

IN THE MATTER OF the Resource Management Act 1991

IN THE MATTER OF applications by Central Plains Water Trust to:

Canterbury Regional Council for resource consents to take and use water from the Waimakariri and Rakaia Rivers for the Central Plains Water Enhancement Scheme and for associated consents required for the construction and operation of the Central Plains Water Enhancement Scheme; and to

IN THE MATTER OF applications by Central Plains Water Trust to:

Selwyn District Council for resource consents to construct and operate the Central Plains Water Enhancement Scheme

AND

IN THE MATTER OF a Notice of Requirement by Central Plains Water Limited to:

Selwyn District Council for the designation of land for works associated with the construction and operation of the Central Plains Water Enhancement Scheme

ADDENDUM to Minute 12 of Commissioners relating to application to take water from the Waimakariri River

23 November 2009

- 1.1 We need to correct some figures in Minute 12. Firstly, Paragraph 8.4 of Minute 12 should be amended to read "*1 day less on average*" rather than "*1 day more on average*".
- 1.2 As a result of some late modifications to Tables 2 and 3, following discussions between the applicant's experts and Mr Duncan, the impacts of the proposed CPW take regime on kayaking, jet boating and salmon angling amenity and risk to birdlife will be somewhat **less** than we had thought when we drafted Minute 12.
- 1.3 There are some parts of the Minute which refer to the earlier figures we had available to us which have been amended. The parts of the Minute which require amendment are set out below and we then discuss what that might mean in terms of the additional "targeted" restriction on take which we discuss in the Minute.
- 1.4 . Paras 8.5 with the relevant revisions is as follows.
 - *With the assistance of Mr Duncan we have added to our Tables 2 and 3 the figures for the 40-50 cumec flow band (which we had not asked Mr Tipler to provide). The CPW proposal results in an average increase of around **2-3** days per year of flows in the 40-50 cumec range (**typical and average years**)*

under predicted scenario) and 6-11 days over the 40-60 range. Given that flows of less than 50 cumecs are regarded as unsuitable for kayaking and flows in the 50-60 cumec range are marginal, it is clear that CPW proposal will cause a reduction in kayaking amenity.

- 1.5 These changes also require a revision to para 8.16 in relation to jet boating.

.... The statistics in Table 3 indicate that flows in the 50-60 cumec range would occur more often, for the 'predicted' and 'available' CPW scenarios, compared to pre-CPW, and as discussed in relation to kayaking, there would also be a modest increase in days where flow is in the 41-50 cumec range. Our interpretation of the jet boating evidence is that flows in the 41 to 55 cumec range are likely to be unsuitable, or at least higher risk, for novice boaters. Accordingly the CPW proposal would have some minor impact on jet boating amenity.

- 1.6 The changes also impact on para 8.30 in relation to salmon angling amenity.

As noted above the number of days in the 40-50 cumec range will increase under the CPW predicted scenario by around 9% on average (3 days) and around 21% (5 days) in dry years. Currently these flows are too clear for fishing, but under CPW, flows in the 45-50 cumec range will often be suitable for fishing in turbidity terms (since they are derived from flows of suitable turbidity).

- 1.7 The figures we had originally been relying on for the 40-50 cumec range were reviewed by the Applicant's advisors and Mr Duncan late last week and were amended in Table 2 with consequential changes to Table 3. The result is that the increases in the 40-50 and therefore the 40-60 cumec ranges under the *predicted* scenario are not as great as we had originally thought and that will be relevant to the form of mitigation required. We note, that under the *available* scenario the increase is rather more significant. 13-15 days increase in the 40-50 cumec band and 12-16 in the 50-60 cumec band (27-29 overall increase). This suggests to us that what will be important in terms of mitigating the effect on these two bands (and more generally) will be to ensure that the take is generally kept in the predicted range rather than the available range. In particular, that the allocation to CPW is limited to what is currently proposed rather than to what is theoretically available under an allocation regime defined only by **maximum** rates of abstraction at particular flows.

- 1.8 At first sight, a condition along the lines we have proposed in Minute 12 would seem to be an appropriate way of addressing that concern, but we are open to other suggestions. The applicant's "*predicted*" figures suggest that a prohibition on taking at unmodified flows of less than 75 (modified flows of 55) should not affect CPW very often on average but would affect it more in some years. However, CPW may wish to present us with the modelled impact of such a restriction. (which will vary depending upon how many days a week it would be applied to and for which weeks in the year).

- 1.9 We also note that the figures in Tables 2 and 3 are based on Mr Tipler's modelling for the whole of the year. As discussed in the Minute, we think that the changes to flow duration during the irrigation season are more relevant since that is when recreational use is at its peak and because we are not at this stage convinced that CPW needs access to any Waimakariri B water outside of the irrigations season. Accordingly, it would be useful if any further evidence in relation to conditions could focus on the irrigation period.



Philip Milne (chair)



Bob Nixon



Andrew Fenemor



Ray O'Callaghan

Independent Commissioners

24 November 2009