

**574 Changes 45-48: Waimea River and Water Allocation****■ SUBMISSIONS DEALT WITH IN THIS REPORT**

Consideration Order : 2

<b>C47.336.2</b>	<b>Batten, Garrick</b>	<b>30.2.3.9B(f)</b>	Retain longer consent term for water permits.
<b>C47.730.1</b>	<b>Challies, John C</b>	<b>C47 GEN</b>	Amend, where applicable, to replace 800 l/sec with 500 l/sec as a minimum flow for the Waimea River (in 'without dam' option).
<b>C47.1026.1</b>	<b>Yelverton, Donald F</b>	<b>Sch. 31C</b>	Amend Table 1C to replace 800 l/sec with 500 l/sec as a minimum flow for the Waimea River.
<b>C47.1026.2</b>	<b>Yelverton, Donald F</b>	<b>Sch. 31C</b>	Amend Table 1C to replace 3000 l/sec as the trigger for first rationing step with 2500 l/sec.
<b>C47.1026.3</b>	<b>Yelverton, Donald F</b>	<b>31.1.2.2Fig. 31.1D</b>	Delete table and use one application rate irrespective of land use.
<b>C47.1041.1</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>C47 GEN</b>	Retain all changes except where amendments are specifically sought.
<b>C47.1041.2</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.0.3</b>	Replace "or" with "and" in the first sentence.
<i>Oppose</i>	FC47.1118.1		
<i>Support</i>	FC47.2864.5		
<b>C47.1041.4</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.0.4.1</b>	Amend last sentence in the 4th paragraph to begin: [amendment shown in brackets] "Council is [committed] to [improving] flows in the Waimea River to protect in-stream habitat and maintain and improve water users'...."
<b>C47.1041.5</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.0.4.1</b>	Retain amendment to the section but amend further to state Council "is addressing" not "has addressed" over allocation.
<b>C47.1041.8</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>C47 GEN</b>	Delete references to eels as eels are also fish and do not need separate mention, unless reference is particular to eels only.
<b>C47.1041.9</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.1.3.19B</b>	Retain new policy but insert a new clause: "(e) maintains or improves the water quality limits as specified in Figure 33.1A."
<i>Oppose</i>	FC47.1118.2	FC47.2864.12	
<b>C47.1041.10</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.0.4.7</b>	Insert at the end of the new paragraph: ", unless, on expiry of consents, less water is allocated."
<i>Oppose</i>	FC47.1118.3		
<i>Support</i>	FC47.2864.9		
<b>C48.1041.13</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>33.1.3.7A(d)</b>	Amend (d) to : [insertion and deletion shown in brackets] "Amending the Plan prior to 1 November 2020 [or before the Lee Valley Community Dam becomes operational depending on what occurs first, to develop Schedule 31E, Figure 33.1A and Schedule 31F] [...]"
<b>C47.1041.14</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.1.3.22A</b>	Amend to state that Council will implement management objectives in Schedule 30A, and refer to "specified" minimum flows.
<i>Oppose</i>	FC47.1118.4		
<b>C47.1041.15</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.1.3.22A</b>	Delete the specified dates in (c) and replace with "2030" to be consistent with the National Policy Statement for Freshwater Management 2011.
<i>Oppose</i>	FC47.1118.5	FC47.2864.15	
<b>C47.1041.16</b>	<b>Nelson Marlborough</b>	<b>30.1.30</b>	Retain reasons but in the paragraph beginning "If there is no dam"

	<b>Fish &amp; Game Council</b>		amend to begin: [deletion and insertion shown in brackets] “[...] [Before a decision is made on whether to construct a dam, which shall not be later than 2015] or while waiting for commencement of dam operation, [which shall not be later than 2020], Council will ...”
<b>Oppose</b>	FC47.1118.8	FC47.2864.16	
<b>C47.1041.17</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.1.30</b>	Insert at the end of the first amended paragraph (after “falls very rapidly”): “as a result of current and previous abstraction lowering aquifer levels.”
<b>Oppose</b>	FC47.1118.9		
<b>C47.1041.18</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.3.8</b>	Retain policy.
<b>C47.1041.19</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.3.9B</b>	Amend policy (previously 30.1.3.40) to strongly encourage active decision about construction of the dam by Council so that interim arrangements do not continue due to Council’s unwillingness to make a decision.
<b>Support</b>	FC47.1118.10		
<b>C47.1041.20</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.3.9B</b>	Amend (f) to reduce consent duration to no more than 10 years and include reference to “the Council’s ability to maintain” minimum river flows.
<b>Oppose</b>	FC47.3914.1 FC47.2864.26	FC47.3886.5	FC47.1118.14 FC47.3886.18
<b>C47.1041.21</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.30</b>	Amend reasons to strongly encourage active decision about construction of the dam by Council so that interim arrangements do not continue due to Council’s unwillingness to make a decision.
<b>Support</b>	FC47.1118.11		
<b>C47.1041.22</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.30</b>	Amend reasons to delete the specified dates and replace with “2030” to be consistent with the National Policy Statement for Freshwater Management 2011 and reduce consent duration to no more than 10 years.
<b>Oppose</b>	FC47.1118.6	FC47.2864.17	
<b>C47.1041.23</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.30</b>	Delete the word “minimal” in relation to protection of in-stream values in the absence of a dam.
<b>C47.1041.24</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	Amend to ensure that the interim period after a decision is made to construct the dam does not run indefinitely and is consistent with the National Policy Statement for Freshwater Management 2011 (in both ‘with dam’ and ‘without dam’ parts of the schedule).
<b>Oppose</b>	FC47.2864.18	FC47.2864.34	
<b>Support</b>	FC47.1118.12		
<b>C47.1041.25</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In ‘with dam’ schedule, amend the uses and values column for (2), (3), (4) to include reference to Borck and O’Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1041.26</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In ‘with dam’ schedule, amend the management objective for improved spring flows (after dam) for (2), (3), (4) to include reference to Borck and O’Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1041.27</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In ‘with dam’ schedule, amend management objective for improved spring flows (until dam) for (2), (3), (4) to include reference to Borck and O’Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1041.28</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In ‘with dam’ schedule, amend water body column for (10) to include reference to Borck and O’Connor Creeks and other water bodies receiving groundwater inputs.

