

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

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

**AND**

**IN THE MATTER OF** Applications CRC084263 and  
CRC011846 by Irishman Creek  
Station Ltd for a Water Permit to  
divert & use surface water and a  
Discharge Permit to discharge  
water to water.

**Section 42A Officer's Report of Claire Penman**

**Date of Hearing: 21 September 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 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 4 A – F and 5).

**INTRODUCTION**

2. Irishman Creek Station (the applicant) have applied for resource consent to:
  - (a) Divert and use water from Irishman Creek at a rate of 500 litres per second for micro-hydroelectricity power generation with a capacity of 20kW (CRC084263);
  - (b) Discharge water into Irishman Creek at a rate of 500 litres per second from the diversion and use of water for micro-hydroelectricity generation (CRC011846).

at Irishman Creek Station, State Highway 8, Lake Tekapo. See Attachment One for a map of the location of divert and discharge.

3. The applicant engaged Mr Bob Hall of GHD Ltd (formerly R J Hall) to prepare the application and assessment of environmental effects on their behalf. Subsequently, Mr Richard de Joux of Environmental Consultancy Services has been engaged to respond to further information requests.
4. A 35 year duration is sought. These are applications for replacement consent.
5. A site visit was not undertaken during the audit of this application.

**Background**

6. Consents WTK690931A and B were held by Irishman Creek Station to divert and take up to 14,000 cubic metres of water per week ,and 82,800 cubic metres per month, at a rate of 230 litres per second for border-dyke irrigation of 48 hectares and power generation purposes. These consents expired on 1 October 2001 (a copy can be

found 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. The applicant notes that the electricity generation began in 1925 by the owner at that time. The power house and its associated waterways are now a registered Historic Site, protected under the Mackenzie District Plan Category Y.
8. Applications CRC084263 and CRC011846 were lodged on 19 March 2001 and considered to be notifiable on 13 February 2002. No requests for further information have been sent specific to the micro-hydro part of this proposal. Application CRC084263 was originally included in application CRC011845 (see s42A report 22A). Given that application CRC011845 dealt with two different uses of water (hydro –electricity generation and irrigation) in 2008 a new application number was created for the hydro-electricity generation use. The irrigation use is part of application CRC011845.
9. Since the time the applications were lodged, the combined rate of diversion for irrigation and micro-hydroelectricity generation was reduced from 940 litres per second to 500 litres per second. The proposed minimum flow has also been amended from the originally proposed 700 litres per second at the time of notification, to 350 litres per second currently (see Commissioner Skelton’s pre-hearing minute regarding the acceptance of this change in scope).
10. In addition to these applications, the applicant has lodged a further take and use permit, also as replacement, for irrigation of 48 hectares within Irishman Creek Station (see Report 22A). The plan attached in Attachment One identifies the irrigation area, and diversion and discharge points for all applications.

## **Notification**

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

## **Submissions**

12. In the 2007 public notification, a total of 20 submissions were received on CRC084263 (previously linked with CRC011845) with 3 in support, 15 in opposition and 2 neither support nor oppose. A total of 17 submissions were received on CRC011846 with 3 in support, 12 in opposition and 2 neither support nor oppose.
13. In the 2003 “ministerial call-in”, a total of 314 submissions were received on application CRC084263.
14. 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.
15. 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.

Submitter	Issues	Support/Neutral/Oppose	To be heard
Canterbury Conservation Board <sup>1,2</sup> Aoraki	Consent duration, runoff control in terms of water quality, potential effects on instream ecosystems, natural character of water bodies, and landscape.	Oppose	Yes
Fish & Game NZ <sup>1, 2, 3</sup>	Important fish spawning tributary and abstraction may be inefficient	Oppose	Yes
Meridian Energy Ltd <sup>1, 2</sup>	Concerned about water quality, metering and reasonable use	Oppose	Yes
B Hutton <sup>2</sup>	Need to protect smaller streams from irrigation extraction, should be from canals and larger water bodies	Support	Yes
Mackenzie Branch Federated Farmers <sup>1</sup>	Water is important for economic sustainability and farm viability/productivity	Support	No
Mackenzie District Council <sup>2</sup>	Water for irrigation is vital to South Canterbury community's growth and development. The Government's intention in late 1960's to provide water for irrigation and hydro-electricity should be honoured. Resource productivity gains from irrigation. No realistic alternative if do not get water granted.	Support	Yes

