

SIMONS PASS STATION LIMITED applied for the following resource consents:

CRC082311: To take and use surface water at a maximum rate not exceeding 1,420 litres per second, daily volume of 120,767 cubic metres per day, and a volume not exceeding 14,581,330 cubic metres per year, from the Tekapo Canal at or about map reference NZMS 260 H38:8842-7328 (NZTopo50 BZ16 7845-1175) for spray irrigation of up to 2,400 hectares of crops and pasture, and for stock water use, at Simons Pass Station, State Highway 8, Lake Pukaki.

CRC082311: To take and use surface water at a maximum rate not exceeding 1,420 litres per second, daily volume of 120,767 cubic metres per day, and a volume not exceeding 14,581,330 cubic metres per year, from Tekapo Canal at or about map reference NZMS 260 H38:8842-7328 (NZTopo50 BZ16 7845-1175) for spray irrigation of up to 2,400 hectares of crops and pasture, and for stock water use, at Simons Pass Station, State Highway 8, Lake Pukaki.

Advice Note: Water allocated by this consent will be used for the irrigation (and stockwater) of 2,400 hectares, within a total command area of 4,392 hectares on the two distinct areas of land shown on Plan A (Appendix A), being 3,880 hectares west of the Mary Range (known as the “Pukaki Flats”), and 512 hectares east of the Mary Range known as “Mary Range Farming”). The two areas are in separate surfacewater and groundwater catchments separated by the Mary Range.

	PROPOSED NEW APPLICANT CONDITIONS	ECAN COMMENTS	MEL COMMENTS	SPSL COMMENTS	SPSL FINAL PROPOSED CONDITION
		<i>The new proposed conditions, developed subsequent to the presentation of section 42A reports, would, provided that all of the suggested changes are incorporated, satisfactorily address landscape and cumulative water quality issues. For other issues refer to S42A reports and responses to commissioner questions.</i>			
No.	Water Take Conditions	Suggest that above Advice Note be deleted. It is not needed. The conditions more clearly specify the scope of the permit.			
1	Consent is granted for a term expiring on 30 of April 2025.	Agree with date. Duration condition should be separate or located after lapse condition.			
2	Water shall only be taken from the Tekapo Canal, at or about map reference NZMS 260 H38:8842-7328 (NZTopo50 BZ16: 7845-1175): (i) for irrigation between 01 September and the following 30 April, at a rate not exceeding 1,392 litres per second, a daily volume (measured between 12:00am and 12:00pm) not exceeding 120,270 cubic metres, and an annual volume (measured between 01 July and the following 30 June) not exceeding 14,400,000 cubic metres; and (ii) for stock drinking water at a rate not exceeding 28 litres per second, a daily volume (measured between 12.00am and 12.00pm) not exceeding 497 cubic metres, and an annual volume (measured between 01 July and the following 30 June) not exceeding 181,330 cubic metres, provided that the combination of water taken for irrigation and stock drinking water does not exceed a rate of 1,420 litres per second. (b) This consent shall not be exercised concurrently with consents CRC062867, CRC011554.	Notified as 1,398 litres per second to include 6L/s for stockwater, but derogation approval provided for 1,420, allowing 28L/s for stockwater – piped scheme should not require conveyance component“... with consent CRC062867 or consent CRC011554.” Application specified irrigation would be limited to centre pivot systems and no moraine levelling would occur. These commitments need to be reflected in conditions. Time period (i) needs to change to “measured over the 24 hour period ending at midnight” otherwise there is potential for interpreting the period as 12 rather than 24 hours.			
3	Water shall be used only for the spray irrigation of 2,400 hectares within a total command area of 4,392 hectares on the area of land shown on the attached Plan A in Appendix A which forms part of this consent, being 3,880 hectares west of the Mary Range, and 512 hectares east of the	Map needs a better legend to spell out which is which; just add “Command areas = yellow shading”. Preferable to have a unique label e.g.,			

	Mary Range.	CRC082311A			
4	The taking of water in terms of this consent shall cease upon receipt of written advice from the owners and/or operators of the Waitaki Power Scheme that: (i) the flow of water into the Tekapo – Pukaki Canal has ceased, or is to cease, as a result of the operational requirements of the Waitaki Power Scheme; or that (ii) maintenance is to be undertaken to ensure the structural integrity and safety of, or to avoid risk or compromise to the operation of the Waitaki Power Scheme infrastructure, and such maintenance is unable to be undertaken while abstraction authorised in terms of this consent is occurring, particularly when such maintenance results in a restricted flow of water into the Tekapo - Pukaki Canal.	Agree			
	Advice Note: <i>The Waitaki Power Scheme means the works including hydraulic control structures, dams, canals, water diversions, penstocks, spill weirs, spill gates, bypass valves, sluice gates, power stations and generating plant, associated ancillary land and structures and resource consents and other rights held by operator/s of the Waitaki Power Scheme to utilise the waters and tributary inflows of Lakes Tekapo, George Scott, Pukaki, Ohau, Ruataniwha, Benmore, Aviemore, and Waitaki to generate electricity.</i>	Agree			
5	The taking of water for irrigation shall cease whenever the level of Lake Tekapo is (i) at or below 701.8 metres above mean sea level in the months April to September inclusive; and (ii) at or below 704.1 metres above mean sea level in the months October to March inclusive.	Agree, but wording should be amended to include two clauses, (a) and (b), to signal that the taking of water for stock drinking water is exempt from this provision, as per Rule 3(2), as follows: (b) Whenever the taking of water for irrigation ceases in accordance with clause (a) of this condition, the consent holder shall ensure that the rate and volume of water taken does not exceed the rate and volume of water required for actual stockwater needs at the time. Need to add "as estimated by the Canterbury Regional Council" after "Lake Pukaki". Should specify the actual level rather than refer to a separate document.			
Metering					
6	The consent holder shall, before the first exercise of this consent, install a water meter(s) that has an international accreditation or an equivalent New Zealand calibration endorsement suitable for use with an electronic recording device, from which the rate and the volume of water taken can be determined to within an accuracy of plus or minus five percent at a location(s) that will ensure the total take of water from the Tekapo Canal, is measured.	No telemetry system option proposed. For differences between the MIC/MEL metering conditions and that proposed (and preferred) by CRC, refer to the S42a addendum report of Susannah Vesey, paragraph 142. Refer also to the response of Ms Vesey to commissioner questions regarding telemetry. Full recommended wording, (as offered by			