<b>C47.1041.29</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend the uses and values column for (10) to include reference to native fish habitat in Borck and O'Connor Creeks including inanga and long fin eel.
<b>C47.1041.30</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'with dam' schedule, insert into (12) reference to blue duck as a value.
<b>C47.1041.31</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend (2), (3) and (4) to include Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1041.32</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, insert in (9) reference to sustaining habitat needs of trout as management objective.
<b>C47.1041.33</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend (9) to replace date with "2030".
<i>Oppose</i>	FC47.1118.7	FC47.2864.35	
<b>C47.1041.34</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, insert into (12) reference to blue duck as a value.
<b>C47.1041.35</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend (9) to delete from recreational management objective: "except during drought periods".
<i>Oppose</i>	FC47.1118.15	FC47.2864.36	
<b>C47.1041.36</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend (9) management objective to replace "native birds" with "wildlife"
<i>Oppose</i>	FC47.2864.37		
<b>C47.1041.37</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend (9) management objective to replace "provide for" with "protection of" in relation to recreational activities and cultural, spiritual and landscape values.
<i>Oppose</i>	FC47.2864.38		
<b>C47.1041.41</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 30B</b>	Amend to ensure interim period after a decision is made to construct the dam does not run indefinitely and is consistent with the National Policy Statement for Freshwater Management 2011 (in both 'with dam' and 'without dam' parts of the schedule).
<i>Support</i>	FC47.1118.13		
<b>C47.1041.43</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.1</b>	Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020".
<i>Oppose</i>	FC47.1118.24	FC47.2864.45	
<b>C47.1041.45</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.2</b>	Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020."
<i>Oppose</i>	FC47.1118.25	FC47.2864.48	
<b>C47.1041.46</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.2Fig. 31.1C</b>	Retain figure as amended.
<b>C47.1041.49</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.3</b>	Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020".
<i>Oppose</i>	FC47.1118.26	FC47.2864.59	

<b>C47.1041.50</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.3</b>	<b>Fig. 31.1E</b>	Retain figure as amended.
<i>Oppose</i>	FC47.3914.11			
<b>C47.1041.52</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.3A(b)</b>		Amend clause (b)(iii) to begin: [insertion shown in brackets] "until the dam is operational[, or 1 January 2020 whichever is the earlier,] water use is limited ...".
<i>Oppose</i>	FC47.1118.27			
<b>C47.1041.53</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.3A</b>		Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020."
<i>Oppose</i>	FC47.1118.28		FC47.2864.64	
<b>C47.1041.55</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.3A</b>		Insert new matter of control: "Regular reviews of conditions to carry out bona fide use assessments and reductions in allocated water to meet sustainable allocation limits within the term of the permit."
<i>Oppose</i>	FC47.1118.32			
<b>C47.1041.58</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.2.5</b>		Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020."
<i>Oppose</i>	FC47.1118.29		FC47.2864.70	
<b>C47.1041.64</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.7.1</b>		Insert new condition: "The taking use diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020."
<i>Oppose</i>	FC47.1118.30		FC47.2864.78	
<b>C47.1041.67</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.7.1A</b>		Insert new condition: "The taking, use, diversion or use of water for irrigation is subject to the water quality limits specified in Figure 33.1A, to be implemented after a plan change is introduced to give effect to a new regime, which shall be fully implemented not later than 1 January 2020."
<i>Oppose</i>	FC47.1118.31		FC47.2864.80	
<b>C47.1041.68</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>31.1.20</b>		Retain reasons, as amended.
<b>C47.1041.69</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 31A</b>		Amend so that consent durations are for no more than 10 years, unless augmentation is proceeded with, and none expire later than 1 January 2030.
<i>Oppose</i>	FC47.3914.13		FC47.3886.17	FC47.1118.37 FC47.2864.81
<b>C47.1041.70</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 31AA</b>		Retain new schedule.
<b>C47.1041.71</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Sch. 31C</b>		Retain as amended.
<i>Oppose</i>	FC47.1118.38			
<b>C47.1041.77</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>30.2.3.11</b>		Retain policy as amended.