**Table 1: Summary of submissions on application CRC011846 and CRC084263**

<sup>1</sup> August 2007 submission

<sup>2</sup> Call-in 2003 submission

## DESCRIPTION OF THE PROPOSED ACTIVITY

16. When the micro hydro-electricity generation was first set up, water was initially diverted from Irishman Creek into a water race and settling pond from which there was an overflow back into a small water course. The balance was then transported via a further water race and pond, used to generate electricity, and then discharged into the same small water course. This then rejoined the original Irishman Creek bed approximately 1.5 kilometres downstream.
17. In the 1960's the Tekapo Hydro Canal was constructed which involved building a culvert under the canal for the Irishman Creek. The creek was diverted to join the combined waters from the settling pond and generator, and ducted under the canal. The original creek bed is no longer discernible.
18. The powerhouse currently generates up to 20 kilowatts of electricity utilising the original turbine and governor designed in 1925. The governor design regulates the amount of water through the turbine to meet the necessary load. Thus in summer, when the requirement for water is low, and water supply may diminish, less water passes through the turbine.
19. The applicant has not lodged any application to undertake works in the bed or banks of Irishman Creek (s13) associated with the diversion structure as they consider that none is required for the existing structure.
20. The applicant proposes to divert and use water as follows (CRC084263):

- (a) Water is diverted from Irishman Creek at or about map reference NZMS 260 I38:971-793 at a maximum of 500 litres per second.
- (b) Only diverted water is used for hydro-electric generation.
- (c) A minimum flow of 350 litres per second at State Highway 8 is proposed, this is higher than the 300 litres per second required by Table 3, row (iv)(a) of the WCWARP.
- (d) A fish screen will be installed on the existing intake, however, details of this have not been provided.
- (e) The diversion of water will be metered.

21. The applicant proposes to discharge water as follows (CRC011845):

- (a) Water is only discharged at or about map reference NZMS 260 I38:974-782 at a rate not exceeding 500 litres per second.
- (b) The water discharged is only water that has been diverted and used for hydro-electricity generation in accordance with resource consent CRC084263.
- (c) The discharge shall not cause erosion to the bed or banks of Irishman Creek.

## LEGAL AND PLANNING MATTERS

### Consent Requirements

22. 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 s88A(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).

23. A summary of the requirements for this application is provided below:

#### TRP

*Diversion* - 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.

*Discharge* - There are no provisions of the TRP which authorise the discharge of water into water as outlined in the proposed activity. This activity is a discretionary activity and resource consent is required (section 77C(1)(b) of the RMA).

#### WCWARP

- (a) Rule 2, clause (1) – The applicant proposes a minimum flow of 350 litres per second in Irishman Creek at State Highway 8. Table 3, row (iv) requires a minimum flow of 300 litres per second at State Highway 8 to be maintained.

- (b) Rule 2, clause (3) - The total rate of diversion of 500 litres per second is exempt from the allocation limits set for Irishman Creek as the water is used for micro hydro-electricity generation and is returned to the same water body in the same condition and quality and within the vicinity of the diversion (approximately 1.5 km downstream). The activity therefore complies with this rule.
  - (c) Rule 6 – The activity is exempt from the allocation limits to activities in Table 5 (see (b) above).
  - (d) Rule 15 - Classifying rule – discretionary activity
24. 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.
25. The proposed discharge permit is a **discretionary** activity under the TRP and resource consent is required in accordance with section 15 of the RMA.
26. The applicant does not consider that any consent is required under section 13 of the RMA to undertake works in the bed and banks of Irishman Creek as no changes are proposed to the existing intake.

### **Priority**

27. In terms of instantaneous allocation under Rule 2, a detailed list of all applicants who fall within Table 3 can be found in Report 2A.
28. For Rule 6, Table 5 (annual allocations) refer to Report 3 for a full list of all existing consents and applications in priority order.
29. For application CRC084263, the allocation limits are not exceeded and there are no priority issues.