		<p>the applicant at 12 July 2010), is as follows:</p> <p>“The consent holder shall, before the first exercise of this consent:</p> <p>(a) (i) install a water meter(s) that has an international accreditation or equivalent New Zealand calibration endorsement, and has pulse output, suitable for use with an electronic recording device, which will measure the rate and the volume of water taken to within an accuracy of plus or minus five percent as part of the pump(s) outlet plumbing, or within the mainline distribution system, at a location(s) that will ensure the total take of water is measured, including: the total take of water from Tekapo Canal; and the total take of water from the Pukaki Irrigation Company Limited pipeline at the point at which water is supplied to Simons Pass Station; and</p> <p>(ii) install a tamper-proof electronic recording device such as a data logger that shall record (or log) the flow totals every 15 minutes and have the capacity to hold at least one season’s (as specified in conditions 2 and 4) data of water taken as specified in clause (b)(i), or which is telemetered, as specified in clause (b)(iii).</p> <p>(b) The water meter and recording device(s) shall:</p> <p>(i) be set to wrap the data from the measuring device(s) such that the oldest data will be automatically overwritten by the newest data (i.e. cyclic recording); and shall:</p> <p>(ii) store the entire season’s data in each 12 month period from 01 July to 30 June in the following year, which shall be downloaded and stored in a commonly used format and provided to the Canterbury Regional Council upon request in a form and to a standard specified in writing by the Canterbury Regional Council; or</p> <p>(iii) be connected to a telemetry system which collects and stores all of the data</p>			
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		<p>continuously with an independent network provider who will make that data available in a commonly used format at all times to the Canterbury Regional Council and the consent holder. No data in the recording device(s) shall be deliberately changed or deleted.</p> <p>(c) The measuring device shall be installed at a site that retains a stable rating (i.e. a man-made channel, concrete, steel or fibreglass pipe). Installation shall be in accordance with ISO 1100/1-1981 or equivalent and be undertaken by a suitably qualified person.</p> <p>(d) The water meter and recording device(s) shall be accessible to the Canterbury Regional Council at all times for inspection and/or data retrieval.</p> <p>(e) The water meter and recording device(s) shall be installed and maintained throughout the duration of the consent in accordance with the manufacturer's instructions.</p> <p>(f) All practicable measures shall be taken to ensure that the water meter and recording device(s) are at all times fully functional and have an accuracy standard of $\pm 5\%$</p>			
	The water meter and recording device(s) shall be accessible to the Canterbury Regional Council at all times for inspection and/or data retrieval.	Part of Condition 6 (as above)			
	The water meter and recording device(s) shall be installed and maintained throughout the duration of the consent in accordance with the manufacturer's instructions.	Part of Condition 6 (as above)			
	All practicable measures shall be taken to ensure that the water meter and recording device(s) are at all times fully functional and have an accuracy standard of $\pm 5\%$.	Part of Condition 6 (as above)			

10	<p>The consent holder shall, within one month of any water meter and recording device(s) being installed, or within one month of any water meter and/or recording device(s) being replaced, and at five-yearly intervals thereafter, and at any time when requested by the Canterbury Regional Council, provide a certificate to the Canterbury Regional Council (Attention: RMA Compliance and Enforcement Manager) signed by the suitably qualified and/or experienced person certifying, and demonstrating by means of a clear diagram, that:</p> <ul style="list-style-type: none"> (a) the water meter and recording device(s) has been installed in accordance with the manufacturers specifications; and (b) data from the recording device can be readily accessed and/or retrieved in accordance with conditions 9 and 10. 	<p>Amend condition number references</p> <p>Also require additional condition as per MEO4 on pg 9 of S42a Report 1, Appendix 6, with wording as follows:</p> <p>“(a) The water meter installed in accordance with Condition <6> shall be an electromagnetic or ultrasonic meter; or</p> <p>(b) The consent holder shall, before the first exercise of this consent, install or make available an easily accessible straight pipe(s) at a location where the total water take is passing through, with no fittings or obstructions that may create turbulent flow conditions, of a length at least 15 times the diameter of the pipe, as part of the pump outlet plumbing or within the mainline distribution system, to allow the Canterbury Regional Council to conduct independent measurements.”</p>			
11	<p>The Canterbury Regional Council (Attention: RMA Compliance and Enforcement Manager) shall be informed within five working days on the first exercise of this consent by the consent holder.</p>	<p>“on” should be “of”</p>			

Fish Exclusion Device

12	<p>Prior to the exercise of this consent:</p> <p>(a) A fish exclusion device shall be installed, operated and maintained on the intake to ensure that fish are prevented from passing into the intake. The fish exclusion device shall be positioned to avoid the entrapment of fish at the point of abstraction, and to minimise the risk of fish being damaged by contact with the fish screening device;</p> <p>(b) The fish exclusion device shall be designed or supplied by a person with experience in freshwater ecology and fish screening techniques, who shall ensure that the performance criteria specified in clauses (a) and (b) of this condition are achieved, and that the device is designed in accordance with best practice, as outlined in the document Fish Screening: Good Practice Guidelines for Canterbury, NIWA Client Report 2007-092, October 2007.</p> <p>(c) Prior to the installation of the fish screen, a report, prepared by a person with experience in freshwater ecology and fish screening techniques, containing final design plans that demonstrate that the fish screen will meet the performance criteria specified in clauses (a) and (b) of this condition, and an operation and maintenance plan for the fish screen, shall be provided to Environment Canterbury, Attention: RMA Compliance and Enforcement Manager.</p> <p>(d) The fish exclusion device shall be maintained in good working order. Records shall be kept of all inspections and maintenance, and those records shall be provided to the CRC upon request.</p>	<p>Agreed. It is accepted that the proposed fish screen cannot meet design criteria specified in the WP09 condition wording (S42a report 1, Appendix 6).</p> <p>Recommend splitting clause (a) into two clauses, (a) and (b), one per sentence, and re-labelling following clauses</p>			
WATER USE CONDITIONS					
13	<p>Water for irrigation shall only be used on or applied to land that is subject to a memorandum of encumbrance that complies with the requirements of the agreement entitled "Agreement in Relation to the Allocation of Water for Irrigation" between Meridian Energy Limited and the Mackenzie Irrigation Company Limited dated 31 October 2006.</p>	<p>Memorandum of encumbrance discussion has been held at the hearing on whether this condition serves a resource management purpose. While it appears not to, the applicants have proposed these conditions. If submitters have no objection to them and they do not appear to breach the Newbury tests then my only concern would relate to any expectations that such conditions would create in terms of Environment Canterbury potentially having a responsibility to enforce conditions that have no Resource Management Act purpose.</p>			
14	<p>The consent holder shall, six months prior to this consent being exercised, provide to the Canterbury Regional Council a certificate from the Consent Holder's solicitor certifying that the memorandum of encumbrance provided for in Condition 1 is registered on the computer registers for the land shown on Plan A (Appendix A), and any other evidence of registration as the</p>	<p>Need Plan A from Meridian and will need to change Appendix references accordingly.</p> <p>No memorandum of encumbrance provided for in condition 1 - should</p>			