<b>C45.1118.1</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>2.2</b>	Amend meaning for 'bona fide user' to replace "two years" with "five years".
<i>Support</i>	FC45.3914.1	FC45.1521.3	FC45.2864.4
<b>C47.1118.3</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.0.4.1</b>	Retain amendments.
<b>C46.1118.3</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>16.12Fig. 16.12A</b>	Insert new setback for bores in the Reservoir Zone of 50 metres from the external boundary of the Waimea East Irrigation Scheme.
<i>Oppose</i>	FC46.2864.10		
<b>C47.1118.4</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.0.4.7</b>	Retain amendments.
<b>C47.1118.5</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.0.4.8</b>	Retain amendments.
<b>C47.1118.6</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.1.3.22A</b>	Delete clauses (b) and (c).
<b>C47.1118.7</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.1.3.19B</b>	Ensure policy is consistent with the minimum flow specified in Schedule 30A (and reduced to 500 l/sec for the Waimea River); delete reference to seawater intrusion from clause (a); and amend clause (d) to reflect priority needs for water that includes "irrigable crops requiring subsistence water flows to ensure their continued survival".
<i>Support</i>	FC47.2864.13		
<b>C47.1118.8</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.1.30</b>	Amend where necessary to replace the proposed 800 l/sec minimum flow for the Waimea River with 500 l/sec.
<b>C47.1118.9</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.1.30</b>	Insert text to recognise the value of horticulture on the Waimea Plains and the significant adverse economic impact for the region should an 800 l/sec flow be adopted (for 'without dam' option).
<i>Support</i>	FC47.2864.22		
<b>C47.1118.10</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.1.30</b>	Insert text regarding the need for flexibility to allow irrigation under Policy 30.2.3.1 for critical crops at specified times on a case by case basis.
<i>Support</i>	FC47.2864.23		
<b>C47.1118.11</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.8</b>	Amend to recognise that where significant infrastructure commitments have been made, it may be appropriate to grant longer-term consents, i.e., have common dates for both longer and shorter terms.
<b>C47.1118.12</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.8</b>	Retain concept of standard requirements for permit reviews that takes into account continued business security and consent costs, while managing environmental risks.
<b>C47.1118.14</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9</b>	Insert new clause to (g): "(iv) for irrigation takes, the nature and extent of the financial investment in the construction and operation of the irrigation system."
<b>C47.1118.15</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9A</b>	Retain new policy.
<b>C47.1118.16</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9B</b>	Amend to adopt a longer time to implement the staged process.
<i>Oppose</i>	FC47.3932.1		
<b>C47.1118.17</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9B(a)</b>	Retain original text "a reasonable security of supply".

<b>Co. Ltd</b>			
<b>Support</b>	FC47.3914.9		
<b>C47.1118.18</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9B(d)</b>	Delete from (d): “except where the take is to meet the needs of urban development provided for in the Council’s Long Term Plan”.
<b>Oppose</b>	FC47.3914.8		
<b>C47.1118.19</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9B(e)</b>	Delete “crop needs”.
<b>Oppose</b>	FC47.2864.32		
<b>C47.1118.20</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.9B(f)</b>	Extend permit duration beyond 20 years where there is significantly greater investment into irrigation infrastructure and ensure review period for bona fide use is long enough to provide a meaningful pattern of water use.
<b>C47.1118.21</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.11</b>	Insert a new clause: “(c) transfer of water within an irrigation scheme to enable the most efficient use between different crop types/water users.”
<b>C47.1118.22</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.3.16</b>	Retain amendment to policy.
<b>C47.1118.23</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.20.4</b>	Reinstate deleted method (f).
<b>Oppose</b>	FC47.2864.33		
<b>C47.1118.24</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>30.2.30</b>	Retain amendments up to section headed ‘No Lee Valley Community Dam’ and thereafter amend consequentially consistent with submitter’s related submissions.
<b>C47.1118.25</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 30A</b>	Retain ‘with dam’ schedule.
<b>C47.1118.26</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 30A</b>	Replace 800 l/sec for Waimea River minimum flow with 500 l/sec (for ‘without dam’ option).
<b>C47.1118.29</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.2Fig. 31.1C</b>	In this figure (and consequentially in condition (b) and Schedule 31C), provide recognition that for specified times and amounts, a cease take can be deferred on a case-by-case basis to provide for life-supporting capacity necessary for animal health and for particular crops to avoid catastrophic loss.
<b>Oppose</b>	FC47.3932.3		
<b>Support</b>	FC47.2864.50		
<b>C47.1118.30</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.2Fig. 31.1D</b>	Delete figure and make consequential amendments as necessary.
<b>Oppose</b>	FC47.2864.52		
<b>C47.1118.31</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.3Fig. 31.1E</b>	Delete the 400 l/sec allocation limit for the Reservoir Zone and replace with lesser reduction and amend figures so that all zones are treated consistently by having the same percentage reduction.
<b>Oppose</b>	FC47.3932.2		
<b>C47.1118.32</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.3A</b>	Amend so that new bores (water takes) in the area within the boundaries of the Waimea East Irrigation Scheme are restricted discretionary activities with consequential amendments as necessary.
<b>C47.1118.33</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.5Fig. 31.1F</b>	Delete the 400 l/sec allocation limit for the Reservoir Zone and replace with lesser reduction and amend figures so that all zones are treated consistently by having the same percentage reduction.
<b>Oppose</b>	FC47.2864.74		

