

SHL/FR/KS
Summary of section 42A Officer's Reports

Section 42A - Five Rivers Limited CRC061154 (Ohau Downs)	
Para	Response
Adverse effects on people, communities and amenity values	
43	<p><i>Adverse effects on other water users</i> No assessment of the effects of granting an application over the allocation limits on entitlements to other activities, therefore, I cannot conclude that effects on other water users are minor.</p>
48	<p><i>Landscape effects</i> Mr Glasson considers that the effects may be more than minor, I am not satisfied that the adverse effects on people, community and amenity values, in terms of effects on landscape as a result of immigration, will be minor.</p>
51	<p><i>Recreational and amenity values</i> No mitigation measures regarding these concerns have been provided, therefore, I am not satisfied that the adverse effects on people, community and amenity values, in terms of visual effects from the pump station will be minor.</p>
Adverse effects of insufficient use on other users	
60	<p><i>Irrigation volumes</i> I am not satisfied that the annual volume being sought by the applicant of 8,958,000 m3 per year would be reasonable and appropriate for the area and method of irrigation proposed. I am not satisfied that the proposed seasonal allocation is reasonable for the proposed irrigation area. There is a lack of conclusive information to support the annual volume requested.</p>
Adverse effects on water quality	
65	<p><i>Local effects</i> As a full mitigation suite and assessment of residual effects on water quality has not yet been provided, I cannot be satisfied that the adverse effects on water quality from the proposed activity will be minor.</p>
69.	<p><i>Cumulative effects</i> Given the significant level of uncertainties involved in, and technical concerns with critical aspects of the MWRL/GHD assessment of the adverse effects, together with the lack of mitigation measures yet proposed by resource consent applicants means that it is premature to make adequate conclusions about the</p>

TABLED AT HEARING

Date 16/10/2009

	potential adverse cumulative effects.	
74.	<i>Tangata Whenua</i> Given that there are a number of submissions which identify cultural values, I cannot determine the scale of actual and potential effects on the cultural values of the area. The applicant has not provided any assessment on cultural values and there are outstanding submissions from runanga in opposition to this proposal.	Addressed in evidence of Buddy Mikaere.
76.	<i>Overall conclusion</i> The impacts on aquatic ecosystems can be mitigated, if the recommended conditions requiring installation of a suitable fish screen are included.	Addressed in evidence of Greg Ryder para 21.7. Design of fish screen addressed in evidence of Ian McIndoe para 472.
95	Statutory assessment - Conclusion I do not consider the water permit application is consistent with Policy 13 due to there being likely effects on water quality and there is a lack of mitigation proposed by the applicant, policy 12 as it is over the allocation limit in this catchment and policies 15 and 16 due to effects of inefficient use.	Addressed in evidence of John Kyle paras 7.38-7.41.

Section 42A - Killemermont Station Limited CRC041796 (Manuka Creek - 75 ha)	
Para	Response
Adverse effects on people, communities and amenity values	
46.	Addressed in evidence of Stephen Brown.
48.	No response required
52	Refer evidence of Ian McIndoe at paras 188 - 190.
56.	No response required
58.	No response required
63.	Addressed in evidence of Melissa Robson and Farm Environmental Management Plan attached to her evidence.

64.	<p>Adverse effects on ecosystems</p> <p>The abstraction of surface water can result in adverse effects on ecosystems by reducing the amount of water available to sustain the life-supporting capacity of the surface waterway or affect fishery values, if intake structures impede the passage of fish or are not appropriately screened to prevent the entry of fish.</p>	<p>Refer evidence of Ruth Goldmith at paras 6.10-6.11.</p>
70.	<p><i>Minimum Flows</i></p> <p>It has been concluded that the abstraction from Manuka Creek should be subject to the 5 year 7 day low flow, as required by the WCWARP to protect the values of Manuka Creek.</p>	<p>Addressed in evidence of Ian McIndoe at paras 188-190</p>
71.	<p><i>Intake structure</i></p> <p>It is also noted that conditions of CRC00002.1 require a fish screen to be installed at the Intake at Manuka Creek I understand that this intake has recently been washed out and the applicant has applied for a Land-use consent to undertake works associated with re-instating the Intake I recommend that should consent be granted for this water permit that a condition requiring the installation of an appropriate fish-screen at the intake, designed in accordance with recommended guidelines be included.</p>	<p>Fish screen and intake structure addressed in evidence of Ian McIndoe at paras 165 - 168</p>
75.	<p>Adverse effects on Tangata Whenua values</p> <p>Given that there are a number of submissions which identify cultural values, I cannot conclude that the actual and potential effects on cultural values of the area will be minor.</p>	<p>Addressed in evidence of Buddy Milkaere</p>
90	<p>Statutory Assessment (Section 104(1)(b)) - Conclusion</p> <p>With regard to s104(1)(b), the relevant provisions of the RPS and WCWARP have been considered above. In my view, the applicant's proposal may not be consistent with Policy 13 due to there being likely effects on water quality.</p>	<p>Addressed in evidence of John Kyle paras 7.38-7.41.</p>