	Canterbury Regional Council may require (if any).	be condition 13?			
15	The consent holder shall, take all practicable steps to: (a) Ensure that the volume of water used for irrigation does not exceed that required for the soil to reach field capacity (b) Avoid leakage from pipes and structures; and (c) Avoid the use of water onto non-productive land such as impermeable surfaces and river or stream riparian strips.	Agree			
16	(a) The irrigation system used in association with taking water in terms of this permit shall not be used to distribute effluent, fertiliser, or any other added contaminant, unless one of the following is installed upstream of the point of addition of the effluent, fertiliser or other added contaminant: i. a reduced pressure zone device (RPZD), or ii. a pressure vacuum breaker (PVB), or iii. an air gap backflow prevention system. (b) Installation of a RPZD or a PVB shall be in accordance with section 9 (PVB) or section 12 (RPZD) of Australian/New Zealand Standard AS/NZS 2845.1 Water supply - Backflow prevention devices, Part 1: Materials, design and performance requirements, or an equivalent standard. (c) An air gap backflow prevention system shall have an unobstructed vertical air gap separation of at least twice the diameter of the inlet pipe, from the lowest point of the inlet pipe to the flood level rim of the receptacle into which it discharges. (d) Field testing and maintenance shall be carried out of an RPZD or a PVB at commissioning of the use of the system for application of effluent or fertiliser and annually afterwards, in accordance with AS 2845.3 Water supply—Backflow prevention devices, Part 3: Field testing and maintenance, or an equivalent standard. (e) An air gap backflow prevention system shall be tested at commissioning and annually afterwards. Maintenance shall be undertaken as necessary to ensure that backflow prevention is effective. (f) Installation, testing, and maintenance shall be undertaken by a suitably qualified person. A report on the annual testing shall be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, within two weeks of initial commissioning and within two weeks of each annual testing. Each report shall be accompanied with the name, qualifications and experience of the person who undertook the installation, testing or maintenance.	Should add advice note: “Advice note The discharge of effluent, fertiliser or any contaminant would require authorisation as a permitted activity or via a discharge permit. Contact the Canterbury Regional Council for advice on the relevant regional rules.”			
SPECIFIC ON-FARM MANAGEMENT CONDITIONS					
<i>Nutrient Discharge Allowance & Modelling</i>					
17	The consent holder shall prepare once per year, and after each development stage (as set out in Appendix D) is commissioned, an Overseer® nutrient budgeting model report, and shall prepare, at least once per year, a report of the annual farm nutrient loading from the two areas of Simons Pass Station (land west of Mary Range (“Pukaki Flats North”) and land east of Mary Range (“Mary Range Farming”)) using the model Overseer® (Agresearch model version number 5.4.3 or later) undertaken by a person with an Advanced Sustainable Nutrient Management Certificate issued by Massey University or an equivalent qualification.	Agree			

18	A copy of the report prepared in accordance with condition 17 shall be given to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, upon request.	Agree			
19	The consent holder may not commence irrigation under this consent unless the annual (01 July to 30 June) nutrient loading (NDA) is estimated in accordance with condition 17 to be less than 82,401 kg of nitrogen and 7,026 kg of phosphorus for land west of Mary Range (Pukaki Flats North); and 17,794 kg of nitrogen and 1,013 kg of phosphorus for land east of Mary Range (Mary Range Farming).	Needs to be "The annual (01 July to 30 June) nutrient loading (NDA) estimated in accordance with condition 17, shall be less than..." Otherwise, a breach after commencement would be authorised.			
20	The consent holder shall manage the property in accordance with the annual Simons Pass Station (Land west of Mary Range (Pukaki Flats North) and Land east of Mary Range (Mary Range Farming)) Overseer [®] nutrient budgeting model reports as required in condition 17.	"...in accordance with... reports..." is not specific enough. Should be ".. in accordance with the Overseer model inputs specified in attached Appendix ? that forms part of this consent."			
21	The NDAs shall be recalculated if there is a sale or transfer of any part, but not the whole, of the total farm area specified in Plan A, Appendix A. The recalculated NDAs shall replace the NDAs specified in condition 19. The recalculation of the NDAs shall be undertaken and certified by a person with an Advanced Sustainable Nutrient Management Certificate issued by Massey University or an equivalent qualification, and completed and provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, together with a copy of the full Parameter report, within one month of the sale or transfer. The new NDAs may be recalculated on any proportionment as long as the total of all the NDAs does not exceed the NDAs of the parent title as set out in condition 19.	This needs a further clarification to ensure that the recalculation is clearly to 'redistribute' the NDAs. Suggest add after "The recalculated NDAs..." "...shall be undertaken to accurately redistribute the NDA between the resultant properties and...".			
22	The consent holder shall maintain ongoing and complete records for Simons Pass Station in relation to the type of crop, cultivation methods, nutrient inputs to the nearest kilogram, stock movements and yields, prediction of realistic crop yields that are used to determine crop requirements, and all other inputs to the Overseer [®] nutrient budgeting model. Such records are to be used as inputs to the Overseer [®] method as described in condition 17, and shall be made available to the Canterbury Regional Council on request.	Need to replace "are to" in second sentence with "shall".			
23	(a) Changes may be made to any part of the Simons Pass Station (Land west of Mary Range (Pukaki Flats) and Land east of Mary Range (Mary Range Farming)) Overseer [®] model inputs, provided that the result of that modelling demonstrates that the NDAs, set out in condition 19, are not exceeded. (b) A copy of that certification plus a copy of the resultant Overseer [®] parameter report shall be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, prior to the implementation of that change. (c) Any changes to the to the Simons Pass Station Overseer [®] nutrient budgeting model inputs shall be recorded immediately and made available, together with the corresponding Overseer [®] parameter report, on request by the Canterbury Regional Council. (d) The Canterbury Regional Council may once each year during August require of the consent holder that a person with an Advanced Sustainable Nutrient Management Certificate issued by Massey University or an equivalent qualification provides a written certification,	Missing the following after "...model inputs..." "...provided that they are made by a person with an Advanced Sustainable Nutrient Management Certificate issued by Massey University or an equivalent qualification, and that person provides a written certification that they have modelled the change using Overseer [®] and..." Needed for clause (b) reference to certification.			