<b>C47.1118.34</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.2.5</b>	In matter (8), clarify that the Reservoir Zone is included in the exception.
<b>C47.1118.35</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.7.1A</b>	Amend so that the status of transfers of water takes (new bores) within the boundaries of the Waimea East Irrigation Co. Ltd is restricted discretionary.
<b>C47.1118.36</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>31.1.20</b>	Amend, consequentially, the 16th paragraph to reflect submissions made about the 4th rationing step and the explanation about the value of horticultural industry.
<b>C47.1118.37</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 31A</b>	Clarify whether Schedule 31A or Schedule 31AA applies.
<i>Oppose</i> FC47.3932.4			
<b>C47.1118.38</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 31AA</b>	Retain and strengthen further in relation to Council's intention to grant longer term consents.
<b>C47.1118.39</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 31C</b>	In Table 1C, delete first rationing step trigger and trigger for consultation and replace with those in Table B.
<i>Oppose</i> FC47.3932.5			
<b>C47.1118.40</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Sch. 31C</b>	In Table 1C, delete minimum flow of "800" l/sec and replace with "500" l/sec.
<b>C47.1223.1</b>	<b>Garnett, Colin J</b>	<b>C47 GEN</b>	Delete all changes to chapters 30 and 31.
<b>C46.1223.3</b>	<b>Garnett, Colin J</b>	<b>16.12Fig. 16.12A</b>	Delete all modifications to the table.
<b>C47.1445.1</b>	<b>Director-General of Conservation</b>	<b>30.0.3</b>	Amend to: [deletion and insertion shown in brackets] "Water flow regimes and water allocation limits will be revised where water augmentation increases the amount of water available to [...] supply additional water for abstractive users, [whilst ensuring that instream values are provided for.]"
<i>Oppose</i> FC47.2864.4			
<b>C47.1445.3</b>	<b>Director-General of Conservation</b>	<b>30.0.4.1</b>	Amend last sentence in the 4th paragraph to begin: [amendment shown in brackets] "Council is [committed] to [improving] flows in the Waimea River to protect instream habitat and maintain and improve water users'...."
<b>C47.1445.4</b>	<b>Director-General of Conservation</b>	<b>30.0.4.1</b>	Amend the change to the 7th paragraph to begin: [amendment shown in brackets] "Council [is addressing] the over allocation ..."
<b>C47.1445.8</b>	<b>Director-General of Conservation</b>	<b>30.1.3.22A</b>	Replace "establish" with "implement" and insert "the specified" before "minimum flow".
<b>C47.1445.9</b>	<b>Director-General of Conservation</b>	<b>30.1.30</b>	Amend text to give proper recognition of instream values as outlined in policies.
<b>C47.1445.10</b>	<b>Director-General of Conservation</b>	<b>30.2.3.8</b>	Retain policy as amended.
<b>C47.1445.11</b>	<b>Director-General of Conservation</b>	<b>30.2.30</b>	In the 2nd paragraph under the heading 'No Lee Valley Community Dam', amend by deleting the word "minimal".
<b>C47.1445.12</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend the uses and values column for (2), (3), (4) to include reference to Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C48.1445.12</b>		<b>33.1.3.7A(d)</b>	

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<b>C48.1445.12</b>	<b>Director-General of Conservation</b>	<b>33.1.3.7A(d)</b>	Amend (d) to: [insertion and deletion shown in brackets] "Amending the Plan prior to 1 November 2020 [or before the Lee Valley Community Dam becomes operational depending on what occurs first,] to develop Schedule 31E, Figure 33.1A and Schedule 31F [...]."
<b>C47.1445.13</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend the management objective for improved spring flows (after dam) for (2), (3), (4) to include reference to Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1445.14</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend management objective for improved spring flows (until dam) for (2),(3),(4) to include reference to Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1445.15</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend water body column for (10) to include reference to Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1445.16</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, amend the uses and values column for (10) to include reference to native fish habitat in Borck and O'Connor Creek, including inanga and long fin eel.
<b>C47.1445.17</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'with dam' schedule, insert into (12) reference to blue duck as a value.
<b>C47.1445.18</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'without dam' schedule, amend the uses and values column for (2), (3) and (4) to include Borck and O'Connor Creeks and other water bodies receiving groundwater inputs.
<b>C47.1445.19</b>	<b>Director-General of Conservation</b>	<b>Sch. 30A</b>	In 'without dam' schedule, insert in (9) reference to sustaining habitat needs of trout as a management objective.
<b>C47.1445.24</b>	<b>Director-General of Conservation</b>	<b>31.1.2.2Fig. 31.1C</b>	Retain figure as amended.
<b>C47.1445.27</b>	<b>Director-General of Conservation</b>	<b>31.1.2.3Fig. 31.1E</b>	Retain new figure.
<b>Oppose</b>	FC47.3914.10		
<b>C47.1445.30</b>	<b>Director-General of Conservation</b>	<b>31.1.2.3A</b>	Insert new matter: "Regular reviews of conditions to carry out bona fide use assessments and reductions in allocated water to meet sustainable allocation limits within the term of the permits."
<b>Oppose</b>	FC47.2864.62		
<b>C47.1445.40</b>	<b>Director-General of Conservation</b>	<b>31.1.20</b>	Retain reasons as amended.
<b>C47.1445.41</b>	<b>Director-General of Conservation</b>	<b>Sch. 31AA</b>	Retain new schedule.
<b>C47.1445.42</b>	<b>Director-General of Conservation</b>	<b>Sch. 31C</b>	Retain schedule as amended.
<b>Oppose</b>	FC47.1118.43		
<b>C47.1499.1</b>	<b>Bay, Roger</b>	<b>C47 GEN</b>	Delete new flow regime for Waimea River and amendments to allocation limits.
<b>C47.1499.2</b>	<b>Bay, Roger</b>	<b>Sch. 30A</b>	Delete minimum flow for Waimea River and replace with 500 l/sec (for 'without dam' option).
<b>C47.1499.3</b>		<b>30.1.3.19B</b>	

