

16 April 2010

Ref: CO6C/18965

MEMORANDUM

FROM: ANGELA DEAN
TO: THE COMMISSIONERS
SUBJECT: CENTRAL PLAINS WATER RESOURCE CONSENT APPLICATIONS – THE HOLIDAY RULE

The applicant and Maurice Duncan (on behalf of the Canterbury Regional Council) met with Graeme Wilson and Ken Livingston (behalf of Whitewater New Zealand) on the morning of Friday 16 April 2010 to discuss the "Holiday Rule".

Mr Duncan informed me that the kayakers would like the restrictions to specify that the flows at Crossbank between 7am and 7pm should be between 55-65 cumecs. We have worded the condition to reflect their request.

I have extracted the conditions from consent application CRC061972 that only relate to the take restrictions (including the holiday rule) below:

2. *The rate at which water is taken from the Waimakariri River shall not exceed 24 cubic metres per second.*
3. *For the periods excluding the days listed in Appendix 1, water shall only be taken subject to the following:*
 - (a) *Whenever the unmodified mean flow in the Waimakariri River, as estimated by the Canterbury Regional Council from measurements at the Old Highway Bridge, at or about map reference NZMS 260 M35:818-547, for any 24 hour period ending at noon is:*
 - (i) *greater than 66.1 cubic metres per second the maximum rate of take during the next 24 hours shall not exceed half the difference between the unmodified mean daily flow and 66.1 cubic metres per second;*
 - (ii) *at or below 66.1 cubic metres per second no water shall be taken during the next 24 hours, unless water can be taken under clause (a)(iii).*
 - (iii) *greater than 41.0 cubic metres per second and less than 63.0 cubic metres per second, the consent holder may take unused but allocated A permit water in agreement with water permit holders who are subject to A permit minimum flow restrictions and are adhering to a water sharing regime that restricts the total rate of abstraction from the Waimakariri River whenever the flow is at or above 41.0 cubic metres per second. 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 its 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,

(iv) at or below 41.0 cubic metres per second for a continuous period of 14 days, the consent holder shall not take water in accordance with conditions 3(a)(i) until the flow rate is greater than 41 cubic metres per second for a period of two days or until the flow is greater than 130 cubic metres per second, whichever is the sooner. This clause shall not apply if water is being taken under clause 3(a)(iii).

4. For the periods including the days listed in Appendix 1, the following restrictions shall apply:

(a) whenever the unmodified mean flow in the Waimakariri River, as estimated by the Canterbury Regional Council from measurements at the Old Highway Bridge, at or about map reference NZMS 260 M35:818-547, for any 24 hour period ending at noon is:

(i) greater than 80 cubic metres per second and less than 95 cubic metres per second, then the take shall not exceed the difference between the unmodified flow and 80 cubic metres per second, or 5 cubic metres per second, which ever is the lesser. This restriction shall apply between the hours of 3pm and 3am, or a similar 12 hour period so that the unmodified flow at Crossbank (located between map references NZMS 260 M35:701511 and M35:701517) between 7am and 7pm is between 55 and 65 cumecs.

(ii) Greater than 95 cubic metres per second, then take shall not exceed half the difference between the unmodified mean daily flow and 95 cubic metres per second.

5. No water shall be taken during the Coast to Coast event.

APPENDIX 1

The restrictions specified in condition (4) of CRC061972, shall occur starting the day prior to:

- (1) all weekend days and public holidays between 1 November and 15 March; and*
- (2) all weekdays from 21 December to 15 February; and*
- (3) the fourth Monday of October (Labour Day) and the Easter weekend starting Good Friday and ending on Easter Monday.*