

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER

of an Application by Killermont Station Limited
to take and use water to irrigate land in the
Upper Waitaki catchment

**SUPPLEMENTARY STATEMENT OF EVIDENCE BY RUTH GOLDSMITH ON
BEHALF OF KILLERMONT STATION LIMITED, APRIL 2010**

1. INTRODUCTION

- 1.1 My name is Ruth Goldsmith. I have previously prepared and presented evidence at the hearing in relation to the resource consent applications lodged by Killermont Station Limited. The introduction and background sections of my evidence in chief detail my qualifications and involvement in the applications. I repeat the confirmation that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2006).
- 1.2 In this supplementary evidence I respond to issues raised in the amended Section 42A reports and by opposition submitters.

2. TARA HILLS WATER RACE

- 2.1 In paragraph 3.10 of my evidence in chief I refer to the Tara Hills water race. I stated that "*The water race has a flow of approximately 500l/s and does not flow continuously; because of this it has only minor value for aquatic communities.*" Greg Stuart's (Farm Manager) evidence for Tara Hills Station states that this is incorrect, as the water race does flow continuously with 50l/s for stock water and also that fish have access to the water race (paragraph 9). I accept Mr Stuart's advice that the water race flows continuously, however a flow of 50l/s will provide only minor habitat for aquatic communities. Regardless of the values of aquatic habitat in the race they will be sufficiently protected as no stock will be grazed in the area and a 3m buffer will be maintained between the irrigated area and the race.

3. INTAKE MAINTENANCE

- 3.1 Evidence presented by Mark Webb (Fish and Game, paragraph 201) recommends that a condition be included in all consents that maintenance works at any intake that require bed disturbance in flowing water not be undertaken in the first two weeks of November and outside this period an expert be consulted to assess the effects on the trout fishery. I agree with this recommendation as maintenance of the intakes, particularly the gallery intake in the Ahuriri River, may require bed disturbance. This could potentially result in sediment release, which in turn could temporarily impact the fishery. An appropriate condition has therefore been included (CRC041776, Condition 19 and CRC041330, Condition 10).

4. FISH SCREENING AND PASSAGE

- 4.1 Evidence presented by Devon Christensen and Mark Webb (Fish and Game), and Yvette Rodrigo (S42A addendum), refer to fish screening requirements for water takes from the Ahuriri River and recommend that fish screens should be consistent with the NIWA Fish Screening Guidelines. Ms Rodrigo has stated that in her view the fish screening condition in the application relating to the Ahuriri River gallery intake (CRC041776, Condition 25) is not adequate to ensure that the screen will be constructed in accordance with the guidelines. Ms Rodrigo instead recommends that the condition developed by ECan in relation to fish screening for gallery intakes be included. The requirements of this condition are presented in the evidence of Ms Susannah Vessey (paragraph 145) and these recommendations have been incorporated in the updated conditions (CRC041776, Condition 27).
- 4.2 In response to comments made by Mr Webb (paragraph 196), Mr Ian McIndoe has provided additional details of the design of the fish screen at the Pebbly Block intake to the Tara Hills race (supplementary evidence, paragraphs 6 to 8). I have reviewed this information and associated condition (CRC041330, Condition 15) and agree that it is in accordance with the intent of the NIWA fish screening guidelines.
- 4.3 In my evidence in chief I noted that Frosty Gully and Manuka Creek may at times have a surface flow connection to Omarama Stream. However, Dave Stewart (supplementary evidence, paragraphs 18 and 30) has discussed his recent investigations into the source of water in the lower reaches of Manuka Creek and identifies that Manuka Creek does in fact not resurface and also that the lower reaches of the creek have not flowed for many years.
- 4.4 The observation that Manuka Creek does not have a surface flow connection to Omarama Stream has consequences for fish passage requirements in Manuka Creek and Frosty Gully. Ms Rodrigo (S42A addendum, paragraph 164) recommends that, as Frosty Gully can at times be connected with Manuka Creek and the Omarama Stream, a condition be included that fish passage is not impeded as a result of the Frosty Gully Dam.
- 4.5 If there is no surface water connection between Frosty Gully and the Omarama Stream, as indicated by Mr Stewart, the trout population in Manuka Creek/Frosty Gully must be self-sustaining and therefore is currently not

impeded by the presence of the Frosty Gully Dam. Condition 5 of the consent (CRC040181) already requires that any maintenance work undertaken at the Frosty Gully Dam does not inhibit fish passage. I therefore conclude that an additional condition requiring that fish passage be not impeded as a result of the Frosty Gully Dam is unnecessary.

5. MONITORING

5.1 Submissions made by Richard Allibone (Department of Conservation, paragraph 84) recommend that fish populations should be monitored. I note that annual fish population monitoring will be undertaken as a condition of the consents and refer to Table 2 of Appendix A in the evidence of John Kyle relating to the Killermont Station Limited FEMP sub-catchment monitoring and mitigation.

6. CONCLUSION

6.1 In my evidence I have responded to issues raised in the amended Section 42A reports and by opposition submitters. Having done so I find no reason to alter the conclusions I reached in my evidence in chief.

Dr Ruth Goldsmith.

Dated 28 April 2010.