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<b>C47.1499.3</b>	<b>Bay, Roger</b>	<b>30.1.3.19B</b>	Amend policy to reflect current water management provisions.
<b>C47.1499.4</b>	<b>Bay, Roger</b>	<b>30.1.3.19B</b>	Delete reference to 'cease take' flow and consider alternative mechanisms.
<b>C47.1499.5</b>	<b>Bay, Roger</b>	<b>30.1.30</b>	Delete climate change as reason for management provisions and amend text to reflect current water management provisions.
<b>C47.1499.6</b>	<b>Bay, Roger</b>	<b>30.2.3.9B(e)</b>	Delete use of crop type in deciding on reductions in permit allocations.
<i>Oppose</i>	FC47.2864.30		
<b>C47.1499.7</b>	<b>Bay, Roger</b>	<b>30.2.3.9B(d)</b>	Delete priority for urban use,
<i>Oppose</i>	FC47.3914.2		
<b>C47.1499.8</b>	<b>Bay, Roger</b>	<b>30.2.20.4</b>	Reinstate deleted method (f).
<b>C47.1499.9</b>	<b>Bay, Roger</b>	<b>Sch. 30A</b>	In 'without dam' option, replace the minimum flow for the Waimea river with 500 l/sec.
<b>C47.1499.10</b>	<b>Bay, Roger</b>	<b>31.1.2.2Fig. 31.1C</b>	Delete all 'cease take' provisions and introduce provisions that protect critical crops from failure and protection of livestock health.
<b>C47.1499.11</b>	<b>Bay, Roger</b>	<b>Chapter 31</b>	Delete new allocation limit for the Reservoir Zone and replace with allocation limits for all zones based on uniform reductions across all zones.
<b>C46.1521.2</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>16.12Fig. 16.12A</b>	Retain amendments to table.
<b>C47.1521.3</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>30.1.3.22A</b>	Delete clauses (a) and (b).
<b>C47.1521.4</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>30.1.3.19B</b>	Delete amendments.
<b>C47.1521.5</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>30.1.30</b>	Delete amendments.
<i>Oppose</i>	FC47.3932.6		
<b>C47.1521.6</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>30.2.3.9B</b>	Delete amendments and retain as policy 30.1.3.40.
<i>Oppose</i>	FC47.1445.1		
<b>C47.1521.7</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>30.2.30</b>	Delete all new text below heading 'No Lee Valley Community Dam'.
<b>C47.1521.8</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.2.1</b>	Delete new condition (e)(iv).
<b>C47.1521.9</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.2.2</b>	Delete: - from condition (f) new clauses (i), (ii), (iii); - new Figure 31.1DA; - new matter (1A); and - amendments to matter (14).
<i>Support</i>	FC47.3886.8		
<b>C47.1521.10</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.2.3</b>	Delete: - amendments to (a) and (b); - amendments to Figure 31.1EA; - new matter (1A); - amendments to matter (13);

and incorporate any changes to allocation limits following peer review of catchment flow model.

<b>Support</b>	FC47.3886.10		
<b>C47.1521.11</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.2.3A</b>	Retain new rule.
<b>Oppose</b>	FC47.3932.7		
<b>Support</b>	FC47.3886.12		
<b>C47.1521.12</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.2.5</b>	Delete: - first part of Figure 31.1FA; - new matter (1A); - amendments to matter (12).
<b>Oppose</b>	FC47.3932.8		
<b>C47.1521.16</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.7.1</b>	Retain amendments to rule.
<b>C47.1521.17</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>31.1.7.1A</b>	Retain new rule.
<b>C47.1521.18</b>	<b>Federated Farmers of NZ (Inc.)</b>	<b>Sch. 31C</b>	Delete Tables 1B and 1C.
<b>C47.1651.1</b>	<b>Wai West Horticulture Ltd</b>	<b>C47 GEN</b>	Amend to replace minimum flow for Waimea river (in the absence of a dam) with a maximum of 400 l/sec.
<b>C47.1651.2</b>	<b>Wai West Horticulture Ltd</b>	<b>Chapter 31</b>	Review all water use and volume authorised in permits to ensure all water is allocated as efficiently as possible.
<b>Support</b>	FC47.2864.42		
<b>C47.2616.1</b>	<b>Hill, William F</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and water augmentation.
<b>C47.2616.2</b>	<b>Hill, William F</b>	<b>C47 GEN</b>	Replace minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.2616.3</b>	<b>Hill, William F</b>	<b>30.1.3.19B</b>	Amend policy to acknowledge better water management during droughts by Dry Weather Task Force and that it reflects balanced view of water user interests.
<b>C47.2758.1</b>	<b>Richards, David</b>	<b>C47 GEN</b>	Amend to ensure Lee Valley Community Dam is funded only by users of the augmented water.
<b>C47.2758.2</b>	<b>Richards, David</b>	<b>C47 GEN</b>	Delete references to the need for the Lee Valley Community Dam to meet water demand in all Waimea Zones.
<b>C47.2818.1</b>	<b>Lower Confined Aquifer (LCA) Water User Committee</b>	<b>30.1.3.19B</b>	Retain staged rationing for LCA Zone to reflect delayed effect of LCA on Waimea River flow.
<b>C47.2818.2</b>	<b>Lower Confined Aquifer (LCA) Water User Committee</b>	<b>Sch. 31C</b>	Retain staged rationing for LCA Zone to reflect delayed effect of LCA on Waimea River flow.
<b>C47.2818.3</b>	<b>Lower Confined Aquifer (LCA) Water User Committee</b>	<b>C47 GEN</b>	Reduce proposed minimum flow from 800 l/sec for Waimea River to a lower flow.
<b>Support</b>	FC47.1521.22		
<b>C47.2818.4</b>	<b>Lower Confined Aquifer</b>	<b>C47 GEN</b>	Delete provisions for water allocation based on crop type.