Section 42A Officer's Report Application CRC040180 by Killermont Station Limited for a Water Permit (Frosty Gully - 28ha)		
Para	Key Issues	Response
48.	<p>Adverse effect on people, communities and amenity values The applicant has not provided an assessment of the effects on landscape or amenity values at a local or catchment scale.</p>	Addressed in evidence of Stephen Brown.
53.	<p>Landscape Values While it is considered that the irrigation of this land solely is unlikely to result in adverse landscape effects, the site in combination with the new irrigation areas proposed under CRC041798 (75 ha) and CRC041777 (300 ha) may result in significant adverse effects, unless appropriate mitigation is provided. This mitigation however would be required in relation to irrigation areas covered under other applications within this Landscape Unit and not for the area irrigated under this application, should it be granted.</p>	Addressed in evidence of Stephen Brown.
55.	<p>Recreation & Amenity Values Given that it is unlikely that Frosty Gully in the vicinity of the abstraction location and dam would be accessible to the public or used for recreational or amenity purposes the adverse effects on amenity are unlikely to be no more than minor.</p>	No response required
56.	<p>Effects of the dam on amenity and landscape values It is inaccessible to the public and the closest property to the dam belongs to the applicant and is over 2 km away. On this basis, I am satisfied that the dam will not result in adverse effects on landscape values or the amenity of the surrounding area.</p>	No response required
59.	<p>Adverse effects on other users Given that there are no existing or proposed takes from Frosty Gully, a minimum flow to protect other users is not considered necessary.</p>	No response required
60.	<p>Given the size of the take and the lack of other abstractions from Frosty Gully I am satisfied that the proposal to continue taking water from this waterway is unlikely to have impacts on any other users including MEL, notwithstanding the requirements for derogation approval.</p>	
	<p>Adverse effects of inefficient use</p>	
63.	<p>Annual Volumes I have used the method outlined in Policy 16(c)(ii) of the WCWARP (WQN9v2) to provide guidance on reasonable annual volumes that would be required to meet the seasonal irrigation demand for soils within the proposed irrigation area. The annual volume required to irrigate the 28 ha block, as calculated using WQN9v2 would equate to 176 400 m³ which is higher than the volume applied for by the applicant. On this</p>	No response required

	basis the annual volume requested by the applicant would represent a reasonable volume to meet the irrigation demand of the soils at the site.	
65.	Technical Efficiency Given the method of irrigation (spray irrigation) and application rates proposed, I am satisfied that irrigation can proposal should be able to achieve the 80% technical efficiency in the WCWARP. In addition, the applicant has proposed to install a water meter and monitor the actual amount of water taken and used from Frostythe lake.	No response required
67.	Summary of effects from inefficient use I am satisfied that the method of irrigation (spray irrigation), application rates and return periods proposed combined with the water holding capacity of the soils within the irrigation area should ensure that irrigation can achieve an 80% technical efficiency consistent with Policy 16(c)(i) of the WCWARP, and that the proposed seasonal allocation of 170,000m ³ is reasonable for the irrigation area, as required by Policy 16(c)(ii) of the WCWARP.	No response required
68.	I recommend that if the Commissioners decide to grant this consent, the applicant's proposal to install a water meter should be included as a condition of consent.	Addressed in evidence of John Kyle at para 8.100
73.	Adverse effect of use on water quality At the time of writing this report, the applicant has not provided details of mitigation measures that will be implemented to ensure that the impacts on water quality will be adequately mitigated.	Addressed by MWRL WQS. Also addressed in the evidence of John Bright and Melissa Robson.
76.	Adverse effects on ecosystems The applicant is not proposing a minimum flow for the abstraction and both applications are non-complying activities according to the WCWARP. Given that these activities have occurred for a relatively long time and the ecosystem of the creek has already been modified, it is considered that continuation of both the damming and abstraction of water from Frosty Gully are unlikely to result in further adverse effects on the environment.	No response required
79.	Fish screen & Intake Structure It is unclear whether fish can move freely between the upper and lower reaches of Frosty Gully via the pond. The applicant may wish to provide further details at the hearing to confirm the impacts on fishery values as a result of the dam.	Addressed in evidence of Futh Goldsmith at para 6.14
83.	Adverse effects of dam failure Given the size of the dam and the amount of water impounded, it is unlikely that flooding will be extensive or result in adverse effects on other properties. I consider that the effects of dam failure are likely to be minor.	No response required

88.	Adverse effects on Tangata Whenua values Given that there are a number of submissions which identify cultural values, I cannot conclude that the actual and potential effects on cultural values of the area will be minor.	Addressed in evidence of Buddy Mikaere
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Section 42A Officer's Report - Application CRC041331 by Killemont Station Limited