	and the resultant Overseer® parameter report, to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, that they have modelled the change using Overseer®, and that the result of that modelling demonstrates that the NDAs are not exceeded.				
Farm Environmental Management Plan (FEMP)					
24	The consent holder shall implement the on site FEMP's for Simons Pass Station (Land west of Mary Range (Pukaki Flats North) and (Land east of Mary Range (Mary Range Farming)) which are attached as Appendix B and Appendix C respectively and form part of this consent.	No comment			
25	<p>(a) The consent holder may, without changing the objectives of the FEMPs, annually review the FEMPs and amend where necessary to reflect any significant land use changes.</p> <p>(b) Where the FEMPs have been amended, the consent holder will provide the amended FEMP(s) to the Canterbury Regional Council with a certificate signed by a suitably qualified person which certifies the amendments made do not change the objectives of the FEMP(s);</p> <p><i>Advisory Note: For the purpose of this consent "significant land use changes" is a major change in the way in which the farm operates. For example going from extensive sheep and beef farming to dairy farming or cropping. It does not include changes in stock numbers as would be expected under "normal" farming operations.</i></p>	"significant land use changes" is not well defined but don't consider that these FEMP conditions are essential, therefore not critical.			
26	<p>(a) The FEMPs shall apply to Simons Pass Station and to any subsequent landholdings resulting from the subdivision of those areas (including the partitioning of land from, or addition of land to that property holding) so long as that landholding relies on this consent.</p> <p>(b) Should any changes to the land holding(s) occur, the FEMP(s) shall be reviewed and updated</p> <p>(c) The consent holder will provide the amended FEMP to the Canterbury Regional Council with a certificate signed by a suitably qualified person which certifies that the amendments made reflect the changes in landholding.</p>	No comment			
Irrigation Infrastructure					
27	The consent holder shall design and install all new (not on the property at the time of commencement of this consent) irrigation infrastructure in accordance with the 'Irrigation Code of Practice and Irrigation Design Standards, Irrigation NZ, March 2007' and the design and installation shall be certified in writing by a suitably qualified expert.	Code of practice is not written as an enforceable document, which means that this condition could not be enforced, doesn't provide any assurance about effects and is therefore not necessary. Retention may give an impression that aspects of irrigation design can be controlled via conditions and enforced when they cannot. Therefore recommend deletion unless specific and enforceable components could be separated out and applied.			
28	A copy of that certification shall be provided to the Canterbury Regional Council on request.	See above.			

29	(a) All irrigation infrastructure shall be tested within 12 months of the first exercise of this consent and afterwards every five years in accordance with the 'Irrigation Code of Practice and Irrigation Design Standards, Irrigation NZ, March 2007' (code of practice) by a suitably qualified independent expert. (b) The expert shall prepare a report within two months of the testing, outlining their findings and shall identify any changes needed to comply with the code of practice. (c) Any changes needed to comply with this code of practice shall be implemented within five years from the date of the report. A copy of the report shall be provided to the Canterbury Regional Council Attention: RMA Compliance and Enforcement Manager, within three months of the report being completed.	See above.			
30	The consent holder shall ensure that irrigation water is applied in accordance with the annual Overseer [®] modelling.	Agree.			
31	Irrigation shall only occur within those areas identified as Irrigation Command Areas on Plan A (Appendix A) attached to this consent.	Agree. Note - will need to check correct plan/appendix reference. Needs to add "and forming part of".			
Soils & Farm Management					
32	The consent holder shall use, where practicable, direct drilling as the principal method for establishing pastures.	Agree.			
33	The consent holder shall grass and irrigate all ploughed areas as soon as practicable following ground disturbance.	Agree.			
34	No stock shall be fed out on the lower terraces of the Pukaki Flats North property.	Need a map to specify these locations.			
35	The consent holder shall ensure that stock do not have any access to any open irrigation channel.	Agree.			
36	The consent holder shall ensure that the existing fence along the property boundary with the Pukaki River on the Pukaki Flats North property is maintained in stock proof condition along the entire boundary with the river.	Not clear if the distances involved are appropriate. For example if the existing fencing is five metres from the river bed that could be inadequate.			
37	The consent holder shall ensure that all stored effluent is stored in a storage facility with an impermeable lining.	Agree.			
38	The consent holder shall ensure that the storage facility has at least three days storage capacity.	Agree.			
39	The consent holder shall ensure that all silage is made and stored on a concrete pad which drains to an effluent collection facility.	Agree.			
40	The consent holder shall ensure that all liquor from the silage storage area is recycled to land or tankered from the site.	Agree.			
Fertiliser Use and Application					
41	(a) The consent holder shall manage and apply fertiliser in accordance with 'The Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) NZFMRA 07'. (b) All fertiliser (organic and inorganic) applicators and spreaders shall be tested and calibrated within 12 months of the first exercise of this consent and afterwards every five years by a suitably qualified independent expert.	This code of practice is generally not written as an enforceable document, which means that this condition could not be enforced, doesn't provide any assurance about effects and is therefore not necessary. Retention may give an impression			

	(c) The expert shall prepare a report within two months of the testing, outlining their findings and shall identify any changes needed to comply with the 'The Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) NZFMRA 07' (code of practice). (d) Any changes needed to comply with 'The Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) NZFMRA 07' shall be implemented within five years from the date of the report. A copy of the report shall be provided to the Canterbury Regional Council Attention: RMA Compliance and Enforcement Manager, within three months of the report being completed.	that many aspects of fertiliser use can be controlled via a consent condition and enforced when they cannot. Therefore recommend deletion unless specific and enforceable components could be separated out and applied.			
42	Nitrogen fertiliser shall not be applied to land between 31 May and 01 September in any year except for the use of nitrification inhibitors.	Agree.			
43	The consent holder shall ensure that all fertiliser brought onto the property which is not immediately applied to the land shall be covered, and all practicable measures taken to prevent the fertiliser entering waterways.	Agree.			
44	If liquid fertilisers, excluding liquid effluent, are stored on-site for more than three working days, the fertiliser shall be stored in a bunded tank, at least 110% of the volume of the tank to avoid any discharge to surface or groundwater and such that it is also protected from vehicle movements.	Agree.			
45	The fertiliser filling area shall not occur within 50m from a watercourse, spring or bore.	Agree.			
46	The consent holder shall ensure that the soil Olsen P levels are maintained at or below 30.	Agree.			
47	Individual N fertiliser applications shall not be applied at levels greater than 50 kg N/ha.	Agree.			
48	The consent holder shall maintain a record of all fertiliser applications applied to the property, including fertiliser type, concentration, date and location of application, and name of fertiliser application contractor.	Agree.			
Staging					
49	The development of irrigation and farm operations on the Pukaki Flats North portion of the Simons Pass Station (Pukaki Flats North) land shall be undertaken in accordance with the proposed farm development and staging of farm nutrient discharge allowances for N and P set out in Appendix D.	Need to add "attached to and forming part of this consent". Need to update appendix reference.			
SUB-CATCHMENT SURFACEWATER MONITORING AND MITIGATION					
50	The water quality of the two surface water sub catchments for (1) land west of Mary Range (Pukaki Flats North): ((a) Tekapo River sub-catchment; and (b) Pukaki River sub-catchment); and for (2) land east of Mary Range (Mary Range Farming in the Mary Burn catchment) shall be monitored as follows: (a) Location: Map reference: NZMS 260 H38: 8935-5185 (NZTopo50 BZ16: 7945-9020) (known as "Iron Bridge") Map reference: NZMS 260 H39:8725-4800 (NZTopo50 BZ16:7729-8635) (as shown on the attached map (Appendix E) (b) Water quality variables to include: (a) nitrate; (b) nitrite; (c) ammonia; (d) total nitrogen; (e) total phosphorus; (f) dissolved reactive phosphorus; (g) periphyton biomass as chlorophyll a per square metre.	Should really have both sites marked on map.			

