

BEFORE THE CANTERBURY REGIONAL COUNCIL

Under the Resource Management Act 1991

and

In the matter of resource consent applications by various parties to take and use water in the Upper Waitaki Catchment

DUNSTAN PEAKS CONSENT CLARIFICATION

1. This memorandum refers to the renewal of consents for Dunstan Peaks Limited (the Applicant) which are currently before the Commissioners for determination. The renewal of consents relates to the properties known variously as Dunstan Peaks, Clifton Downs and Twinburn and concern renewals of the take consents from the Omarama Stream, Middle Gully, Twin Burn and Twaddles Creek
2. Consent numbers relating to the suite of consents for this applicant are:
 - CRC011361
 - CRC011362
 - CRC011363
3. The purpose of this memorandum is to apprise the Commissioners of the issues which have arisen with this consent, as a result of the departure of Ms Cathy Begley, as consultant and advisor to Dunstan and the replacement of Ms Haidee McCabe as the advisor to Dunstan with respect to their consents
4. On review for the preparation of conditions Mrs McCabe has advised that she is unable to support the consents as proposed by Ms Begley but can support the renewal – with conversions to spray irrigation – but predicated on a revised irrigation development which she outlines for the Commissioners’ benefit in the attached report.
5. This further investigation and report has been completed following a series of on-farm visits by Mrs McCabe and Mr Jonathan Simpson of PGG Wrightson Irrigation and Pumping and discussions with the Paterson family as to their longer term aspirations. The revised report takes account of the practical issues associated with irrigation of this property, the need to provide reliable and efficient irrigation systems and to upgrade many of the inefficient irrigation patterns over a defined timeframe.
6. The revisions will not result in any greater area of irrigation. It will not increase the seasonal volume notified. All irrigation will occur within the three Paterson properties set out above that formed part of the application/notification of this consent.
7. Inevitably the change to spray systems will result in revision of the irrigation area to “fit in” with the pattern of centre pivot and hard hose gun systems. Those


areas are identified in the maps accompanying Mrs McCabe's report. Other applicants have also changed their irrigation systems between original notification and the hearing and it is submitted that Dunstan is doing no more than other applicants in order to recognise and provide for the imperatives to improve overall irrigation efficiency under the Waitaki Plan and to recognise that long term border dyke and wild flooding operations were not viable in meeting efficiency standards under the plan.

8. The changes made depart from Ms Begley's evidence to the Commissioners in the following manner:
 - 8.1 Wild flood irrigation will cease;
 - 8.2 Inefficient border dykes will be replaced;
 - 8.3 The overall farm irrigation system is refined with some intakes becoming redundant;
 - 8.4 The remaining 4 intakes will be upgraded;
 - 8.5 The majority of old races replaced with pipe with the resulting advantages of being able to use a gravity system and avoiding race losses;
 - 8.6 Hugely decreased take rates to supply irrigators;
 - 8.7 Discharges will become redundant;
 - 8.8 The micro-hydro system will now not be practical as runoff and excess water from races and bywash will not be available to operate such a system;
9. As with other renewal applications, Dunstan is seeking a timeframe to introduce the conversions as set out in this memorandum.
10. The purpose of this memorandum is to set out the nature of the changes and to seek directions from the Commissioners as to how to proceed further in relation to this renewal consent. While Mrs McCabe's report sets out the nature of the changes, it is submitted that the Commissioners may benefit from a "question and answer" session with the Commissioners relating to these revisions – albeit

that this is at a late stage in the proceedings. The issues are raised on the basis that it is not desirable to have a suite of consents issued for the property which are largely unworkable from the outset.

11. We request that the Commissioners provide further direction on this application. We confirm that this is the only application with which Ms Begley was engaged that involve changes to the overall irrigation system. If the Commissioners elect not to hear further evidence on this application, the conditions suite for Dunstan will be based on Mrs McCabe's revised irrigation plan and can be updated and provided to the IO/Commissioners within two months of the date of this Memorandum.

Dated this 14th day of October 2010



E J Chapman
Counsel for the applicant