#	Key Issues	Response
	Adverse effect on people, communities and amenity values	
42.	<p>Landscape Values</p> <p>Mr Glasson concludes that the effects on landscape values resulting from the proposed use of water for irrigation will result in significant adverse effects for the following reasons:</p> <ul style="list-style-type: none"> - The high natural character of the area; - The proximity of the site to the Ahuriri River; - The proximity to views of the Clay Cliffs, which is considered to be an outstanding landscape area in the Waitaki District Plan; and - The continuity of the landscape on both sides of SH8. <p>Mr Glasson also states that mitigation of these effects would require an alternative site for the proposed irrigation development.</p>	Addressed in evidence of Stephen Brown at paras 84-90 and 129.
45.	<p>Cumulative impacts on landscape values</p> <p>For this unit, Mr Glasson concludes that the cumulative impacts of irrigation could be acceptable if all mitigation measures recommended for individual sites, were adhered to. This would require the re-location of the irrigation area for this application.</p>	Addressed in evidence of Stephen Brown at paras 84-90 and 129.
46.	<p>Recreation & Amenity Values</p> <p>The applicant has not assessed the impacts of the abstraction on recreation or amenity values. Given that the abstraction of water will occur from an existing water race, it is unlikely that the effects of the take will be more than minor, however, effects on amenity and recreational values may occur as a result of the effects on landscape values as discussed above.</p>	Addressed in evidence of Stephen Brown at paras 91-94.
50.	<p>Adverse effects on other users</p> <p>I agree with the applicant's assessment and consider that the effects on other users should be minor provided that the AWCO limits are adhered to.</p>	No response required
	Adverse effects of inefficient use	
57.	<p>Annual Volumes</p> <p>While this volume is lower than the volume estimated using Irricalc, it is still higher than the volume applied for, therefore it may be considered that this volume represents a reasonable volume under the WCWARP.</p>	No response required
59.	<p>Summary of effects from inefficient use</p> <p>The method of irrigation, proposed application rates and amount of volume applied for should ensure that the use of</p>	No response required

	water is carried out in efficient manner, if irrigation is carried out as described in the application and managed appropriately. The annual volume requested is also reasonable using the method prescribed by the WCWARP in Policy 16(c)(ii).	
64.	Adverse effect of use on water quality At the time of writing this report, the applicant has not provided a farm management plan or details of mitigation measures that will be implemented to ensure that the impacts on water quality will be adequately mitigated.	Addressed in evidence of Melissa Robson and Farm Environmental Management Plan.
68.	Adverse effects on ecosystems Assuming that the intake structure for the irrigation pipeline will be installed in the water race to facilitate the abstraction from the race, a fish screen may need to be installed at this intake. On this basis, I cannot confirm that adverse effects on ecosystems as a result of the proposed diversion, take and use of water are acceptable	Installation and design of fish screen addressed in evidence of Ian McIndoe at paras 117-118. Also addressed in evidence of Ruth Goldsmith para 6.7
73.	Adverse effects on Tangata Whenua values Given that there are a number of submissions which identify cultural values, I cannot conclude that the actual and potential effects on cultural values of the area will be minor.	Addressed in evidence of Budcy Mikaere
87.	Statutory Assessment - Conclusion With regard to s104(1)(b), the relevant provisions of the RPS and WCWARP have been considered above. In my view, the applicant's proposal may not be consistent with Policy 13 due to there being likely effects on water quality, unless appropriate mitigation is proposed and implemented. More importantly, the proposed irrigation of land north of SH8 and on the south bank of the Ahuriri River, is likely to result in significant adverse effects and may therefore be considered to be contrary to Objective 1(c) of the WCWARP.	Addressed in evidence of John Kyle paras 7.35 and 7.38-7.41.

Section 42A Officer's Report - Applications CRC04/1330 and CRC04/1332 by Kilermont Station Ltd for a Land Use Permit to undertake works in the bed of the river and a Discharge Permit to discharge water to water.		
#	Key Issues	Response
Land-Use		
(28. Table)	<p>Flood-carrying capacity & erosion</p> <p>I am unaware of any adverse effects relating to erosion or flood-carrying capacity occurring as a result of these works and I am satisfied that this effect should be no more than minor, provided that appropriate conditions are included in the consent, should it be granted.</p> <p>Effects minor.</p>	No response required
(28. Table)	<p>Water quality & ecosystems</p> <p>Effects of the works are minor for the following reasons:</p> <ul style="list-style-type: none"> o The works would be limited in extent o The extent of disturbance will be limited to 50 metres downstream; o Any effects would be temporary. <p>The applicant is now proposing to use the existing diversion and intake for the Tara Hills Race therefore the works associated with this application only relate to maintaining the existing intake structure. This will occur as and when required, be of limited extent and duration.</p> <p>Effects minor.</p>	No response required
(28. Table)	<p>Man-made Structures</p> <p>I do not consider that the works will lead to any effects on man-made structures Given the absence of downstream structures, relatively infrequent requirement for works, and mitigation of any erosion or flood-carrying capacity effects, potential effects of the maintenance and reconstruction on man-made structures would likely be minor.</p> <p>Effects minor.</p>	No response required
(28. Table)	<p>Downstream users and amenity values</p> <p>I agree that the works are unlikely to result in adverse effects on amenity and note that the intake structure is already established. Given that the intake structure is located in the bed of the Ahuriri River and the sensitivity of this receiving environment, I have recommended conditions requiring that the works should not coincide with times when people are likely to be using the river for recreation. Effects minor provided recommended conditions included and adhered to.</p>	Addressed in the conditions from John Kyle.
	<p>Tangata Whenua values</p> <p>As effects on water quality considered minor, I am satisfied that effects on Tangata Whenua values minor. Effects minor.</p>	No response required