### **Derogation Approval**

30. It is my view that derogation approval from Meridian Energy Limited (MEL) is not required as the proposed activity is non-consumptive and would not derogate from MEL's consents.

### **CONSULTATION**

31. The applicant has undertaken consultation with Fish & Game NZ, Department of Conservation, Te Runanga o Arowhenua, Te Runanga o Waihao and Te Runanga o Ngai Tahu. All parties provided written approval to this application in 2003.
32. I am unsure if any further consultation has occurred since notification of this application.

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

33. A description of the values of the Waitaki Basin and the Mackenzie Basin in general is provided in the introductory s42A report (Report 1).
34. In addition to the above overall summary, the applicant notes the following:

- (a) Irishman Creek is spring-fed, with flows augmented by melting snow and runoff during heavy rain.
  - (b) The maximum flow has been estimated at 85 cumecs (1 in 50 year flood) with the culvert having this as its maximum capacity. Below this level the river runs in flood channels down to about 1500 litres per second.
  - (c) At normal flows, the creek is 15 metres wide with varying depth from 5 centimetres to 1 metre.
  - (d) The bed is gravel and quite porous, resulting in considerable losses into the underlying watertable. Approximately 5 kilometres downstream of the Tekapo canal (SH8), the creek disappears below ground, preventing the passage of migrating fish and any further use.
  - (e) There are no migratory fish, and due to the shallowness of the lower creek, the number of resident fish (predominantly trout, but also some small native fish) is low. The river bed attracts river birds, especially ducks and cormorants.
  - (f) There are no users of the creek downstream, but suitable minimum flows are proposed.
35. The Irishman Creek Station Conservation Resources Report (2003), produced by the Department of Conservation for Tenure Review, provides additional information regarding the ecological values of the area.
- (a) Irishman Creek contains a popular trout fishery. It has a high naturalness and is in good health providing a rewarding experience for the wilderness angler. The stream is an important spawning tributary for the rainbow and brown trout populations of the Tekapo River and Lake Benmore. It also provides suitable habitat for its own resident trout population.
  - (b) Irishman Creek provides valuable habitat for black-fronted tern, banded dotterel and a wide range of other wetland birds. Black stilt have also historically used this habitat.
  - (c) Freshwater fish identified in Irishman Creek within the property include Canterbury galaxias, common bully, and upland bully, alongside rainbow and brown trout.
36. Photos provided by the applicant are included in Attachment Four.

## **ASSESSMENT OF PROPOSED ACTIVITY**

37. The proposed water permit and discharge permit are discretionary activities and must be considered in the context of s104 of the RMA.
38. Section 104(1) outlines matters that the consent authority must have regard to when considering an application for 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))

39. The effects considered for this type of activity (diversion and discharge of water) 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 each application is provided below.

### Diversion of water

Adverse Effects	Applicant's assessment	My assessment	My Conclusion
Ecosystems	Consider with fish screen & min flow that effects minor.	Minimum flow higher than that set out in Table 3 so instream values protected. Provided a fish screen in accordance with proposed conditions is adopted then effects minor.	Effects minor.
Other water users	No other users so no effects. Water meter proposed.	Water meter proposed. As there are no other users on the creek and an appropriate min flow is proposed, there are unlikely to be any adverse effects on other water users. As the consent is non-consumptive there would be no effect on MEL.	Effects minor.
People, communities & recreational values	Diversion has been occurring since 1925 and power house and race now registered historic site. Diversion only for small stretch of stream prior to discharge.	Agree with applicant's assessment that given appropriate minimum flow, nature of historic activity and length of diversion that effects on people, communities and amenity values minor.	Effects minor.
Inefficient take and use	No annual volume required as non-consumptive use for micro hydro-electricity generation. Efficient system that minimises water diverted in summer with low flows and low power requirement.	Agree with applicant that proposed use will be efficient.	Effects minor.
Tangata Whenua values	No assessment provided.	Submissions raised concerns but mostly with respect to effects of irrigation. Consider that effects on surface water minor so not likely to be effects on cultural values.	Effects minor.

