

*CRC021091 Take water from the Rakaia River at a maximum rate of 40m<sup>3</sup>/s*

Duration: 35 years

1. Water may only be taken from the Rakaia River at or about map reference NZMS 260 K36:072-391 at a maximum rate of 40 cubic metres per second.
2. Consumptive abstraction
  - (a) Except as provided for in condition (3), the maximum combined rate at which water may be taken under this consent and resource consent CRC093683 shall not exceed 33.5 cubic metres per second of Band 5 water.
  - (b) For the purposes of this condition, 33.5 cubic metres per second is the rate at which water may be taken and not discharged back to the river (as required by consent CRC093683).

PROVIDED THAT if application CRC054384 has priority to be heard over this application CRC021091 and a consent is granted under application CRC054384 to take **S cubic metres per second** of water from the Rakaia River:

(c) The maximum combined rate at which water may be taken under this consent and resource consent CRC093683 shall not exceed **(33.5 - S)** cubic metres per second of Band 5 water, and

(d) For the purposes of this condition, **(33.5 - S)** cubic metres per second is the rate at which water may be taken and not discharged back to the river (as required by consent CRC093683).

3. Low flow restrictions

- (a) Except as provided for in conditions (3) and (4), whenever the mean flow for the 24 hour period ending at noon on any one day (expressed in cubic metres per second) in the Rakaia River, as estimated by Canterbury Regional Council from measurements at either the gorge recorder site (at or about map reference NZMS 260 K35:015-424) or the recorder site at Fighting Hill (at or about map reference NZMS 260 K35:997-437), falls below the following flows (Y m<sup>3</sup>/s) , the taking of water in terms of this permit shall cease:

Month:            Jan   Feb   Mar   Apr   May   Jun   Jul   Aug   Sep   Oct   Nov   Dec

Flow: (Y m<sup>3</sup>/s)   198   182   179   171   169   170   165   166   164   180   203   213

Month:            Jan   Feb   Mar   Apr   May   Jun   Jul   Aug   Sep   Oct   Nov   Dec

Flow: (Y m<sup>3</sup>/s)   198   182   179   171   169   170   165   166   164   180   203   213

(i)

PROVIDED THAT if application CRC054384 has priority to be heard over this application CRC021091 and a consent is granted under application CRC054384 to take water from the Rakaia River, the minimum flows in clause 3 (a) above shall be increased by 2 x S.

Note: In the event that water in higher priority bands becomes available for allocation to other water users, then the minimum flows in this condition will require amendment to recognise the priority rights of the consent holder. ~~The above minimum flows have been based upon the assumption that the consent holder has priority over Synlait that has applied to take 6 cubic metres per second, otherwise these flows need to be amended.~~

(b) Whenever the mean flow for the 24 hour period ending at noon on any one day (expressed as X cubic metres per second) in the Rakaia River, as estimated by Canterbury Regional Council from measurements at either the gorge recorder site (at or about map reference NZMS 260 K35:015-424) or the recorder site at Fighting Hill (at or about map reference NZMS 260 K35:997-437), exceeds the minimum flow Y as contained in condition 2(a), then the combined abstraction under this consent and consent CRC093683 shall not exceed Z m<sup>3</sup>/s where:

$$1. Z = (X-Y)/2 \quad \text{and} \quad Z < 33.5 \text{ m}^3/\text{s}$$

ADVICE NOTE: the maximum rate at which water may be taken under this consent and consent CRC093683 above the minimum flows specified in condition (2)(b) shall not exceed 33.5 cubic metres.

PROVIDED THAT if application CRC054384 has priority to be heard over this application CRC021091 and a consent is granted under application CRC054384 to take S cubic metres per second of water from the Rakaia River, the maximum flows in clause 3 (b) above shall be amended to (33.5 – S) m<sup>3</sup>/s.

4. The maximum combined rate at which water may be taken under this consent in combination with resource consents CRC093683, CRC051802.3, CRC051803.2, CRC054384 (should it be granted) and CRC990088.3 (or any variations to these consents), including water that will be discharged back to the Rakaia River in accordance with consent CRC093683, shall not exceed 67 cubic metres per second, provided that the consent holder complies with the minimum flow requirements of those consents and water allocation rules in the National Water Conservation Order.

5.

(a) In the event that any water allocated to another water user is not being taken, the consent holder may take that water provided that the consent holder complies with the minimum flow requirements of that consent and water allocation rules in the National Water Conservation Order and provided written approval has been obtained from the existing consent holder, prior to the take being exercised, that allows the consent holder to take its unused allocated water. The consent holder shall provide the Canterbury Regional Council, Attention: Compliance and Enforcement Manager, written agreement with the water permit holders giving permission for the consent holder to take their unused but allocated water.

NOTE: For the purpose of this consent, written agreement may be in the form of an email, fax or signed written document

(b)

(i) Water may also be taken at times when water is not being taken in accordance with one or more of the consents listed in Table 1.

(ii) The rate at which water may be taken shall not exceed the sum of the individual rates of take for the consents listed in Table 1 not being exercised at that time.

(iii) The consent holder shall meet the minimum flow requirements of each consent listed in Table 1, and shall comply with the National Water Conservation Order (Rakaia River) at all times.

(iv) This consent shall not derogate from the rights of water of consent holders listed in Table 1.

**Consent**

**Maximum rate  
(litres per**

|              | <b>second)</b> |
|--------------|----------------|
| CRC940052    | 340            |
| CRC940163    | 450            |
| CRC990621.2  | 850            |
| CRC990660    | 1800           |
| CRC990983.1  | 2000           |
| CRC940169.1  | 450            |
| CRC930958B.1 | 320            |
| CRC990851.1  | 550            |
| CRC991102.1  | 450            |
| CRC940486.1  | 450            |
| CRC941177.5  | 450            |
| CRC941161.2  | 450            |
| CRC072619    | 450            |
| CRC941219    | 450            |
| CRC952433.2  | 450            |

PROVIDED THAT if application CRC062685 has priority to be heard over this application CRC021091 and a consent is granted under application CRC062685 to take water from the Rakaia River, then water can not be taken under the provisions of clause 5(b).