	<p>(c) This monitoring may be carried out on an individual basis, or may be prepared in collaboration with other consent holders, or on a collective basis by a suitable independent body appointed by all relevant consent holders in the sub catchment.</p> <p>(d) Frequency of monitoring: Once per month from 01 December to 30 April each year, with a minimum of three weeks between sampling.</p> <p>(e) Methods: The methods of sampling and analysis shall be those that are generally accepted by the scientific community as appropriate for monitoring river water quality and periphyton biomass. The methods of sampling shall be documented and made available to the Canterbury Regional Council on request.</p> <p>(f) The water quality monitoring shall be undertaken by a suitably qualified and/or experienced person that demonstrates that they understand the appropriate methods to use for surface water quality sampling, including preservation of samples. That person shall certify in writing that each batch of samples has been sampled and preserved in accordance with generally accepted scientific methods. A copy of those certifications and the person's qualifications shall be provided to the Canterbury Regional Council on request.</p> <p>(g) The laboratory undertaking analyses shall be accredited for those analyses by International Accreditation New Zealand (IANZ) or an equivalent accreditation organisation that has Mutual Recognition Agreement with IANZ.</p> <p>(h) The results of all sampling shall be provided to the Canterbury Regional Council Attention: RMA Compliance and Enforcement Manager by 30 May each year. This shall include copies of reports from the laboratory that undertook the analyses.</p>	<p>"that" should be "who".</p>			
TRIGGER RESPONSE CONDITION: EXCEEDANCE OF SURFACE WATER EARLY WARNING TRIGGER – TEKAPO RIVER					
51	<p>(a) If the monitoring undertaken in accordance with condition 50 shows that the average sample result for any of the two Tekapo River monitoring sites located at NZMS 260 H38: 8935-5185 (NZTopo50 BZ16: 7945-9020) (known as "Iron Bridge") and NZMS 260 H39:8725-4800 (NZTopo50 BZ16:7729-8635) (as shown on the attached map (Appendix E), over the period December to April in any year is greater than 0.14 mg/l of DIN; or 0.006 mg/l DRP; or 90 mg chl <i>a</i>/ m² (early warning trigger) but does not exceed 0.18 mg/l of DIN; or 0.007 mg/l DRP; or 120 mg chl <i>a</i>/ m² (environmental standard trigger), the consent holder shall prepare a report into the cause of the breach of the early warning trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p>	<p>"experts" should be "scientists" "is to" should be "shall"</p>			

<p>i. include the experts' conclusion on whether the exceedance(s) were as a result of natural influences, one off events, or in whole or part by nutrient loss associated with the irrigation authorised by this consent; and</p> <p>ii. include an assessment as to whether there is likely to be a continuation of the monitored results;</p> <p>iii. be completed by 30 July following the sampling; and</p> <p>iv. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling.</p> <p>(c) No further action needs to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) concludes that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the early warning trigger was unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent, or if the report concludes that it is unlikely that there is a trend towards exceedance of the environmental standard trigger pertaining to the Tekapo River monitoring sites.</p> <p>(d) If the monitoring undertaken in accordance with condition 50 shows that the average sample result for any of the two Tekapo River monitoring sites, located at NZMS 260 H38: 8935-5185 (NZTopo50 BZ16: 7945-9020) (known as "Iron Bridge") and NZMS 260 H39:8725-4800 (NZTopo50 BZ16:7729-8635) (as shown on the attached map (Appendix E), over the period December to April is greater than 0.14 mg/l of DIN; or 0.006 mg/l DRP; or 90 mg chl <i>a</i>/ m² (early warning trigger) but does not exceed 0.18 mg/l of DIN; or 0.007 mg/l DRP; or 120 mg chl <i>a</i>/ m² (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 5% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the total authorised irrigation area developed for irrigation at the time of the exceedance under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p> <p>(e) Unless the experts conclude that the exceedance was caused by an event or activity other than nutrient loss associated with the irrigation authorised by this consent or if the experts conclude that it is unlikely that there is a trend towards exceedance of the</p>	<p>Change first sentence as follows: "...if both authors of the report prepared in accordance with clauses (a) and (b) conclude that..."</p> <p>Add "i.e, both experts agree," after "concludes".</p> <p>Add "(NDA)" after "load"..</p> <p>Would be potentially useful to include a "Unless both experts agree..." clause here to avoid any possible contradiction between clauses.</p> <p>Needs to be a compounding requirement for continuing breach e.g., "The NDA reduction shall compound on any currently reduced NDA."</p>			
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	<p>environmental standard trigger pertaining to the Tekapo River monitoring sites, then the consent holder shall prepare a Remedial Action Plan.</p> <p>(f) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the early warning trigger pertaining to the Tekapo River monitoring site, is returned to and maintained below the average sample results of 0.14 mg/l of DIN; or 0.006 mg/l of DRP; or 90 mg chl a/ m² (early warning trigger) for the Tekapo River monitoring site, over the period December to April.</p> <p>(g) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer[®] to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <p>i. If the Remedial Action Plan outlined in clauses (e) and (f) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for this sub catchment the Remedial Action Plan shall be deemed to comply with this condition</p> <p>ii. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended FEMP shall be immediately implemented.</p> <p>iii. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request.</p> <p>(h) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average sample results for the Tekapo River monitoring site over the period December to April is less than 0.14 mg/l of DIN; or 0.006 mg/l of DRP; or 90 mg chl a/ m² (early warning trigger), then for the subsequent season no property nutrient load reduction shall be required under this condition.</p>	<p>Add “both” before “conclude”.</p> <p>Standardise to “exceedance”?</p> <p>Exceedance “of”. ...site(s), is/are... Need to add “as soon as practicable” after “... is returned...”.</p> <p>Change “show” to “demonstrate”. Add “as soon as practicable” after “...reductions...”</p> <p>Wording needs to be changed to “...for both...monitoring sites....are...”</p>			
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TRIGGER RESPONSE CONDITION: EXCEEDANCE OF SURFACE WATER ENVIRONMENTAL STANDARD TRIGGER – TEKAPO RIVER

