0005 also.

## Notification

13. Details of the notification and wording are contained in Appendix 4 of the introductory s42a report (Report 1). This consent was notified in August 2007 with 200 other applications for similar activities in the Waitaki catchment.

## Submissions

14. In the 2007 public notification, 22 submissions in total were made on this application. Of these:
  - (a) 4 were in support;
  - (b) 16 in opposition; and
  - (c) 2 neither supported nor opposed this application.
15. Details of submissions made in response to all applications which were publicly notified at the same time in 2007 are contained in Report 1, Appendix 5. Additionally, Table 1 below summarises submissions made individually on this application, or submissions which raise particular concerns in relation to this proposal. Please note that all submissions hold equal importance, even if not specifically listed below.
16. Overall, the key effects of concern to submitters include effects on: ecosystems, water quality, allocations, minimum flows, natural character and landscape, efficiency and cultural values.

<b>Table 1: Summary of submissions on application CRC042561</b>			
<b>Submitter</b>	<b>Issues</b>	<b>Support/ Neutral/ Oppose</b>	<b>To be heard</b>
Upper Waitaki Community Irrigation	WAP allows for use of water for irrigation, applications consistent with objectives of the WAP.	Support	Yes
Mr M Urquhart	Supports taking groundwater for irrigation if metered as reduces reliance on streams, irrigation reduces soil loss.	Support	Yes
Dr D. Scott	Irrigation potential of at least 45,000 hectares in the Mackenzie Basin	Support	yes
Mackenzie Branch Federated Farmers	Increasing agricultural production of the area.	Support	no
Mr S Carswell	Degradation of water quality	Oppose	Yes
Ms J Zusters	Potential adverse effects on the natural landscape values of the Mackenzie Basin and upper Waitaki catchment.	oppose	yes
Meridian Energy Limited	MIC shares, flow regimes, metering, water quality	Oppose	Yes
Ms J Kollmann	Adverse effects on the natural landscape values of the Mackenzie Basin and upper Waitaki catchment from infrastructure and water application	Oppose	Yes
Ms R Williams			
M A Rose			
Mr R J Blackmore	Concerns over individual small streams and aquifers being over allocated	Oppose	No

## DESCRIPTION OF THE PROPOSED ACTIVITY

17. The applicant proposes to irrigate 190 hectares of their property. The 190 hectares will be split into two irrigation areas - 150 hectares irrigated via a centre pivot and the remaining 40 hectares irrigated via k-line irrigation systems or a travelling gun.
18. The applicant has drilled both bores, however bore I39/0005 has yet to be completed, and will be screened at a depth greater than 50 metres below ground.
19. Bore I39/0004 is screened between 61.55 and 69.60 metres below ground.
20. The applicant proposes the following activities:
  - (a) Water will be taken from bores I39/0004, 300mm diameter and 70.3 meters deep at or about map reference NZMS 260 I39:9166-4765, and bore I39/0005, 300mm diameter and 80 metres deep at or about map reference NZMS 260 I39:9062-4728.
  - (b) Water will be taken from the bores at a combined rate not exceeding 100 litres per second. The maximum requested daily volume will not exceed 8640 cubic metres. Based on the driller's tests for bore I38/0004, the likely sustainable abstraction rate from each bore will be 60 l/s. It is anticipated that, on average, both bores will be pumped at 50 l/s each.