**Table 2: Summary assessment of effects for application CRC084263.**

### Discharge of water

Adverse Effects	Applicant's assessment	My assessment	My Conclusion
Flood-carrying capacity & erosion	Applicant considers no effects as the system has been in place since 1925 without observable effects.	On inspection of the photos I cannot observe any erosion of the bed or banks and the waterway appears to have capacity for the discharge that is occurring. Given that the rate of diversion is equivalent to that	Effects minor.

		discharged, and the well established nature of the activity, I consider that with the recommended conditions, the effects of the discharge of flood-carrying capacity and erosion would be minor.	
Water quality & ecosystems	Discharge is water that has been diverted fro hydro-electricity generation only with no contaminants or change in quality so effects minor.	I agree with the applicant that quality of water and subsequently the level of contaminants will be unchanged from the water that is diverted. I agree that effects on water quality are likely to be minor.	Effects minor.
Downstream users and amenity values	Note that there are no downstream users of Irishman Creek. Also that with the proposed minimum flow and historic protection that the activity is afforded, effects will be minor.	The discharge has been occurring for a number of years without complaint from any users of the catchment. Given the effects on water quality are considered to be minor, the discharge occurs on the applicant's property and is locally recognised, I am satisfied that 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.

**Table 3: Summary assessment of effects for application CRC011846.**

### Overall Conclusion

40. With regard to s104(1)(a), the actual and potential effects of the activities have been discussed above.
41. For both applications I am satisfied that the actual and potential effects will be minor and there are no outstanding matters that need to be considered further.

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

42. 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.

### Regional Policy Statement (RPS)

43. 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.
44. Of significance to this application is Chapter 9, which relates to the management of the Region's water resources. The WCWARP and PNRRP takes 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.

### **Proposed Natural Resources Regional Plan (PNRRP)**

45. The objectives and policies of the PNRRP that are relevant to each potential adverse effect have been identified in the introductory s42A report. A discussion of the relevant objectives and policies for the discharge of water (CRC011846) 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 Irishman Creek 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 discharge is in the most appropriate location for the system and will be within the same catchment it originates from. The discharge into Irishman Creek will meet the water quality standards for “Class INLAND” rivers outside the zone of non-compliance.

### **Waitaki Catchment Water Allocation Regional Plan (WCWARP)**

46. 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 (diversion of water – CRC084263) is appended in Attachment Four. In summary, the proposed diversion of water is consistent with the Objectives and Policies of the WCWARP and I am satisfied there is no tension with the relevant objectives and policies.

### **Other Matters (s104(1)(c))**

47. With regard to s104(1)(c), the consent authority can consider any other matter relevant and reasonably necessary to determine the applications. I consider that the high court decision *Aoraki Water Trust and Others v Meridian Energy Limited*<sup>1</sup> is relevant to the water permit application (see discussion in Report 1).

## **PART II PURPOSE AND PRINCIPALS**

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

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

49. 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.”*

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<sup>1</sup> [2004] NZMRA 251

50. 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.
51. The proposal will allow small scale micro hydro-electricity development to occur, which assist in providing for the economic and social well-being of the community. The applicant however has proposed measures to “safeguard the life-supporting capacity of water” and “avoid, remedy or mitigate” the potential impacts on ecosystems as required in Section 5(2)(c), and confirmed that the proposed rates and 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)**

52. Sub-sections (a) and (e) of Section 6 of the RMA are particularly relevant to this application. The proposal will mitigate effects on ecosystems and I consider that impacts on cultural values have been adequately addressed by this proposal.

### **Other Matters (s7)**

53. 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.
54. Sub-sections (b) and (f) are specifically relevant to this application and should be considered when deciding the acceptability of effects resulting from the proposed diversion and use of water from Irishman Creek. Section (b) relates to the efficient use of water and as discussed above there is insufficient evidence to confirm that the applicant’s requested annual volume is reasonable.
55. Section (f) refers to the maintenance and enhancement of the quality of the environment. The applicant has proposed mitigation measures in the form of minimum flows to ensure that this objective is achieved, particularly with regards to instream habitat.