(LCA) Water User Committee

<b>C45.2829.1</b>	<b>Tyson, Neil</b>	<b>2.2</b>	Insert meaning for 'sustainable bore yield'.
<i>Oppose</i>	FC45.2864.6		
<i>Support</i>	FC45.3886.3		
<b>C47.2829.1</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Amend steps to reduce "weekly" usage (instead of "actual" usage) by percentage of the "measured weekly usage prior to rationing being imposed".
<i>Oppose</i>	FC47.2864.49		
<b>C47.2829.5</b>	<b>Tyson, Neil</b>	<b>31.1.2.2(g)</b>	Amend to correct inconsistency between (g) and (f) with requirements for bona fide reviews for community water supplies.
<b>C47.2829.7</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Amend matter (1A) to delete the word "regular".
<b>C47.2829.8</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Include new matter concerning the prevention of fish and eels from entering reticulation systems and refer to permitted activity note for relevant standard.
<i>Support</i>	FC47.1445.2		
<b>C47.2829.9</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Amend matter (12) to refer to Schedule 31.1B rather than policy 30.2.3.13.
<b>C47.2829.10</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Amend matter (14) to delete "sealing of artesian bores" near the beginning and insert requirement for "property, scheme", irrigation "and other water use" management plans "that include but are not limited to" measures to monitor water and nutrient use, "sealing of artesian bores, leak detection programmes and efficiency education".
<b>C47.2829.11</b>	<b>Tyson, Neil</b>	<b>31.1.2.2</b>	Reconsider need for matter (11) concerning lapsing of consent but include reference to section 126.
<b>C47.2829.12</b>	<b>Tyson, Neil</b>	<b>31.1.2.3Fig. 31.1E</b>	Amend figures so that all zones are treated consistently by having the same percentage reduction – but that at permit renewal, additional interim allocations can be provided for higher use crops. Consents at the higher rates to be granted with shorter term.
<i>Oppose</i>	FC47.2864.61		
<b>C47.2829.13</b>	<b>Tyson, Neil</b>	<b>31.1.2.5Fig. 31.1F</b>	Amend figures so that all zones are treated consistently by having the same percentage reduction — but that at permit renewal, additional interim allocations can be provided for higher use crops. Grant consents at the higher rates with shorter term.
<i>Oppose</i>	FC47.2864.73		
<b>C47.2829.14</b>	<b>Tyson, Neil</b>	<b>31.1.7.2</b>	Amend so that the only site-to-site transfer possible in over-allocated zones is where the applicant owns both sites.
<b>C47.2829.15</b>	<b>Tyson, Neil</b>	<b>C47 GEN</b>	Ensure 'sustainable yield of a bore' is properly determined for each aquifer.
<i>Oppose</i>	FC47.2864.2		
<i>Support</i>	FC47.3886.2		
<b>C47.2829.16</b>	<b>Tyson, Neil</b>	<b>31.1.7.1A</b>	Delete or ensure monitoring mechanisms are effective and provide guidance about implementation.
<b>C47.2829.17</b>	<b>Tyson, Neil</b>	<b>30.2.3.9B</b>	Delete provisions for longer consent term and make term consistent with other zones.
<i>Oppose</i>	FC47.2864.28		
<b>C47.2829.18</b>	<b>Tyson, Neil</b>	<b>Sch. 31A</b>	Delete provisions for longer consent term and make term consistent with other zones.