- (c) Water will be used for spray irrigation of pasture (sheep, bull beef, deer, non-milking cows), silage and some winter fodder crop on the land shown on the attached figure 1.
- (d) Irrigation water will be used on a strategic basis for selected fodder crops and pasture within the property to ensure that water is used effectively and efficiently. The irrigation system (centre pivot) is designed to apply 15 millimetres per application.
- (e) The applicant will take all practicable steps to:
  - (i) Ensure that the volume of water used for irrigation does not exceed that required for the soil to reach field capacity; and
  - (ii) Avoid leakage from pipes and structures; and
  - (iii) Avoid using water on non-productive land such as impermeable surfaces and river or stream riparian strips.
- (f) If required by the Canterbury Regional Council the applicant will, within 12 months of the commencement of this consent, install a water meter which will measure the rate at which water is taken to within an accuracy of 5 percent.
- (g) If required by notice in writing by the Canterbury Regional Council, measurements of the rate of abstraction to within an accuracy of 5 percent will be taken as well as hours of abstraction. Both measurements will be recorded and kept for a period of up to twelve months after measurement. A copy of the records will be provided to the Canterbury Regional Council if requested.

## **LEGAL AND PLANNING MATTERS**

### **Consent Requirements**

21. The consent requirements under the RMA, Transitional Regional Plan (TRP) and Waitaki Catchment Water Allocation Regional Plan (WCWARP) for water permit applications are outlined in the introductory s42A report. A summary of the requirements for these applications are provided below:

#### **TRP**

22. The TRP permits the abstraction of ground water daily volume of water abstracted is less than 100 cubic metres per day, and the rate of take is limited to 10 litres per second. Given that the proposed abstraction exceeds these limits, consent is required as a discretionary activity.

#### **WCWARP**

23. Rule 2 – deals with environmental flow regimes. This rule is not applicable as it applies only to “connected groundwater” or “shallow groundwater”. This application seeks to abstract water from depths of greater than 50 metres below ground level and is not considered to be connected to any surface water features (as such does not fall into either of the above two definitions of groundwater).

24. Rule 6 – The activity is within the allocation limit of 275 million cubic metres for agricultural activities upstream of Waitaki Dam.
25. Rule 19 – classifying rule – discretionary activity
26. In summary the proposed water permit is discretionary under Rule 19 of the WCWARP and under the TRP.

### **Priority**

27. For Rule 6, annual allocation, refer to Report 3 for a full list of all existing consent holders and all applicants. As described above, the application is within allocation limits set in Rule 6. As such priority is not a concern.

### **Derogation Approval**

28. At the time this report was prepared, Meridian Energy Limited (MEL) has not provided approval for Haldon Station Ltd to derogate from its consents.

### **CONSULTATION**

29. The applicant did not undertake any consultation, as they considered that the application was likely to be publicly notified as part of the Waitaki Catchment call-in process.

### **DESCRIPTION OF THE AFFECTED ENVIRONMENT**

30. A description of the values of the Mackenzie Basin and Lake Benmore in general are provided in the introductory s42A report (Report 1).
31. A description of the affected environment on a local scale is provided in Report 18A which discusses Haldon Station's 'replacement consent' (CRC082269).
32. Additionally, Mr de Joux notes the bores subject of this application are the first deep bores to be drilled in the south-eastern margin of the Mackenzie Basin. He continues to state a number of bores have encountered water bearing strata between 25 and 45 metres depth near Twizel. He considers the closest bore to the proposed abstraction is approximately 7.4 kilometres away.
33. From Environment Canterbury's GIS database I note:
  - (a) the area to be irrigated using k-line irrigators is less than two kilometres from the shores of Lake Benmore.
  - (b) Other than a couple of shallow bores and galleries, there are no other 'deep bores' in the vicinity of the proposal (within a boundary defined by Lake Benmore, the Tekapo River and the hills behind Haldon Station).

### **ASSESSMENT OF PROPOSED ACTIVITY**

34. The proposed water permit is a discretionary activity and must be considered in the context of s104 of the RMA.
35. 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))

36. The effects that have been considered for this type of activity (ground water abstraction) are presented 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 this application is provided below and a detailed discussion of those outstanding matters or areas of concern is provided in the following sections.

