

**BEFORE THE CANTERBURY REGIONAL COUNCIL
SELWYN DISTRICT COUNCIL**

IN THE MATTER OF of the Resource Management Act 1991

AND

IN THE MATTER OF applications by Central Plains Water Trust to:

Canterbury Regional Council for resource consents to take and use water from the Waimakariri and Rakaia Rivers and for all associated consents required for the construction and operation of the Central Plains Water Enhancement Scheme

AND

IN THE MATTER OF a notice of requirement by Central Plains Water Limited to:

Selwyn District Council for the designation of land for works associated with the construction and operation of the Central Plains Water Enhancement Scheme

**SUBMISSION FOR CANTERBURY REGIONAL COUNCIL – REGIONAL
ENGINEER**

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I wish to draw your attention to the following matters in relation to the proposed conditions:

Draft Conditions prepared by Council officers

CRC 102325, 102326, 102328, 102328, 102330

1. Conditions have been proposed to permit the removal of vegetation and or excavate or deposit material. Your attention is drawn to the Water and Soil Conservation Act 1941:

154 Damage to watercourses and works

(1) Every person who, **without the written approval of the [[Minister]] or Board [[]]** concerned, **wilfully destroys or damages any watercourse or defence against water** which is in any district or is under the control of the [[Minister]] or of any Board [[]], **or is constructed, established, or maintained under this Act by the [[Minister]] or by any Board [[]], or who, without the written approval of the [[Minister]] or Board [[]] concerned, wilfully destroys or damages any plantation or work under the control of the [[Minister]] or of any Board [[]], commits an [offence and is liable to a fine not exceeding \$10,000].**

(2) Every person who, **without the written approval of the [[Minister]] or Board [[]]** concerned, **destroys or damages any watercourse or defence against water** which is in any district or is under the control of the [[Minister]] or of any Board [[]] **or is constructed, established, or maintained under this Act by the [[Minister]] or by any Board [[]], or who, without the written approval of the [[Minister]] or Board [[]] concerned, destroys or damages any plantation or work under the control of the [[Minister]] or of any Board [[]], [or who allows any animal which he owns or has under his control to damage or destroy any tree, shrub, or plant forming part of a defence against water, being a defence that is under the control of the [[Minister]], or Board, []] **whether or not he has been guilty of an offence against this section, shall be liable to pay to the [[Minister]] or to the Board [[]], as the case may be, the whole cost of restoring or repairing the damage or injury; and the amount thereof shall be recoverable as a debt due to the [[Minister]] or to the Board [[]], as the case may be.****

2. This means that the proposed conditions will not be able to be exercised within river and drainage systems under the control of the Council unless permitted by the Regional Engineer.
3. Therefore it is necessary for the Regional Engineer to receive information on the same terms as the Canterbury Regional Council RMA Compliance and Enforcement Manager, as well as a formal request for the necessary permission.

CRC102330

1. Condition 26. The access tracks were formed by the Canterbury Regional Council for construction, operation, and maintenance of its Waimakariri river protection scheme. The main track is the Canterbury Regional Council's only access for operation and maintenance of this section of the Waimakariri river flood protection scheme.

2. Access across any CPW diversion/discharge channels on the main access track needs to be of a standard in excess of that required for 4WD vehicles to allow the safe passage of heavy plant such as articulated rock trucks and trailers, articulated logging trucks and trailers, and over width plant.
3. Access across the Waimakariri intake channel or main race to the Canterbury Regional Council's land between the intake works and the terrace needs to be of a standard that will allow the safe passage of heavy plant and logging trucks.

CRC102331

1. Refer to the note following condition 20. Access will be required by CPW for a range of purposes rather than only extraction, therefore the words 'to the extraction area' should be deleted.
2. Condition 24. Same point as outlined above for CRC102330, condition 26.

CRC061973

1. Condition 3 (a). 20% leakage from the total reticulation system is an error. The condition does not include bywash flows or wetland seepage losses. The applicant uses a figure of 20% for the combined seepage and bywash losses from the reticulation system.
2. Reticulation system leakage is a scheme design parameter that is controlled by the quality of race lining and the keying in of structures. Bywash flows are not leakage, but are a reflection of operational decisions. Reticulation system leakage and bywash flows are not related factors but both can contribute to groundwater. They need separate controls, ie:- separate consent conditions.
3. I believe that a limit of less than 10% is an expectation for leakage from well designed, well constructed, and properly maintained reticulation systems.

CRC061949

1. It appears that condition 2 is addressing total losses from the headrace and the downstream reticulation system. The figure of 20% is incorrect if wetlands are not part of the water distribution network.
2. The applicant uses a figure of 20% for the combined seepage and bywash losses from the reticulation system. I believe that a figure of less than 10% is anticipated leakage from the races downstream of the headrace.
3. The applicant claimed that leakage from the headrace would be up to 1 cubic metre per second. For a 40 cubic metre per second flow this equates to a loss of 2.5%.
4. This means that the combined losses for the headrace and reticulation system should be limited to a figure that is calculated to be less than 10%.
5. A separate limit is required for wetland losses to groundwater for the same reasons as for CRC061973 above.

CRC061982

1. Condition 11. It is unclear as to whether this condition overrides condition 9 or relates to timing within the period permitted in condition 9.

2. The variation of timing outside the period permitted in condition is not supported.

Draft conditions prepared by applicant

CRC102331

1. Condition 23. Retain the word impede in relation to the Waimakariri River main access track between the gorge and Bleakhouse. This is the Canterbury regional Council's only access for operation and maintenance of this section of the Waimakariri river flood protection scheme.



ROSS VESEY

REGIONAL ENGINEER

(Authorised under delegated authority from the Canterbury Regional Council)

11 March 2010