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<i>Oppose</i>	FC47.3914.14	FC47.1118.51	FC47.2864.82
<b>C47.2829.19</b>	<b>Tyson, Neil</b>	<b>Sch. 31B</b>	Amend to ensure consistency with new water meter regulations.
<b>C47.2852.1</b>	<b>Riley, Trevor H</b>	<b>C47 GEN</b>	Delete provisions for the Lee Valley Community Dam and consider other measures to alleviate water shortages.
<b>C47.2864.1</b>	<b>Horticulture New Zealand</b>	<b>30.0.3</b>	Add to the last paragraph: "Thresholds will be established for reductions in allocation".
<b>C45.2864.2</b>	<b>Horticulture New Zealand</b>	<b>2.2</b>	Insert new meaning: "Essential food production - means ensuring the maintenance of the capital value of root stock and drought intolerant crops that are dependent on water reliability to maintain investment capital in production."
<i>Oppose</i>	FC45.3932.1		
<i>Support</i>	FC45.1521.1	FC45.3886.2	FC45.1118.4
<b>C47.2864.3</b>	<b>Horticulture New Zealand</b>	<b>30.0.4.1</b>	Retain amendments.
<b>C47.2864.4</b>	<b>Horticulture New Zealand</b>	<b>30.0.4.7</b>	Retain amendments.
<b>C47.2864.5</b>	<b>Horticulture New Zealand</b>	<b>30.0.4.8</b>	Retain amendments.
<b>C47.2864.7</b>	<b>Horticulture New Zealand</b>	<b>30.1.3.22A</b>	Insert new clause: "(d) Review consents to align consented volumes with actual water taken, taking into account crop rotations and the business cycle of farms, based on farm records."
<i>Support</i>	FC47.1521.3		
<b>C47.2864.8</b>	<b>Horticulture New Zealand</b>	<b>30.1.3.19B</b>	Amend (a) to read: [amendment shown in brackets] "maintains minimum flows in the Waimea River to avoid seawater intrusion and [maintaining, and where appropriate, enhancing in-stream uses and community] values as specified in Schedule 30A."
<i>Support</i>	FC47.1521.4		
<b>C47.2864.9</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.11</b>	Amend, consequentially, to add additional clause after (c): "(ca) To provide for water takes, including water takes essential for food production."
<i>Support</i>	FC47.1521.5	FC47.3886.7	
<b>C47.2864.10</b>	<b>Horticulture New Zealand</b>	<b>30.1.30</b>	Amend paragraph 6 to insert "including review of consented volumes to better align with actual volumes taken and used".
<i>Support</i>	FC47.1521.6		
<b>C47.2864.11</b>	<b>Horticulture New Zealand</b>	<b>30.1.30</b>	Amend paragraph 8 to insert "including establishing a priority for takes essential to food production values".
<i>Support</i>	FC47.1521.7		
<b>C47.2864.12</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.8</b>	Amend the first sentence to refer to common review dates (not common expiry dates) and set review periods (not consent durations).
<i>Support</i>	FC47.1521.8		
<b>C47.2864.14</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.8</b>	Amend (b) to read: [amendment shown in brackets] "To adopt common [review] dates and consent status of activities [. . .] that take into account [the values of Schedule 30A,] continued business security, [. . .] consent costs [and the management of] environmental risks."

**C47.2864.16**

**30.2.3.9**

<b>C47.2864.16</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9</b>	Amend clause (h)(ii) to read: [deletion shown in brackets] "water demand based on existing [...] residential [...] demand within the reticulation area, including allowance for meeting demand at peak times and network water losses."
<b>C47.2864.17</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9</b>	Retain amendment to clauses (h)(iii) and (h)(iv).
<b>C47.2864.18</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9</b>	Retain new (m).
<b>C46.2864.19</b>	<b>Horticulture New Zealand</b>	<b>16.12Fig. 16.12A</b>	Add a new provision: "The spacing requirements may be reduced if pump tests determine that localised effects and connectivity enable a closer location."
<i>Support</i>	FC46.1521.10		
<b>C47.2864.19</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9A</b>	Retain new policy.
<b>C47.2864.20</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9B(d)</b>	Amend (d) to replace "urban development" with "essential community drinking and sanitation".
<i>Oppose</i>	FC47.3914.5		
<i>Support</i>	FC47.1521.10		
<b>C47.2864.21</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9B</b>	Insert new clause: "Providing for existing investment depending on irrigation or frost protection"
<b>C47.2864.22</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.9B</b>	Insert new clause: "Providing for site-to-site transfers of water where there is no increase in the amount of water used."
<i>Support</i>	FC47.3886.4	FC47.3886.6	FC47.1521.11
<b>C47.2864.23</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.11</b>	Retain amendment to the policy.
<b>C47.2864.24</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.12</b>	Retain amendment to the policy.
<b>C47.2864.25</b>	<b>Horticulture New Zealand</b>	<b>30.2.3.16</b>	Delete "for all except community water supplies" from the first sentence.
<i>Support</i>	FC47.1521.12		
<b>C47.2864.26</b>	<b>Horticulture New Zealand</b>	<b>30.2.30</b>	Delete from the second sentence of amended paragraph beginning "Council also wishes to enable efficient use ...": "where such augmentation schemes are operating".
<b>C47.2864.27</b>	<b>Horticulture New Zealand</b>	<b>30.2.30</b>	Add to amended paragraph on security of supply: "Takes that are essential for food production will have the ability to seek consent for takes below the limit where standard consents expire in times of water shortages and rationing."
<i>Support</i>	FC47.1521.13		
<b>C47.2864.28</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Add 'food production' as a value to aquifer, and river columns for both 'with dam' and 'without dam' parts of the schedule.
<i>Support</i>	FC47.1521.14		
<b>C47.2864.29</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Amend minimum flows to reflect food production values as well as other values in the event the dam is not constructed.
<i>Support</i>	FC47.1521.15		
<b>C47.2864.30</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Replace all instances of "protect" with "maintain".