<b>Adverse Effect</b>	<b>Applicant's assessment</b>	<b>IO assessment</b>	<b>Conclusion</b>
Surrounding groundwater users	Theis drawdown analysis provided. Reflects a very conservative assessment and as such considers there to be no adverse effects.	Only bore located within four kilometres is owned by applicant. Agree with proposed mitigation. Recommend scoping conditions restricting the rates and volumes sought. Condition (2)	Effects minor & acceptable.
Cumulative effects on other users	Given the low existing use of the aquifer, the proposed abstraction will not significantly affect groundwater levels in the area. Given the lack of information in the area; it would be appropriate for the applicant to monitor the non-pumping depth to water within one of the bores on a regular basis.	Agree mitigation suitable and is within allocation limit set in Rule 6. Annual volume and metering proposed to ensure no more water than sought is taken. Conditions (2), (7) and (9)	Effects minor & acceptable.
Inefficient use	Daily application rate within evapotranspiration rates for area. Application depth restricted to 15 mm per day. Condition proposed ensuring efficient use of water – not exceeding water holding capacity of soils or letting water go to waste. K-line irrigation for 40 hectares and centre pivot to irrigate 150 hectares. Proposed annual volume	Soils to be irrigated are considered to be light with profile available water (PAW) 30-35mm. Annual volume within irrigation demand for the property a calculated using the methodology outlined in Policy 16(c)(ii). Note water to be piped to irrigation areas from bores. Agree with proposed mitigation. Condition (4)	Effects minor & acceptable.
Surface water flows	Minor as stream depletion assessment shows proposed abstraction will not deplete more than 5 litres per second.	Proposed abstractions located approximately 1.1 and 2.3 kilometres from Stony River and Lake Benmore respectively. Environment Canterbury Groundwater Scientist Mr Lee Burbery agrees with Mr de Joux and considers effects to be no	Effects minor & acceptable.

		more than minor on surface water flows. As such, there is no requirement for this application to be managed on an environmental flow regime. Condition (6)	
Cross-connection	Bores will be screened in only one aquifer. Back flow preventer condition proposed to ensure effects minor.	Agree with proposed mitigation. Bore I39/0004 screened 61.55 – 69.61 metres, likely to be accessing only one water-bearing layer. Condition (6) and (5).	Effects minor and acceptable
Aquifer stability	Aquifers in vicinity are gravel based hence little likelihood of aquifer subsidence.	Mr Burbery confirms subsidence unlikely given the glacial outwash terrain.	Effects minor & acceptable
Seawater intrusion	Given location of wells, no likelihood of effect.	Agree with applicants assessment	Effects minor & acceptable.
People, communities, recreational and amenity values	To be addressed later in report.		Effects may be more than minor.
Water quality	To be addressed later in report.		Effects may be more than minor.
Tangata Whenua	No assessment provided	Submissions concerned & have not been addressed by applicant.	Effects uncertain.

### Adverse effect of use on water quality

37. The proposed activity may have an impact on water quality in the immediate vicinity of the site or in combination with other activities in the catchment, resulting in cumulative adverse effects.

### Individual effects

38. Mr de Joux states the following reasons in his AEE as to why there will be no direct discharge to water or change in water quality:

- (a) the irrigation will be used for pasture and hay grazed by sheep;
- (b) the irrigated area is flat ;
- (c) the irrigated area is located more than 500 metres from the nearest surface water body;
- (d) established pasture will reduce amounts of sediment that may discharge to surface water following rainfall events.

39. In addition, Mr de Joux highlights the applicant is aware of the need to ensure farm management does not have adverse effects on the environment and has been awarded the following in recognition of the work he has done with his existing irrigation:

- (a) Balance Farm Environmental Award 2005

(b) Water Conservation Award

40. At the time this report was prepared, no mitigation to address potential effects on water quality had been proposed. As such I cannot consider potential effects from this application on water quality will be minor.