52	<p>(a) If the monitoring undertaken in accordance with condition 50 shows that the average sample result for any of the two Tekapo River monitoring sites, located at NZMS 260 H38: 8935-5185 (NZTopo50 BZ16: 7945-9020) (known as “Iron Bridge”) and NZMS 260 H39:8725-4800 (NZTopo50 BZ16:7729-8635) (as shown on the attached map (Appendix E), over the period December to April is greater than 0.18 mg/l of DIN; or 0.007 mg/l DRP; or 120 mg chl a/ m² (environmental standard trigger), the consent holder shall prepare a report into the cause of the breach of the early warning</p>	<p>Same relevant changes as recommended above for condition 51, plus the following:</p> <p>“early warning” should be</p>			
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<p>trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p> <ul style="list-style-type: none"> i. determine whether the exceedence(s) are as a result of natural influences, one off events, or land use practices; and ii. an assessment as to whether there is likely to be a continuation of the monitored results; iii. be completed by 30 July following the sampling; and iv. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling. <p>(c) No further action is to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) determines that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the environmental standard trigger pertaining to the Tekapo River monitoring site was highly unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent.</p> <p>(d) If the monitoring undertaken in accordance with condition 50 shows that the average sample result for the Tekapo River monitoring sites, located at NZMS 260 H38: 8935-5185 (NZTopo50 BZ16: 7945-9020) (known as "Iron Bridge") and NZMS 260 H39:8725-4800 (NZTopo50 BZ16:7729-8635) (as shown on the attached map (Appendix E), over the period December to April is greater than 0.18 mg/l of DIN; or 0.007 mg/l DRP; or 120 mg chl a/ m² (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 10% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the area under irrigation (at the time of the exceedence) under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p> <p>(e) If the report prepared in accordance with clauses (a) and (b) determines that the environmental standard trigger has been exceeded because of farm land use practices, then the consent</p>	<p>"environmental standard".</p> <p>"determine" should be "include the experts' agreed conclusion on"</p> <p>"is" should be "needs".</p> <p>Change first sentence as follows: "...if both authors of the report prepared in accordance with clauses (a) and (b) conclude that..."</p> <p>Given the 20% level of uncertainty involved in Overseer modelling and the distance of the irrigation areas from the receiving water, a reduction of 10% is unlikely to result in an appropriately rapid response to such a significant breach. Consider that a 20% reduction is needed.</p> <p>"area under irrigation" needs to be preceded by "overall" to avoid any possible misinterpretation.</p> <p>Needs an additional clause to ensure that it is clear that NDA reductions compound: e.g., "The NDA reduction shall compound on any currently reduced NDA."</p> <p>Total farm area does not appear to</p>			
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	<p>holder shall prepare a Remedial Action Plan.</p> <p>(f) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the environmental standard trigger pertaining to the Tekapo River monitoring site, is returned to and maintained below the average sample results of 0.14 mg/l of DIN; or 0.006 mg/l of DRP; or 90 mg chl <i>a</i>/ m² (early warning trigger) for the Tekapo River monitoring site, over the period December to April.</p> <p>(g) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer[®] to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <ul style="list-style-type: none"> i. If the Remedial Action Plan outlined in clause (e) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for this sub catchment the Remedial Action Plan shall be deemed to comply with this condition ii. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended FEMP shall be immediately implemented. iii. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request. <p>(h) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average sample results for the Tekapo River monitoring site over the period December to April is less than 0.14 mg/l of DIN; or 0.006 mg/l of DRP; or 90 mg chl <i>a</i>/ m² (early warning trigger), then for the subsequent season no property nutrient load reduction shall be required under this condition, and the full NDA for the property, as specified in condition 19 shall be restored.</p>	<p>match up with data used referred to in FEMPs. Overseer modelling appears to suggest that total farm area = 2286 ha. Issue needs to be clarified because of the importance of the IPF dependence on matching original WQS, Overseer and FEMP specified areas and nutrient loads. Clause (e) “determines” should be “concludes”.</p> <p>Clause (h) Wrong standards. Should be the environmental standards not the early warning standards. “and the full NDA...” wording should be deleted to avoid any potential conflict with any reduction required under early warning reduction.</p>			
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MONITORING OF HALDON (NORTHERN) ARM OF LAKE BENMORE & LOWER LAKE BENMORE

53	<p>The water quality of the Haldon (Northern) Arm of Lake Benmore and Lower Lake Benmore shall be monitored as follows:</p> <p>(a) Locations: Haldon (Northern) Arm, Map reference: NZMS 260 H39:8823-3531 (NZTopo50 CA16:7828-7366) (as shown on the attached map (Appendix F) Lower Lake Benmore, Map reference: NZMS 260 H39:8802-2371 (NZTopo50 CA16:7808-6205) (as shown on the attached map (Appendix F)</p> <p>(b) Depths: depth integrated 0-10m, 25m, 50m</p>				
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<p>(c) Water quality variables: (a) total nitrogen; (d) ammonia; (e) nitrate; (f) nitrite; (g) total Kjeldahl nitrogen; (h) total phosphorus; (i) dissolved reactive phosphorus; (j) Secchi disc depth; (k) chlorophyll a.</p> <p>(d) Calculated key water quality variable: Trophic Lake Index (TLI), using the following equations:</p> <p>(i) $TLc = 2.22 + 2.54 \log(\text{chlorophyll } a)$</p> <p>(ii) $TLp = 0.218 + 2.92 \log(\text{total phosphorus})$</p> <p>(iii) $TLn = -3.61 + 3.01 \log(\text{total nitrogen})$</p> <p>(iv) $TLI = \frac{\sum (TLc + TLp + TLn)}{3}$</p> <p>(e) Frequency of monitoring: Once per month from 01 December to 30 April each year, with a minimum of three weeks between sampling.</p> <p>(f) Methods: The methods of sampling and analysis shall be those that are generally accepted by the scientific community as appropriate for monitoring lake water quality. The methods of sampling shall be documented and made available to the Canterbury Regional Council on request.</p> <p>(g) The water quality monitoring shall be undertaken by a suitably qualified and/or experienced person that demonstrates that they understand the appropriate methods to use for lake water quality sampling, including depth integrated sampling, and preservation of samples. That person shall certify in writing that each batch of samples has been sampled and preserved in accordance with generally accepted scientific methods. A copy of those certifications and the person's qualifications shall be provided to the Canterbury Regional Council on request.</p> <p>(h) The laboratory undertaking analyses shall be accredited for those analyses by International Accreditation New Zealand (IANZ) or an equivalent accreditation organisation that has Mutual Recognition Agreement with IANZ.</p> <p>(i) The results of all sampling including calculated average summer TLI shall be provided to the Canterbury Regional Council Attention: RMA Compliance and Enforcement Manager by 30 May each year. This shall include copies of reports from the laboratory that undertook the analyses.</p>	<p>Correct spelling is "Kjeldahl"</p>			
<p><i>Advice Note: It is anticipated that all consent holders subject to this condition would coordinate and cooperate together to ensure that the lake water quality monitoring is undertaken and the costs of that monitoring is shared between those consent holders. The Canterbury Regional Council will provide resources to facilitate that coordination and the costs of that facilitation will be recoverable from the relevant resource consent holders as a cost of supervising and administering the resource consents. Any non-compliance with water quality monitoring requirements would be a matter for all relevant consent holders.</i></p>	<p>Advice note needs clarifying: "...matter for all relevant consent holders, jointly and severally."</p>			