	<p>Discharge permit</p> <p><i>Flood-carrying capacity & erosion</i> Given that the diversion and discharge channel has been in place for a number of years and the amount of water diverted and discharged as a result of this proposal is relatively small compared to what already occurs from this channel, I am satisfied that the discharge will not increase the risk of flooding or erosion downstream of the discharge point. Effects minor.</p>	No response required
	<p><i>Water quality</i> The discharge from the applicant's property will be approximately 6% of the total abstractions authorised by resource consent. While there is little information on the quality of the discharges into the Ahuriri River, any effects resulting from the applicant's diversion and discharge are likely to be minor in relation to the total diversion and discharge of water from the race. I have also recommended a condition requiring the discharge to meet the standards set out in the AWCO.</p>	Interpretation of the WCO addressed in the evidence of Ian McIndoe.
	<p><i>Amenity</i> The discharge from this race has been occurring for a number of years and the increase in flow of surplus irrigation water is unlikely to change the clarity or result in any visible change to the discharge. Effects minor.</p>	No response required
	<p><i>Tangata Whenua values</i> As effects on water quality considered minor I am satisfied that effects on Tangata Whenua values minor. Effects minor.</p>	No response required

Section 42A Officer's Report - Application CRC041777 by Killermont Station Limited for a Water Permit to take & use surface water.	
#	Response
Key Issues	Response
Adverse effect on people, communities and amenity values	
57. Recreation & Amenity Values The applicant has not assessed the impacts of the proposed take and use of water from the Ahuriri River on recreation and amenity values. The applicant, however is proposing to adopt a minimum flow consistent with the requirements of the Ahuriri Water Conservation Order. This should ensure that the outstanding natural features of the Ahuriri and fishery values are protected.	No response required
59. Summary Given the conclusions reached by Dr Freeman and Mr Glasson, I am not satisfied that the current proposal ensures that all effects on people, communities and amenity values will be acceptable. The applicant may wish to address impacts on landscape values at the hearing.	Addressed in evidence of Stephen Brown
61. Adverse effects on other users I consider that the effects on other users should be minor provided that the AWCO limits are adhered to.	No response required
70. Summary of effects from inefficient use The method of irrigation, proposed application rates and amount of volume applied for should ensure that the use of water is carried out in efficient manner, if irrigation is carried out as described in the application and managed appropriately. The annual volume requested is also reasonable, using the method prescribed by the WCWARP in Policy 16(c)(ii).	No response required
75. Adverse effect of use on water quality At the time of writing this report, the applicant has not provided a farm management plan or details of mitigation measures that will be implemented to ensure that the impacts on water quality will be adequately mitigated. I cannot confirm that the impacts of irrigation on surface water quality will be acceptable.	Addressed in evidence of John Bright and Melissa Robson and the Farm Environmental Management Plans.
79. Adverse effects on ecosystems Given the significance of the fishery values in the Ahuriri River the applicant may wish to provide further details of the proposed intake and fish screen and confirm that the proposed design will comply with the recommendations of the NIWA guidelines at the hearing. Without this confirmation I cannot be certain that the effects on fishery values in the Ahuriri River will be acceptable.	Evidence of Ian McIndoe para 118 confirms that fish screen will comply with NIWA guidelines.
83. Adverse effects on Tangata Whenua values I cannot conclude that the actual and potential effects on cultural values of the area will be minor.	Addressed in evidence of Buddy Milkaere.