**Cumulative effects**

41. 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.
42. There are a number of submissions which identify water quality as a result of land use intensification as a concern. Those submitters and their concerns are outlined in more detail in Appendix 5 of Report 1.
43. The report by MWRL has been audited and a separate s42a planning report prepared by Dr Mike Freeman as well as other technical experts' s42A reports (see Reports 4A-F).
44. Given the conclusions reached by Dr Freeman and the nature of the proposed activity, I am not satisfied that the cumulative adverse effects on water quality will be minor.

**Adverse effect on people, communities, recreational and amenity values**

45. Mr de Joux makes the following comments in relation to this effect:
- (a) The area to be irrigated comprises of alluvial flats
  - (b) Converting the flat land to permanent pasture will help stabilise and retain soils, reducing loss from wind and climatic erosion
  - (c) Other parts of station are already irrigated pasture. There are significant numbers of birds that regularly feed and congregate in the irrigated pastures.
  - (d) The green pastures do not detract from the spectacular scenery, which is dominated by mountains, rivers and lakes.
46. From observations during my site visit, I agree that the area to be irrigated is sparsely vegetated with scrub and small tussocks, with areas of bare soil visible.
47. The area to be irrigated via a centre pivot is located on land adjacent to Haldon Arm Road which is heavily used in the summer months as this is the only road which leads to the Haldon Arm Camping Ground and Boat Harbour.
48. Mr Chris Glasson (Report 5) advises that the close proximity of the proposed pivot irrigation area to the Haldon Arm Road is clearly visible from this road by travellers and recreationalists and as such considers the potential adverse effects would be moderate.
49. However Mr Glasson concludes that if mitigation measures were undertaken such as moving the location away from the road and linking it to the adjacent site to integrate it more with the landform patterns, then the adverse effects would be less than minor.

50. Conclusions from Mr Chris Glasson (Report 5) in relation to landscape effects indicates the geometric shape created from the proposed centre pivot irrigation in addition to the absence of a buffer between the irrigation area and Haldon Arm Road creates moderate adverse landscape effects.
51. At the time this report was prepared no mitigation had been proposed to address Mr Glasson's concerns and as such I consider there may be moderate adverse landscape effects from this proposal.

### ***Transpower Infrastructure***

52. The map attached to this report in Attachment Three indicates the presence of Transpower structures and electrical conductor lines that run adjacent to the proposed k-line irrigation area. The applicant has not assessed the impacts of irrigation on this infrastructure.
53. It should be noted that Transpower did not submit on the application when it was notified. They did however advise ECan on a number of other similar applications in the Waitaki Catchment, that the proposed activities including the irrigation of water onto land could result in adverse effects on their assets. They have also provided guidelines (NZECP34:2001) on appropriate mitigation measures that should be implemented to ensure the protection of these assets and the National Grid.
54. These mitigation measures include:
- (a) Avoiding the placement of structures, buildings, planting of trees or encroaching vegetation within 12 horizontal metres either side of any structure;
  - (b) Maintaining a distance of at least 4 metres from any irrigation equipment to the conductors (power lines), towers and poles; and
  - (c) Preventing the spray of water onto conductors by adjusting nozzles, turning jets off when the boom passes by the towers and keeping the boom well away from conductors.
55. The applicant may wish to provide an assessment of the impacts of their proposed activity (irrigation) on these structures at the hearing. Alternatively a condition has been recommended for this application, should the Commissioners decide to grant consent for this activity, that require the above measures, including separation distances to be maintained.

### ***Positive effects***

56. I note that the use of water for irrigation may result in improved productivity of the land and positive economic benefits for the wider community.

### ***Adverse effect on Tangata Whenua values***

57. 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. The runanga and Te Runanga O Ngai Tahu were served notice of the applications in August 2007.
58. 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.

59. Te Runanga o Ngai Tahu has 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.
60. Given that there are a number of submissions which identify cultural values, I cannot determine the scale of actual and potential effects on the cultural values of the area.