### **Principles of the Treaty of Waitangi (s8)**

56. 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**

57. 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.
58. For the both applications (CRC084263 & CRC011846), I am satisfied that there are no outstanding adverse effects of the proposed activity that have not been addressed

through appropriate mitigation measures. When considering the matters outlined in section 104(1) of the RMA, I am satisfied that the actual and potential effects of the proposed activity are acceptable and the applications can be granted subject to the recommended conditions set out in the next section of this report.

## RECOMMENDED CONDITIONS

59. If the Commissioners decide to grant these applications, a list of draft recommended conditions specific to these applications are provided below.

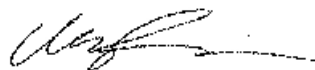
<b>Table 3: Recommended draft conditions for water permit CRC084263</b>		
<b>No.</b>	<b>Condition Code<sup>2</sup></b>	<b>Details</b>
<b>Divert</b>		
1	WP01	<i>Name of waterbody:</i> Irishman Creek <i>Map reference:</i> NZMS 260 I38:971-793 <i>Instantaneous rate:</i> 500 litres per second <i>Volume:</i> 43,200 cubic metres per day
<b>Use</b>		
2	WP04 (modified)	<i>Activity:</i> Micro hydro-electricity generation <i>Plan No:</i> "CRC084263" (Attachment 1)
<b>Mitigation</b>		
3	WP07	<i>Name of waterbody:</i> Irishman Creek <i>Map reference:</i> NZMS 260 I38:978-766 <i>Minimum flow:</i> 350 litres per second <i>Flow graph:</i> See Report 2A
4	WP09	Fish screen
5		The consent holder shall ensure water races used to convey water diverted in terms of this permit are well maintained to minimise losses.
<b>Measuring &amp; Metering</b>		
6	ME03	
7	ME04	
8	ME05	
9	ME06	<i>Waterway:</i> Irishman Creek
10	ME07	<i>Waterway:</i> Irishman Creek

<sup>2</sup> See Report 1, Appendix 6 for condition code and wording.

	WP08	<i>Waterway:</i> Irishman Creek <i>Map reference:</i> NZMS 260 I38:978-766 <b>To be used with ME03-05</b>
<b>Administrative Conditions</b>		
11	AD01	
12	AD02	<i>Number of working days:</i> 5 <i>Month 1:</i> March <i>Month 2:</i> July <i>Waterbody:</i> Irishman Creek <i>Cross reference to Condition:</i> 3
13	AD04	Lapse date

<b>Table 4 : Recommended draft conditions for discharge permit CRC011846</b>		
<b>No.</b>	<b>Consent Code<sup>3</sup></b>	<b>Details</b>
<b>Scope</b>		
1	DP01	<i>Waterbody from:</i> man-made water race <i>Waterbody to:</i> Irishman Creek <i>Map reference:</i> NZMS 260 I38:974-782 <i>Discharge rate:</i> 500 litres per second <i>Plan:</i> "CRC084263" <i>Other:</i> The water shall by water used for micro hydro-electricity generation and shall contain no contaminants.
<b>Operation and Maintenance</b>		
2	DP02	<i>Waterbody:</i> Irishman Creek
3	DP03	
4	DP04	
<b>Administrative Conditions</b>		
5	AD03	Review
6	AD04	Lapse date

Signed:



Date: 31<sup>st</sup> August 2009

Claire Penman  
**Consultant Investigating Officer**

<sup>3</sup> See Report 1, Appendix 6 for condition code and wording.

## 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.

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Keller, J & Pfluger, Y. 2005. Working papers about the Natural and Physical Resources of the Waitaki catchment by locality. Report provided to the Waitaki Catchment Water Allocation Board.