TRIGGER RESPONSE CONDITION: EXCEEDANCE OF EARLY WARNING TRIGGER – HALDON (NORTHERN) ARM					
54	<p>(a) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site, over the period December to April is greater than 2.75 (early warning trigger) but does not exceed 3.0 (environmental standard trigger), the consent holder shall prepare a report into the cause of the breach of the early warning trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p> <ul style="list-style-type: none"> v. determine whether the exceedence(s) are as a result of natural influences, one off events, or land use practices; and vi. an assessment as to whether there is likely to be a continuation of the monitored results; vii. be completed by 30 July following the sampling; and viii. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling. <p>(c) No further action is to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) determines that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the early warning trigger was highly unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent, or it is unlikely that there is a trend towards exceedence of the environmental standard trigger pertaining to the Haldon (Northern) Arm of Lake Benmore monitoring site (Appendix F).</p> <p>(d) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April is greater than 2.75 (early warning trigger) but does not exceed 3.0 (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 5% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the area under irrigation (at the time of the exceedence) under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p>	<p>Reporting officer recommendation was for an early warning trigger of 2.5 on the basis that existing data indicates current TLI could be 2.4. An early warning TLI of 2.75 for the Haldon Arm would provide for a significant WQ deterioration. Refer to Second Addendum S42A of Dr Freeman.</p> <p>Same relevant changes as recommended for conditions 51/52.</p> <p>Needs to refer to both monitoring sites.</p> <p>See above comments re early warning trigger TLI of 2.75.</p> <p>See above comments re % NDA reductions.</p>			

	<p>(e) If the report prepared in accordance with clauses (a) and (b) determines that the early warning trigger has been exceeded because of farm land use practices, then the consent holder shall prepare a Remedial Action Plan.</p> <p>(f) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the early warning trigger pertaining to the Haldon (Northern) Arm of Lake Benmore site is returned to and maintained below the average TLI of 2.75 for the 1 - 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April.</p> <p>(g) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer[®] to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <ol style="list-style-type: none"> i. If the Remedial Action Plan outlined in clause (e) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for the Haldon (Northern) Arm sub catchment the Remedial Action Plan shall be deemed to comply with this condition ii. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended FEMP shall be immediately implemented. iii. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request. <p>(h) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average TLI for the 1 – 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April is less than 2.75, then for the subsequent season no property nutrient load reduction shall be required under this condition, and the full NDA for the property, as specified in condition 19 shall be restored.</p>	See above comments regarding total farm area.			
TRIGGER RESPONSE CONDITION: EXCEEDANCE OF ENVIRONMENTAL STANDARD TRIGGER – HALDON (NORTHERN) ARM					
55	<p>(a) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April is greater than 3.0 (environmental standard trigger), the consent holder shall prepare a report into the cause of the breach of the environmental standard trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p>	Same relevant changes needed as for condition 51/52.			

<p>i. determine whether the exceedance(s) are as a result of natural influences, one off events, or land use practices;</p> <p>ii. an assessment as to whether there is likely to be a continuation of the monitored results;</p> <p>iii. be completed by 30 July following the sampling; and</p> <p>iv. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling.</p> <p>(c) No further action is to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) determines that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the environmental standard trigger was highly unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent.</p> <p>(d) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April is greater than 3.0 (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 10% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the area under irrigation (at the time of the exceedance) under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p> <p>(e) If a reduction in nutrient loading is required under any part of this condition and monitoring in the period that that reduction applies shows that the average TLI for the 1 – 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April continues to be greater than 3.0 then there shall be a further property nutrient load reduction of 15% x IPF for the subsequent irrigation season and rising to 20% for any further irrigation season.</p> <p>(f) If the report prepared in accordance with clauses (a) and (b) determines that the environmental standard trigger has been exceeded because of farm land use practices, then the consent holder shall prepare a Remedial Action Plan.</p> <p>(g) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the environmental standard trigger pertaining to the Haldon (Northern) Arm of the Lake Benmore monitoring site is returned to and maintained below the average TLI of 2.75 for the 1 - 10 m depth</p>	<p>Consider that 20% from the start of any breach would be more appropriate but accept that a scaling up to 20% would provide an adequate level of nutrient reductions - would just take longer.</p> <p>To avoid any doubt it would be appropriate to have an additional sentence: “Further nutrient reductions shall compound on existing reductions.”</p>			
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	<p>integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April.</p> <p>(h) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer[®] to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <ul style="list-style-type: none"> i. If the Remedial Action Plan outlined in clause (e) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for the Haldon (Northern) Arm sub catchment the Remedial Action Plan shall be deemed to comply with this condition ii. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended FEMP shall be immediately implemented. iii. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request. <p>(i) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average TLI for the 1 – 10 m depth integrated samples for the Haldon (Northern) Arm monitoring site over the period December to April is less than 3.0, then for the subsequent season no property nutrient load reduction shall be required under this condition, and the full NDA for the property, as specified in condition 19 shall be restored.</p>				
TRIGGER RESPONSE CONDITION: EXCEEDANCE OF EARLY WARNING TRIGGER – LOWER LAKE BENMORE					
56	<p>(a) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site, over the period December to April is greater than 2.8 (early warning trigger) but does not exceed 3.0 (environmental standard trigger), and neither the Ahuriri Arm nor the Haldon Arm early warning triggers have been breached, the consent holder shall prepare a report into the cause of the breach of the early warning trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p> <ul style="list-style-type: none"> ix. determine whether the exceedance(s) are as a result of natural influences, one off events, or land use practices; and x. an assessment as to whether there is likely to be a continuation of the monitored results; xi. be completed by 30 July following the sampling; and xii. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling. 	<p>Same relevant changes needed as for condition 51/52.</p>			