### **Conclusion**

61. With regard to s104(1)(a), the actual and potential effects of the activities have been discussed above. For this consent, I cannot confirm that under s104(1)(a), the actual and potential effects of the proposed activity are acceptable when taking account the proposed mitigation. In particular, there is uncertainty regarding the following aspects of the application:
  - (a) The localised and cumulative impacts on surface water quality;
  - (b) Potential effects on landscape values in the area;
  - (c) The effects on cultural values in the area.

### **Statutory Assessment (s104(1)(b))**

#### **Regional Policy Statement (RPS)**

62. 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.
63. Of significance to these applications are 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)**

64. The objectives and policies of the WCWARP that are relevant to each potential adverse effect have been identified in the introductory s42A report. A table of all those objectives and policies considered to be relevant to this application is appended in Attachment Two. A discussion of the objectives and policies that I consider are particularly relevant when deciding this application is provided in the following paragraphs.

#### **Objectives**

65. 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), it is difficult to determine if the inconsistencies are significant enough to make the proposal contrary to Objective 1.

66. 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. Given this, and the lack of mitigation proposed by the applicant, I cannot determine whether the proposed activity is inconsistent with these values at the time of preparing this report.

### **Policies**

67. Policies 5 and 6 are of particular relevance to this application as they discuss groundwater.
- (a) The additional matters listed in Policy 5 (a) to (e) have been address by Mr de Joux in his AEE. As identified in Table 2, potential adverse effects on these matters are considered to be minor.
- (b) Given the proposed depth of abstraction (greater than 50 metres below ground level); this application does not need to comply with environmental flow and level regimes in accordance with Policy 6.
68. 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 water bodies. Report 4A, by Dr Mike Freeman, addresses this policy in more detail, particularly on the cumulative scale. Given his conclusions, I consider that this application may be contrary to this policy.

## **PART II PURPOSE AND PRINCIPALS**

### **Purpose of the RMA (s5)**

69. 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.”*
70. 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 by “avoiding, remedying or mitigating” the adverse effects of activities.
71. 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 “avoid, remedy or mitigate” the potential impacts on surface water quality and landscape values as required in Section 5(2)(c).

### **Matters of National Importance (s6)**

72. Sub-sections (a), (b) and (e) of Section 6 of the RMA are particularly relevant to this application. The proposal will include a change in visual aesthetics in an area of high amenity and may result in effects on water quality that have not 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 (Section 7)**

73. 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.
74. 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 Lake Benmore, may ensure that the amenity values of the area are not compromised.
75. 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)**

76. 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 Waihao Runanga. Runanga were informed separately when ECan received the application and later when the application was notified. Submissions have been received from Ngai Tahu on this application.

## **RECOMMENDATION**

### **Grant or Refuse**

77. 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.
78. Having considered all relevant matters outlined in section 104(1), I am unable to make a recommendation under s104B as I am not able to determine the actual and potential effects on the following matters on:
  - (a) *Surface water quality* – No mitigation measures to address the water quality impacts that could arise from irrigation at this site. The impacts on water quality may therefore not be acceptable
  - (b) *Landscape* – no measures have been proposed to mitigate possible effects on landscape values.
  - (c) *Cultural values* – The applicant has not provided any assessment on cultural values and there are outstanding submissions from Runanga in opposition to this proposal.
79. The applicant has requested a duration until 31 April 2025 which is consistent with their MIC share agreement. Given there are outstanding potential adverse effects, I am unable to provide comment in relation to duration as I cannot determine the potential degree of effects.

## RECOMMENDED CONDITIONS

80. If the Commissioners decide to grant this application, a list of conditions that are usually included in a water permit are provided in Appendix 6 of the introductory s42A report.
81. I have included a set of recommended draft conditions for this proposal below in Table 3. These have been proposed by the applicant or recommended by myself and are explained in relevant sections of this report. I emphasize that these conditions should provide sufficient mitigation for those potential adverse effects where I agree with Mr de Joux and consider they will be minor. These conditions do not however adequately mitigate adverse effects on surface water quality and cultural values.
82. A number of the conditions below have 'codes' located next to them. Please refer to Appendix 6 of the introductory report (Report 1) to view the conditions in full. Any proposal specific details or conditions are included below.