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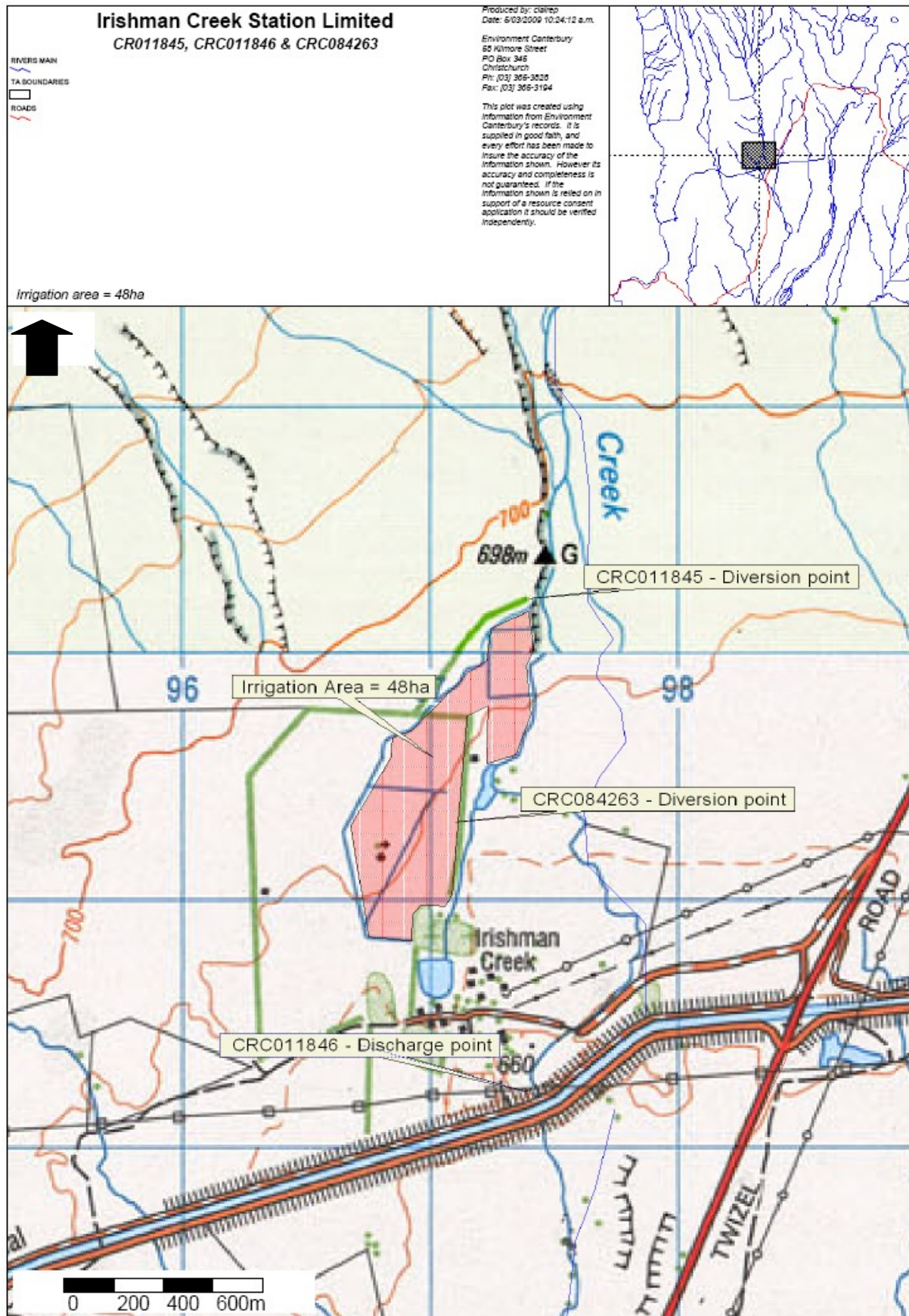
Waitaki Catchment Water Allocation Board 2006. Waitaki Catchment Water Allocation Regional Plan. ISBN: 0-9582620-7-1.

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 – EXISTING CONSENTS

**RecordNo** WTK690931A

**Type** Consent

**Source** Existing Use Wtr

**PermitType** Water Permit

**FileNo** CO6T/00667

**ClientID** 1264

**ClientName** Irishman Creek Station Limited

**To** to divert water from Irishman Creek at or about map reference up to 14,000 cubic metres of water per week at a maximum rate of 230 litres per second.