<p>(c) No further action is to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) determines that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the early warning trigger was highly unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent, or it is unlikely that there is a trend towards exceedance of the environmental standard trigger pertaining to the Lower Lake Benmore monitoring site (Appendix F).</p> <p>(d) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April is greater than 2.8 (early warning trigger) but does not exceed 3.0 (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 5% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the area under irrigation (at the time of the exceedance) under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p> <p>(e) If the report prepared in accordance with clauses (a) and (b) determines that the early warning trigger has been exceeded because of farm land use practices, then the consent holder shall prepare a Remedial Action Plan.</p> <p>(f) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the early warning trigger pertaining to the Lower Lake Benmore monitoring site is returned to and maintained below the average TLI of 2.8 for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April.</p> <p>(g) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer[®] to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <ol style="list-style-type: none"> i. If the Remedial Action Plan outlined in clause (e) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for the Haldon (Northern) Arm sub catchment the Remedial Action Plan shall be deemed to comply with this condition ii. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended 				
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	<p>FEMP shall be immediately implemented.</p> <p>iii. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request.</p> <p>(h) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average TLI for the 1 – 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April is less than 2.8, then for the subsequent season no property nutrient load reduction shall be required under this condition, and the full NDA for the property, as specified in condition 19 shall be restored.</p>				
TRIGGER RESPONSE CONDITION: EXCEEDANCE OF ENVIRONMENTAL STANDARD TRIGGER – LOWER LAKE BENMORE					
57	<p>(a) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April is greater than 3.0 (environmental standard trigger), and neither the Ahuriri Arm nor the Haldon Arm environmental standard triggers have been breached, the consent holder shall prepare a report into the cause of the breach of the environmental standard trigger. The report shall be prepared by an expert review panel consisting of two qualified and experienced independent experts. One of the scientists is to be nominated by the Canterbury Regional Council, and the other appointed by the consent holder.</p> <p>(b) The report shall:</p> <ul style="list-style-type: none"> v. determine whether the exceedence(s) are as a result of natural influences, one off events, or land use practices; vi. an assessment as to whether there is likely to be a continuation of the monitored results; vii. be completed by 30 July following the sampling; and viii. be provided to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, by 30 August following the sampling. <p>(c) No further action is to be undertaken by the consent holder, and no nutrient load reductions and investigations shall be required, if the report prepared in accordance with clauses (a) and (b) determines that after considering all the relevant available information, including on-site monitoring, sub-catchment monitoring, and catchment resource consent compliance and audit reports made available by the Canterbury Regional Council, the cause of the breach of the environmental standard trigger was highly unlikely to have been caused in whole or in part by nutrient loss associated with the irrigation authorised by this consent.</p> <p>(d) If the monitoring undertaken in accordance with condition 53 shows that the average TLI for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April is</p>	<p>Same relevant changes needed as for condition 51/52.</p>			

<p>greater than 3.0 (environmental standard trigger), then the property nutrient load, as specified in condition 19, shall be reduced by 10% x Irrigation Proportion Factor (IPF) for the irrigation season subsequent to the monitoring period. The IPF shall be the proportion of the area under irrigation (at the time of the exceedance) under this resource consent divided by the total farm area (being 2,287 irrigated hectares on a total farm area of 5,759 hectares for land west of the Mary Range (Pukaki Flats North); and 287 irrigated hectares on a total farm area of 680 hectares for land east of the Mary Range (Mary Range Farming Limited)).</p> <p>(e) If a reduction in nutrient loading is required under any part of this condition and monitoring in the period that that reduction applies shows that the average TLI for the 1 – 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April continues to be greater than 3.0 then there shall be a further property nutrient load reduction of 15% x IPF for the subsequent irrigation season and rising to 20% for any further irrigation season.</p> <p>(f) If the report prepared in accordance with clauses (a) and (b) determines that the environmental standard trigger has been exceeded because of farm land use practices, then the consent holder shall prepare a Remedial Action Plan.</p> <p>(g) The Remedial Action Plan shall set out the methods and timeframes for altering and/or adapting farm land use practices to ensure that the exceedance in the environmental standard trigger pertaining to the Lower Lake Benmore monitoring site is returned to and maintained below the average TLI of 2.8 for the 1 - 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April.</p> <p>(h) The Remedial Action Plan shall be prepared by a suitably qualified and experienced person using approved methods, such as Overseer® to show that the actions to be undertaken will achieve the necessary nutrient reductions;</p> <ul style="list-style-type: none"> iv. If the Remedial Action Plan outlined in clause (e) is prepared in collaboration with other consent holders who are required to prepare a Remedial Action Plan for the Haldon (Northern) Arm sub catchment the Remedial Action Plan shall be deemed to comply with this condition v. Any actions required by the Remedial Action Plan shall be incorporated into the consent holders FEMP. The amended FEMP shall be immediately implemented. vi. The consent holder shall provide the Canterbury Regional Council with the Remedial Action Plan and an amended FEMP upon request. <p>(i) If a required reduction in nutrient load is in effect under clause (d) and monitoring for that period shows that the average TLI for the 1 – 10 m depth integrated samples for the Lower Lake Benmore monitoring site over the period December to April is less than 3.0, then for the</p>				
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	subsequent season no property nutrient load reduction shall be required under this condition, and the full NDA for the property, as specified in condition 19 shall be restored.				
58	The lapsing date for the purposes of section 125 shall be 10 years from the date of the commencement of this consent.	Agree.			
Advice Notes					
	<p>The CRC may, once per year, on any of the last five working days of May or November, serve notice of its intention to review the conditions of this consent for the purpose of:</p> <p>(b) Dealing with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage; or</p> <p>(c) Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment.</p>	Review condition must not be an advice note. Needs to be a full condition. CRC needs to be written in full. "each year" needs to be added after the word "November".			
	Works affecting archaeological sites are subject to a consent process under the Historic Places Act 1993. An authority (consent) from Historic Places Trust must be obtained for the work prior to commencement. It is an offence to damage or destroy a site for any purpose without an authority. The consent holder is advised to contact the New Zealand Historic Places Trust for more information.	No comment.			
	Prior to the exercise of consent any additional approvals required under the Land Act 1948 and the Crown Pastoral Land Act 1998 in association with easements to occupy the bed of a stream or to cross crown land or for discretionary action will need to be obtained from Land Information New Zealand.	No comment.			

APPENDIX A

PLAN A: IRRIGATION COMMAND AREA

APPENDIX B

FEMP for Simons Pass Station (Land west of Mary Range (Pukaki Flats North))

APPENDIX C

FEMP for Simons Pass Station (Land east of Mary Range (Mary Range Farming))

APPENDIX D

Proposed farm development and staging for the Pukaki Flats North portion of the Simons Pass Station (Pukaki Flats North)

APPENDIX E

PLAN of Tekapo River surfacewater WQ monitoring site

APPENDIX F

PLAN of Haldon (Northern) Arm & Lower Lake Benmore surfacewater WQ Monitoring Sites