Section 42A Officer's Report - Application CRC041776 by Killermont Station Limited for a Land Use Permit to undertake works in the bed of the river.		
#	Key Issues	Response
22. Table	<p>Flood-carrying capacity & erosion Mr Bruce Scarlett assessed the application and stated that there were no concerns regarding adverse effects on flood carrying capacity and flooding patterns arising from the proposed works, as long as spoil was kept to a maximum height of 0.5 metres above bed level, and standard conditions relating to flooding were attached. Based on the advice provided from Mr Scarlett, I consider that if the proposed mitigation measures are adhered to the effects of the activity on flood carrying capacity and flooding patterns are likely to be minor.</p>	No response required
22. Table	<p>Man-made structures Effects uncertain. Given the uncertainty regarding the impact of the works on the rockwalls in the vicinity of the intake, I cannot confirm that the effects will be acceptable. The applicant may wish to address this issue at the hearing.</p>	Affects addressed in evidence of Ian McIndoe at paras 70-76
22. Table	<p>Bank stability No submissions regarding effects on bank stability were received. In view of the comments made by the applicant and Mr Bruce Scarlett; and considering that there were no submissions regarding adverse effects on bank stability, I consider that the effects of the works on bank stability are likely to be minor, and therefore acceptable. Effects minor.</p>	No response required
22. Table	<p>Water Quality I agree with the applicant that whilst the works carried out to construct the intake are likely to increase the sediment in the stream, given the short duration, timing of works, and with appropriate conditions, adverse effects of the works on water quality would be minor. Effects minor.</p>	No response required
22. Table	<p>Riparian plants and animals The applicant has not assessed this effect. The works are likely to require some disturbance of vegetation on the banks of the Ahuriri River. The degree of this disturbance or the significance of this effect is uncertain. The applicant may wish to provide further information on this effect at the hearing. Alternatively, a condition has been recommended to ensure that the timing of works does not coincide with bird nesting. Effects minor provided exclusion period for bird nesting is included as a condition of consent.</p>	Conditions that address bird nesting are included in proposed conditions presented by John Kyle. Also addressed in evidence of Ruth Bartlett paras 7.12 and 7.17-7.18
22. Table	<p>Instream Ecosystems Fish and Game have raised concerns regarding the timing of instream works. DoC have also raised concerns regarding the impacts of land-use activities on fish migration and survival. I recommend that conditions relating to</p>	Addressed in evidence of Greg Ryder paras 17.2-17.7.

	the appropriate timing of works to avoid fish spawning are also included, if consent for this activity is to be granted. Effects should be minor, provided conditions regarding timing of works are included and adhered to.	
22. Table	Effects on People and Amenity Values I therefore recommend that in addition to appropriate measures to control the amount of sediment discharged into the river as a result of works the timing of works during weekends and public holidays is limited. Effects minor provided conditions regarding timing of works adhered to.	Addressed in conditions proposed by John Kyle.
22. Table	Tangata Whenua values No sites of historical or cultural significance were identified on Environment Canterbury's GIS System and the site of the proposed works is not within a Statutory Acknowledgement Area. The applicant has proposed standard conditions relating to the accidental discovery of wahi tapu and wahi taonga are attached to this consent. As effects on water quality considered minor I am satisfied that effects on Tangata Whenua values minor. Effects minor.	Addressed in evidence of Buddy Milkaere

Section 42A Officer's Report - Applications CRC040835 and CRC040836 by Southdown Holdings Ltd for a Water Permit to take and use surface water and Land Use Permit to disturb the bed of Lake Ohau.		
#	Key Issues	Response
	WATER PERMIT	
45.	Adverse effect on terrestrial ecosystems As there are outstanding submissions concerned with the potential effects on the terrestrial wetland ecosystems on the property I cannot conclude that effects on terrestrial ecosystems will be less than minor. I recommend that an assessment and mitigation measures are provided by the applicant.	See evidence of Ruth Bartlett
50.	Adverse effect on other water users The applicant has not provided any assessment of the effects of granting an application over the allocation limits on entitlements to other activities therefore I cannot conclude that effects on other water users are minor.	Addressed in evidence of Ian McIndoe paras 395-404
	Adverse effect on people, communities and amenity values	
55.	Landscape effects As the conclusions reached by Mr Glasson consider the effects may be more than minor I am not satisfied that the adverse effects on people community and amenity values in terms of effects on landscape as a result of irrigation will be minor.	See evidence of Stephen Brown.
58.	Recreational and amenity values No mitigation measures regarding these concerns have been provided, therefore I am not satisfied that the adverse effects on people, community and amenity values in terms of visual effects from the pump station will be minor.	Addressed in evidence of Stephen Brown para 91-94
60.	Adverse effects of inefficient take and use on other users The taking of water in excess of that required for the intended use may contribute to water levels being unnecessarily reduced and less water available for other users. A number of submitters have identified this issue.	Affect on other users addressed in evidence of Ian McIndoe paras 405-411. Justification of take addressed at paras 379-389.
68.	Irrigation volumes I am not satisfied that the annual volume being sought by the applicant of 14,808,000 cubic metres per year would be reasonable and appropriate for the area and method of irrigation proposed. I recommend that a condition limiting the volume of irrigation to 2,235,000 cubic metres per year between both consents to ensure that water is used efficiently on the property	Justification of volume addressed in evidence of Ian McIndoe at paras 379-389
71.	Adverse effect of use on water quality	Addressed in the evidence