**Location** , IRISHMAN CREEK

**Status** Continuation until new application determined

**Events**

25/Mar/1969	Consent Issued
24/Mar/1971	Given Effect To
25/Mar/1971	Lapse Date if not Given Effect To
23/Mar/2001	1st Expiry Reminder
01/Oct/2001	Sec 124 continuation starts
01/Oct/2001	Consent Expires
05/Apr/2007	1st Status Query Letter

**Consent Summary**



**RecordNo** WTK690931B

**Type** Consent

**Source** Existing Use Wtr

**PermitType** Water Permit

**FileNo** CO6T/00667

**ClientID** 1264

**ClientName** Irishman Creek Station Limited

**To** TK FR IRISHMAN CK STATION DVN/R @ OR ABT MR< 82800 M3 WTR/MTH

**Location** , IRISHMAN CREEK

**Status** Continuation until new application determined

**Events**

25/Mar/1969	Consent Issued
24/Mar/1971	Given Effect To
25/Mar/1971	Lapse Date if not Given Effect To
23/Mar/2001	1st Expiry Reminder
01/Oct/2001	Sec 124 continuation starts
01/Oct/2001	Consent Expires
05/Apr/2007	1st Status Query Letter

**Consent Summary**



**RecordNo** WTK690931C

**Type** Consent

**Source** Existing Use Wtr

**PermitType** Discharge Permit

**FileNo** CO6T/00667

**ClientID** 1264

**ClientName** Irishman Creek Station Limited

**To** to discharge onto Irishman Creek either directly or via present electricity.

**Location** , IRISHMAN CREEK

**Status** Continuation until new application determined

**Events**

25/Mar/1969	Consent Issued
24/Mar/1971	Given Effect To
25/Mar/1971	Lapse Date if not Given Effect To
23/Mar/2001	1st Expiry Reminder
01/Oct/2001	Sec 124 continuation starts
01/Oct/2001	Consent Expires
05/Apr/2007	1st Status Query Letter

### Consent Summary



**ATTACHMENT THREE – PHOTOS OF INTAKE, DISCHARGE AND IRISHMAN CREEK**



Irishman Creek at SH8



Irishman Creek near discharge point



Irishman Creek downstream of SH8 where it goes dry



Powerhouse



Control gate in diversion channel



Irishman Creek at diversion point

## ATTACHMENT FOUR – RELEVANT POLICIES AND OBJECTIVES OF WCWARP

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 be consistent with the matters outlined in Objective 1.
Objective 2	Provide water for different activities.	The proposed activity is exempt from allocation limits in Table 5. 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 demonstrated that the use of water for micro hydro-electricity generation 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.
Policy 1	Recognising connectedness between all parts of the catchment	By providing a suitable minimum flow, the connectedness with the catchment is recognised.
Policy 2	Recognise that some waterbodies have a high natural character worthy of protection.	Irishman Creek, below Braemar Rd, is not considered to be of high natural character.
Policy 3	Setting of environment flow and level regimes for all activities in Objective 2 and consistent with Objective 1.	Applicant proposes minimum flow greater than that 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 greater than that 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 use does not fall within consideration of this policy.
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 is exempt from allocation limits.
Policy 12	Outlines matters that must be considered when establishing allocation limits.	Application falls within allocation limit for activities in Objective 2
Policy 15	Ensuring take and use of water is reasonable for its intended use	Applicant is seeking what I consider to be a reasonable rate and volume of water
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	The proposed conveyance via open water race

	water distribution systems to minimise water losses and maintain water quality.	will mean here is some water loss via evaporation, but the applicant considers it to be well sealed given its existence for more than 75 years.
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 surface water during times of low flow except for essential uses	A suitable minimum flow is proposed for restricting the diversion of water in times of low flow.
Policy 25	Allowing for sharing of available water within a water-users group	No flow sharing is required as the diversion is non-consumptive and there are no other users on Irishman Creek.
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 28	Considerations for granting or refusing replacement consents	There has been considerable investment by the consent holder and efficiency expectations of the plan have been addressed as far as they are relevant to micro hydro-electricity use.
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.