<b>Table 3: Recommended draft conditions for water permit CRC042561</b>		
<b>No.</b>	<b>Condition Code</b>	<b>Details</b>
<b>Take</b>		
1	WP02	<i>Bore 1: I39/0004, 300 millimetres diameter, 70.3 metres deep at map reference NZMS 260 I39:9166-4765</i> <i>Bore 1: I39/0005, 300 millimetres diameter, 80 metres deep at map reference NZMS 260 I39:9062-4728.</i>
2	WP03	<i>Instantaneous rate: 50 litres per second from each bore</i> <i>Combine Volume: 8,640 cubic metres per day and 1,140,000 cubic metres between 1<sup>st</sup> July and the following 30<sup>th</sup> June</i>
<b>Use</b>		
3	WP04	<i>Type of irrigation: Spray irrigation</i> <i>Number of hectares: 190 hectares</i> <i>Use: crops and pasture for grazing stock excluding milking dairy cows</i> <i>Plan No: "CRC042561" (Attachment 1)</i>
4	WP05	
5	WP06	
<b>Mitigation</b>		
6	WP11	60 metres below ground level
7	WP12	Bore I39/0004
<b>Measuring &amp; Metering</b>		
9	ME01	
10	ME03	

11	ME04	
12	ME05	
13	ME07	
<b>Administrative Conditions</b>		
14	AD01	
15	AD03	<i>March or July</i>
16	AD04	Lapse date

Signed:



Date: 26 August 2009\_\_

Susannah Vesey  
**Consents Investigating Officer**

## REFERENCES

Canterbury Regional Council 2004. Proposed Natural Resources Regional Plan – Chapter 4: Water Quality.

Canterbury Regional Council 2004. Proposed Natural Resources Regional Plan – Chapter 5: Water Quantity.