	The proposed activity can have an impact on water quality in the immediate vicinity of the site or in combination with other activities in the catchment result in cumulative adverse effects	of John Bright and Melissa Robson
75.	Local effects As a full mitigation suite and assessment of residual effects on water quality has not yet been provided I cannot be satisfied that the adverse effects on water quality from the proposed activity will be minor.	Addressed in the evidence of John Bright and Melissa Robson
79.	Cumulative effects Given the significant level of uncertainties involved in and technical concerns with critical aspects of the MWR/L/GHD assessment of the adverse effects together with the lack of mitigation measures yet proposed by resource consent applicants means that it is premature to make adequate conclusions about the potential adverse cumulative effects.	Addressed in the evidence of John Bright and Melissa Robson
	Adverse effect on Tangata Whenua values Given that there are a number of submissions which identify cultural values, I cannot determine the scale of actual and potential effects on the cultural values of the area.	Addressed in evidence of Buddy Milkaere
85.	Water Permit Conclusion I cannot confirm that under s104D(1)(a), the actual and potential effects of the proposed activity are minor when taking account the proposed mitigation. In particular, there is uncertainty regarding the following aspects of the application: -The localised and cumulative impacts on water quality; - Effects on amenity and landscape values from irrigation of the proposed area; - The effects on terrestrial ecological values from the proposed irrigation; - Whether granting this application over the allocation limit would affect the entitlement to other activities; - Whether the annual volume requested represents an efficient use of water; - The effects on cultural values in the area. - The impacts on landscape values and aquatic ecosystems can be mitigated, if the recommended conditions requiring appropriate separation and buffer distances and installation of a suitable fish screen are included, should the Commissioners decide to grant consent for this activity.	
	LAND USE PERMIT	
86. Table	Flood-carrying capacity & erosion While I agree with the applicant's proposed mitigation measures to minimise impacts on flood-carrying capacity and erosion, as the details of the structures have yet to be finalised, I cannot conclude that effects are minor. Effects minor if appropriate conditions adopted based on final design once provided.	Addressed in conditions proposed by John Kyle
86. Table	Man-made structures Given the distance to the nearest structure, and provided mitigation measures are adopted to avoid effects on erosion or flood-carrying capacity, potential effects of the installation and maintenance of the intake and pipeline on man-made structures would likely be minor. Effects minor.	No response required
86. Table	Water quality I cannot make an assessment of the effects on water quality as the details of the proposed works are yet to be	Policy 13. The effects of the infrastructure are addressed

	finalised and details of how the works will be undertaken and what mitigation is proposed have not been provided. Effects may be more than minor. Applicant needs to provide more detail regarding the proposed works and mitigation measures.	in evidence of Ian McIndoe at paras 362-375
86. Table	<i>Riparian plants and animals</i> No detail has been provided to identify how the riparian areas will be returned to their natural state, and the details of the extent of earthworks in the riparian margins has not yet been provided. Effects may be more than minor. More detailed assessment required.	Addressed in evidence of Ian McIndoe at para 369
	<i>Effects on other users</i> Effects may be more than minor. Applicant needs permission from LINZ.	Addressed in evidence of John Kyle at para 8.69
	Tangata Whenua values As effects on water quality may be more than minor, and Lake Ohau is a statutory acknowledgement area, I am not satisfied that effects on Tangata Whenua values minor. Effects may be more than minor.	Addressed in evidence of Buddy Mikaere.
107.	Statutory Assessment - Overall Conclusion With regard to s104D(1)(b), the relevant provisions of the RPS and WCWARP have been considered above. I do not consider the water permit application is consistent with policy 13 due to there being likely effects on water quality and there is a lack of mitigation proposed by the applicant, policy 12 as it is over the allocation limit in his catchment and policies 15 and 16 due to effects of inefficient use. In addition, I cannot make a conclusion about whether the application is consistent with 108. Objective 1 given the number of submissions to be heard. With regard to s104(1)(b), I am not satisfied that the proposed works are consistent with policy WQL5 and BLR1 of the PNRRP due to the lack of detail regarding how effects on water quality will be mitigated during the works and as the final design details for both the intake structure and pipeline have not yet been provided, I cannot determine the scale of the activities.	Addressed in evidence of John Kyle.

Section 42A Officer's Report - Applications CRC041788 and CRC073115 by Southdown Holdings Limited for a Water Permit to take & use surface water from the Ahuriri River.		
#	Key Issues	Response
95. Table	Inefficient use Agree that proposed annual volume within irrigation demand for subject area using methodologies described in Policy 16(c)(ii). Note Environment Canterbury's GIS database indicates approximately 150 hectares to be irrigated have PAW = 45 millimetres as such recommend condition WP05 to ensure efficient use of water and soils aren't over-watered. Effects acceptable.	No response required
95. Table	Stock and domestic supply I agree with the applicant that this volume is reasonable and within the volume calculated in accordance with Table WCN26. I note that no numbers of people needing water have been required. It is my recommendation to the Commissioners that a maximum of 6,600,000 cubic metres is allocated to the applicant as indicated in the notification wording for these applications, should they be of a mind to granting this consent. Effects acceptable.	No response required
95. Table	Distribution efficiency Agree efficient distribution system. Effects minor.	No response required
95. Table	Ecosystems I recommend the proposed take be managed on the minimum flow of 25 cubic metres per second as per the WCO. It should be noted I do not consider the additional 200 litres per second can be diverted. This will ensure the applicant complies with the Ahuriri Conservation Order. At the time this report was prepared, no detailed designs of the intake had been provided to the CRC and so I cannot determine the scale of potential effects on fisheries. Effects uncertain.	The intake and fish bypass are addressed in evidence of Ian McIndoe at paras 268-269
95. Table	Other water users No details of low sharing provide at time report written. Localised reliability of supply concerns for Killermont Station application. Effects uncertain.	Effects on other users are addressed in evidence of Ian McIndoe at paras 330-344
95. Table	People, communities & amenity values No assessment provided at date report written. Effects may be more than minor.	Addressed in the evidence of Stephen Brown
95. Table	Water quality Not satisfied given conclusions in Report 4 on cumulative effects of water quality. No individual mitigation provided to date. Effects may be more than minor.	Addressed in evidence of John Bright and Melissa Robson
95. Table	Tangata Whenua values Submissions concerned & have not been addressed by applicant. Effects uncertain.	Addressed in the evidence of Buddy Mlikaere

