

9 May 2018



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Dear Sir/Madam

Request for Further Information

Response required by: 29th May 2018

Record Number(s): CRC181649, CRC181650 and CRC181686

Applicant Name: Mr N J & Mrs L M Harris & Harakeke Nominees Limited

Activity Description: to renew CRC169648 - to take and use water, to use land for farming activity and to change the conditions of CRC181649

Overview

As you are aware, Nicola Duke and Emma Barr have been processing your consent applications. Before they can make any recommendations on your application, further information is being requested from you under Section 92 of the Resource Management Act 1991 (RMA).

There are a number of options available to you which are detailed below under 'Response options' and we ask that you complete one of these options by 24th May 2018. Please note that we require this information so that we can understand any potential effects from your application. If we are unable to do this your application may have to be notified, or even declined.

Notification means that potentially affected parties and/or the general public are given the opportunity to raise their concerns or support for your proposal. This process does not guarantee your application will be granted, there is the possibility that it could be declined. For more information about notification, please go to <https://ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/>.

Information requested

Nicola Duke has identified the following information which is needed to fully understand your proposal.

1. Rule Assessment of the Hurunui and Waiau River Regional Plan
CRC181649 has been lodged under Rule 2.3 of the Hurunui and Waiau River Regional Plan (HWRRP) which applies to the take and use of surface water. As the existing galleries N33/0431, N33/0432, N33/0433 and N33/0734 are not located in the direct flow of the river located below ground, the take is not

considered a surface water take but falls to being assessed as hydraulically connected groundwater under Rule 7.2.

Condition (b) of Rule 7.2 limits bore to being more than 50 metres from any wetland. Should this condition not be met the activity status of the application will be classified under Rule 8.1 as a non-complying activity.

Can you please provide an assessment of the application against Rule 7.2, providing specific detail about the location of the galleries and their proximity to wetlands.

2. Assessment of wetland rules under the Land and Water Regional Plan

Should it be identified that there are wetlands within close proximity to the above-mentioned galleries the application will require assessment against the relevant wetland rules of the Land and Water Regional Plan (Rules 5.159-5.162).

Note: There is no definition for wetland in the HWRRP but the following definitions are included in the LWRP and the RMA:

LWRP:

“includes:

- 1. wetlands which are part of river, stream and lake beds;*
- 2. natural ponds, swamps, marshes, fens, bogs, seeps, brackish areas, mountain wetlands, and other naturally wet areas that support an indigenous ecosystem of plants and animals specifically adapted to living in wet conditions, and provide a habitat for wildlife;*
- 3. coastal wetlands above mean high water springs;*

but excludes:

- (a) wet pasture or where water temporarily ponds after rainfall*
- (b) artificial wetlands used for wastewater or stormwater treatment except where they are listed in Sections 6 to 15 of this Plan;*
- (c) artificial farm dams, drainage canals and detention dams; and*
- (d) reservoirs for firefighting, domestic or community water supply.”*

RMA:

“includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions”

Response options

The options available to you are set in Section 92A(1) of the RMA. You must choose one of the following:

- (a) Supply the requested information by 29th May 2018.

If the information can be easily collated and supplied by this date, please provide it in writing (via email is fine) to Nicola Duke (Nicola.duke@ecan.govt.nz).

- (b) Agree in a written notice by 29th May 2018 to supply the information requested.

Sometimes technical information will take some time to collate or key contacts may not be immediately available. If you need a longer period of time to supply the information requested, please contact Nicola Duke to advise when you think you will have the information. You can do this via email or letter.

- (c) Refuse in a written notice by 29th May 2018 to supply the requested information.

Should you chose this option, section 95C of the RMA requires us to publicly notify your application. If you receive submissions on your application then you would need to expect to go through a resource consent hearing process. You can find a charges fact sheet at the link below which will give you a guide of expected costs for this process. You should be aware that your application could be declined through this process.

<https://ecan.govt.nz/do-it-online/resource-consents/first-steps-and-costs/>.

If you chose not to respond to this letter, then the same process as for (c) applies.

If you would like to discuss any of this request in more detail, please don't hesitate to contact Nicola Duke via email at Nicola.duke@ecan.govt.nz or 03 3677106.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Just', with a stylized flourish at the end.

David Just

Team Leader Consents Planning