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

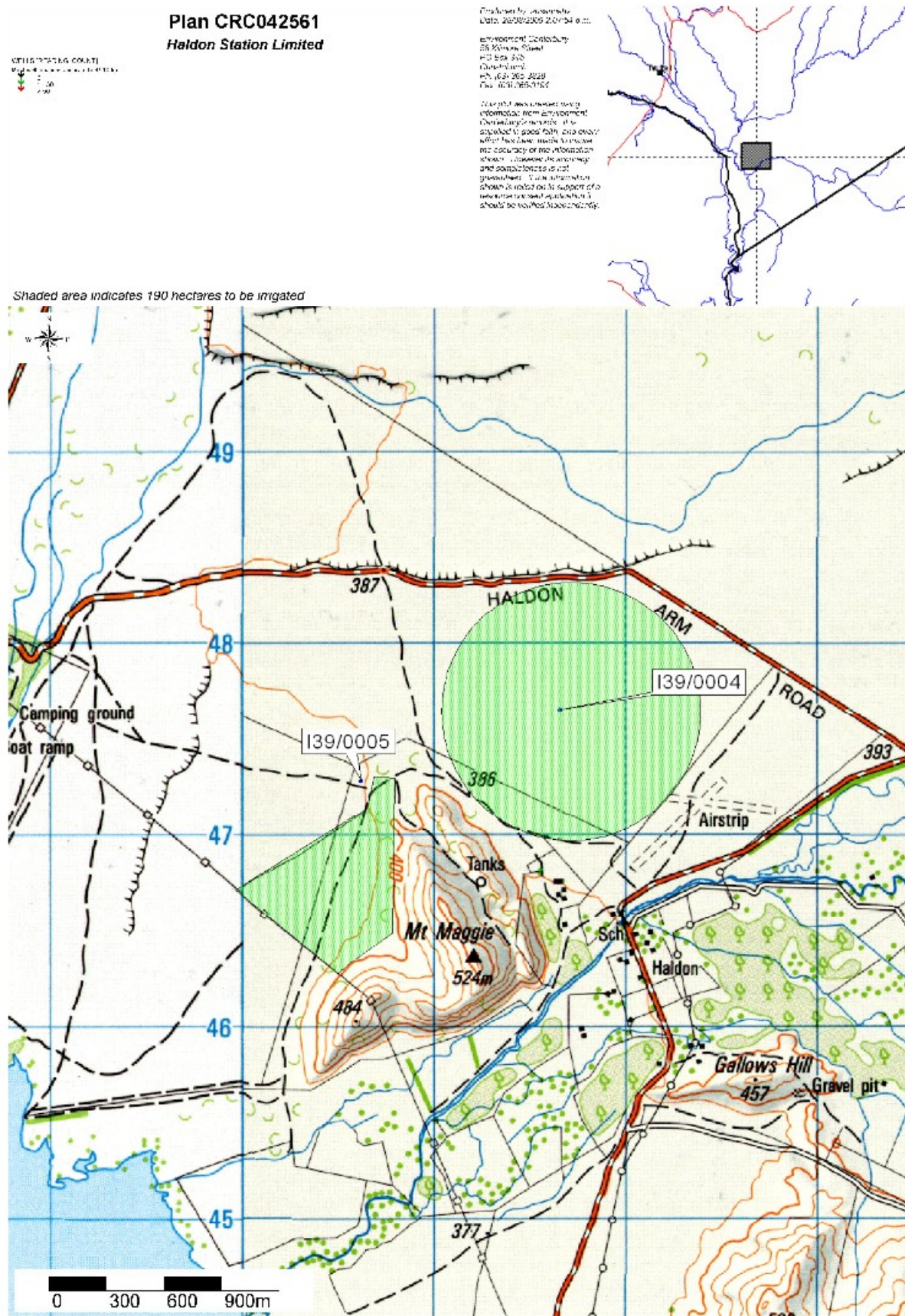
Canterbury Regional Council 1991. Transitional Regional Plan. October 1991.

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.

# ATTACHMENT ONE – LOCATION MAP



## ATTACHMENT TWO – 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.	Number of submissions concerned about values in Objective so cannot determine if consistent with these values.
Objective 2	Provide water for different activities.	Activity within allocation limit for Agricultural and Horticultural activities upstream of Waitaki Dam but not upstream of the outlets of the glacial lakes.
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 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.	Proposed abstraction not subject to low flow restrictions.
Policy 1	Recognising connectedness between all parts of the catchment	By providing a suitable minimum flow, the connectedness with the catchment is recognised.
Policy 9	Discouraging further mixing of water between catchments	No water proposed to run-off into streams. No discharge associated with proposal.
Policy 13	Addresses water quality objectives in the NRRP	Addressed in Report 4a
Policy 15	Ensuring take and use of water is reasonable for its intended use	See comments in relation to Policies 16 and 17.
Policy 16	Requiring irrigation applications to meet the specified reasonable use test	Meets reasonable use test as described in earlier section of this report.
Policy 17	Requiring applications for town and community water supplies of stock drinking-water supplies to meet the specified reasonable use test	Not applying for water for these uses.
Policy 19	Encouraging piping or sealing of water distribution systems to minimise water losses and maintain water quality.	Irrigators directly linked to subject bores. Bores located in or adjacent to irrigation areas.
Policy 21	Requiring the installation and use of water-measuring and recording devices.	Metering proposed.
Policy 24	Allowing domestic supply and actual stockwater to be taken when rivers or lakes are at or below minimum flows or levels	Proposed abstraction not subject to minimum flow restrictions.
Policy 26	Setting priority bands for upper or mid-catchment tributaries and the Ahuriri catchment.	Not yet been assessed
Policy 27	Giving priority during low flows or levels to integrated schemes where water used for more than one purpose.	No schemes in catchment