99.	Potential effects on ecosystems I cannot determine the scale of potential effects on fisheries. I do note however that subject to suitable fish exclusions methods, the applicant may be able to mitigate potential adverse effects on ecosystems.	Addressed in evidence of Greg Ryder paras 17.2-17.7
100.		
108.	Potential effects on other water users While there may be suitable mitigation measures which reduce effects on other water users these would need to be discussed with other consent holders or applicants. This discussion had not taken place at the time that this report was written therefore effects on other water users remain uncertain.	Effects of other users addressed in evidence of Ian McIndoe paras 330-331
109.	Potential effect on people, communities, amenity and landscape values The AWCO minimum flow has been proposed by the applicant, and I consider that in setting minimum flow levels for the WOWARP, protection of recreational and amenity values on each water body would have been taken into account (see Policy 35). Therefore the effects of the proposed water abstraction on people communities and amenity values are likely to be minor and acceptable.	No response required
116.	Landscape Given Mr Glasson's conclusions, and the absence of proposed mitigation measures, I consider potential adverse effects on landscape values may be more than minor.	Addressed in the evidence of Stephen Brown
122.	Surface water quality Given the significant level of uncertainties involved in, and technical concerns with critical aspects of the MWRL/GHD assessment of the level of adverse effects together with the lack of mitigation measures yet proposed by resource consent applicants means that it is premature to make adequate conclusions about the potential adverse cumulative effects. Given the above, and absence of proposed on-farm mitigation in relation to water quality, I do not consider potential adverse effects to be minor.	Addressed in the evidence of John Bright and Melissa Robson
123.		
126.	Adverse effect on Tangata Whenua Values Given no assessment has been provided and submissions have been made regarding cultural values, I cannot determine the scale of effects of the proposed activity on cultural values until I have heard from submitters.	Addressed in the evidence of Buddy Mikaere
146.	Statutory Assessment - Conclusion Additionally I cannot make a conclusion about whether the application is consistent with Objective 1 given the number of submissions to be heard Additionally I consider this proposal is inconsistent with policy 13 due to there being likely effects on water quality.	Consistency with the statutory instruments is addressed in the evidence of John Kyle

Section 42A Officer's Report - Applications CRC041787, CRC073112 and CRC073113 by Southdown Holdings Limited for three landuse permits to disturb the bed of a river to install and maintain an intake structure and a discharge structure.

#	Key Issues	Response
SUMMARY OF POTENTIAL ADVERSE EFFECTS FROM CRC041787		
4.3 table	<p><i>Water quality</i></p> <p>I note the proposed activity is for a limited duration and spatial extent of the proposed activity is restricted. The applicant proposed mitigation relating to the duration of works. Additionally, I recommend that a condition limiting the duration of the works within flowing water be added to this consent. Condition (1) and (22). Minor and acceptable.</p>	<p>See conditions proposed by John Kyle</p>
4.3 table	<p><i>Bed erosion and flood carrying capacity</i></p> <p>Environment Canterbury Senior Engineering Officer Mr Scarlett has reviewed the applicant's proposal. He does not have any concerns with the proposal in relation to erosion within the Ahuriri River bed and banks, and effects on the River's flood carrying capacity. He does recommend that conditions (5)-(8) be included to ensure such effects are adequately mitigated.</p> <p>Minor given comments provided by Mr Scarlett</p>	<p>See conditions proposed by John Kyle</p>
4.3 table	<p><i>Artificial structures</i></p> <p>Mitigation proposed by applicant and recommended by myself to ensure minimise sedimentation in the water which could affect downstream abstraction pumps.</p> <p>Effects minor.</p>	<p>No response required</p>
4.3 table	<p><i>Tangata Whenua values</i></p> <p>I note an archaeological site labelled as 'Moa-Hunter Camp' is located 300 metre southeast of the proposed location of the works. While it is unlikely that the proposed works will effect this site, it is possible that other sites, presently unidentified, may exist in the area. I therefore recommend that a condition relating to the accidental discovery of wahi tapu and wahi taonga is attached to this consent. Potential effects on water quality considered to be minor subject to mitigation.</p> <p>Effects acceptable.</p>	<p>Addressed in the evidence of Buddy Mikaere</p>
4.3 table	<p><i>Amenity values and community</i></p> <p>I note no details have been provided describing the intake and pump shed design; however I do note that mitigation has been proposed to minimise sedimentation in the Ahuriri River during works.</p> <p>Effects uncertain until hear submission from Transit.</p>	<p>Design of the infrastructure is addressed in evidence of Ian McIndoe at paras 265-274 and 280-305</p>
4.3 table	<p><i>Ecosystems</i></p> <p>Given the significant ecological values identified in the Ahuriri River, I consider that more detail regarding the effect of the proposed landuse activity on ecosystems is required. Conditions (19)-(21).</p>	<p>See evidence of Greg Ryder and Ruth Bartlett</p>

	Effects uncertain.	
47.	<p>Adverse effects on ecosystems Given that insufficient information on effects on ecosystems is available, and that submissions in opposition to the proposal have been received I will not provide further comment on the actual and potential effects on ecosystems.</p>	See evidence of Greg Ryder and Ruth Bartlett
52.	<p>Adverse effects on people and amenity values I cannot confirm that under s104(1)(a) the actual and potential effects of the proposed activity are acceptable when taking account the proposed mitigation. In particular, there is uncertainty regarding the following effects of the application:</p> <p>(a) The effects on amenity and community; (b) The effects on ecosystems.</p> <p>I also note more details need to be provided by the applicant in relation to the design plans of the proposed structures so the scope of the proposed works may be defined as conditions of consent should the Commissioners decide to grant this application.</p>	Further information on proposals given in evidence generally.
65.	<p>Statutory Assessment - Conclusion With regard to s104(1)(b), the relevant provisions of the RPS and PNRRP have been considered above I do not consider the permits for works in the bed or banks of the Ahuriri River are consistent with Objective BLR1 of the PNRRP given the potential effects on ecosystems and Transit New Zealand.</p>	NZTA approval for pipelines addressed in evidence of Ian McIndoe para 256. Objective BLR1 addressed in evidence of John Kyle paras 7.75-7.77.

Section 42A Officer's Report - Application CRC073114 by Southdown Holdings Limited for a discharge permit to discharge water into the Ahuriri River		
#	Key Issues	Response
27.	<p>Flood-carrying capacity and erosion of bed and banks</p> <p>I note the associated water permit is to be managed on minimum flows consistent with the WCO and as such do not understand the applicants comments that abiding by the minimum flows of the WCO will mitigate potential effects of the proposed discharge.</p> <p>Environment Canterbury Senior River Engineer Mr Bruce Scarlett has reviewed the application and does not have any concerns from an engineering perspective in regards to potential effects on flood carrying capacity and erosion of the bed and banks of the Ahuriri River.</p> <p>Effects minor.</p>	<p>Effects of the discharge are addressed in the evidence of Ian McIndoe at paras 275-279</p>
27.	<p>Water quality and ecosystems</p> <p>Mr Scarlett does however note that fish within the diversion will be adversely affected if the braid moves away from the discharge point and the discharge is no longer connected to the water. As such I recommend a condition requiring the proposed discharge to discharge directly into flowing water only.</p> <p>I note the WCO sets clear expectations in relation to water quality of discharges. I recommend that these be incorporated as conditions of consent should the commissioners wish to grant this application (condition 4). This will be provided in full detail in the WCO section below.</p> <p>I recommend a condition restricting the discharge to just this, and additionally stipulating the discharge water shall be of the same quality or better of that diverted.</p> <p>Effects minor.</p>	<p>No response required</p>
27.	<p>Downstream users and amenity values</p> <p>I note the applicant has not provided any discussion as to whether they consider Killermont Station Limited to be potentially adversely affected.</p> <p>Mitigation to ensure water quality not changed so amenity concerns with sedimentation addressed.</p> <p>Effects minor.</p>	<p>No response required.</p>
28.	<p>Tangata Whenua values</p> <p>Mitigation proposed and recommended to ensure effects on water quality and ecosystems minor. Note submission from Ngai Tahu appears to address concerns in relation to applicant's water permit proposal.</p> <p>Effects minor and acceptable.</p>	<p>Also see evidence of Buddy Milkaere</p>

	<p>Conclusion With regard to s104(1)(a), the actual and potential effects of the activities have been discussed above. For this consent, I am satisfied that the actual and potential effects of the proposed activity are acceptable when taking account the proposed mitigation.</p>	<p>No response required.</p>
<p>37.</p>	<p>Statutory Assessment - Conclusion With regard to s104(1)(b), the relevant provisions of the RPS and PNRRP have been considered above. I am consider the proposed discharge permit is consistent with the relevant objectives and policies of the RPS and the PNRRP.</p>	<p>No response required</p>