<b>C47.2864.31</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Insert in management objectives for the aquifer and river columns "enabling of food production".
<b>C47.2864.32</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Amend uses and values in the aquifer column (for 'without dam' option) to provide an exception to the Waimea minimum flow so that that for takes essential to food production values, the minimum flow limit will be 500 l/sec.
<b>Support</b>	FC47.1521.16		
<b>C47.2864.33</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30A</b>	Amend uses and values in (2) Waimea River column (for 'without dam' option) to provide an exception to the Waimea minimum flow so that that for takes essential to food production values, the minimum flow limit will be 500 l/sec.
<b>Support</b>	FC47.1521.17		
<b>C47.2864.34</b>	<b>Horticulture New Zealand</b>	<b>Sch. 30B</b>	Insert "enabling food production" as a water management objective for all water bodies except the creeks.
<b>C47.2864.35</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2Fig. 31.1C</b>	Either delete step 4 or amend schedule 31C to provide exception for essential food production takes subject to a 500 l/sec minimum flow.
<b>Support</b>	FC47.3886.9		
<b>C47.2864.36</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2Fig. 31.1C</b>	Refer to Waimea Zones (Tables 1B and 1C of Schedule 31C) in this figure and where necessary (so it does not apply across all zones as not all have had minimum flows reviewed).
<b>C47.2864.37</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2(c)</b>	Replace "7.5%" with "10%" in steps 2 and 3.
<b>C47.2864.38</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2(f)</b>	Delete exception for community supplies bona fide review.
<b>C47.2864.42</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2</b>	Replace in matter (1A) "sustainable allocation limits" with "specified irrigation rates".
<b>C47.2864.43</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.2</b>	Insert at the end of matter (1B): "including provision of outside water harvesting tools, such as storage tanks".
<b>C47.2864.45</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.3</b>	Provide clarification about how allocation limits in Figure 31.1EA will be implemented.
<b>C47.2864.46</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.3</b>	Replace in matter (1A): "sustainable allocation limits" with "specified irrigation rates".
<b>C47.2864.47</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.3</b>	Insert at the end of matter (1B): "including provision of outside water harvesting tools such as storage tanks".
<b>C47.2864.50</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.3A</b>	Retain new rule.
<b>Support</b>	FC47.3886.13		
<b>C47.2864.51</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.3A Fig. 31.1</b>	Provide clarification about how allocation limits in Figure 31.1EB will be implemented.
<b>Support</b>	FC47.3886.14		
<b>C47.2864.52</b>	<b>Horticulture New Zealand</b>	<b>31.1</b>	Insert new discretionary activity rule to provide for takes essential to food production below the minimum flow for standard takes (of 800 l/sec) to a lower limit of 500 l/sec (for 'without dam' option).
<b>Support</b>	FC47.1521.18		
<b>C47.2864.53</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.5</b>	Provide clarification about how allocation limits in Figure 31.1F will be implemented.

<b>Support</b>		FC47.3886.15	
<b>C47.2864.54</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.5</b>	Replace in matter (1A): "sustainable allocation limits" with "specified irrigation rates".
<b>C47.2864.55</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.5</b>	Insert at the end of matter (1B): "including provision of outside water harvesting tools such as storage tanks".
<b>C47.2864.57</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.5</b>	Insert in matter (20): "crop rotation, existing investment".
<b>C47.2864.58</b>	<b>Horticulture New Zealand</b>	<b>31.1.2.5</b>	Insert at the end of matter (21): "except for where consent has been issued for takes for essential food production below the minimum flows where standard consented takes cease".
<b>C47.2864.62</b>	<b>Horticulture New Zealand</b>	<b>31.1.7.1(aa)</b>	Delete new condition (aa).
<b>C47.2864.63</b>	<b>Horticulture New Zealand</b>	<b>31.1.7.1A(a)</b>	Insert at the end of condition (a): "or downstream of the original surface water take".
<b>C47.2864.64</b>	<b>Horticulture New Zealand</b>	<b>31.1.7.1A(c)</b>	Insert at the beginning of condition (c): "For transfers of groundwater takes," and make other amendments to ensure the rule is not limited to groundwater takes.
<b>C47.2864.65</b>	<b>Horticulture New Zealand</b>	<b>31.1.20</b>	Replace in amended paragraph beginning "It has also developed a water management regime" (17th paragraph): "protects in-stream values" with "maintains in-stream and community values".
<b>Support</b>		FC47.1521.19	
<b>C47.2864.66</b>	<b>Horticulture New Zealand</b>	<b>31.1.20</b>	Add to amended paragraph beginning "It has also developed a water management regime" (17th paragraph): "Provision is made for takes below minimum flows for essential food production to ensure that the social and economic effects of water restrictions are minimised."
<b>C47.2864.67</b>	<b>Horticulture New Zealand</b>	<b>Sch. 31AA</b>	Delete clause (4).
<b>C47.2864.68</b>	<b>Horticulture New Zealand</b>	<b>Sch. 31C</b>	Insert new provision in Table 1C (under minimum flow) to provide for essential food production to 500 l/sec.
<b>Support</b>		FC47.1521.20	
<b>C47.2864.72</b>	<b>Horticulture New Zealand</b>	<b>32.3.2A</b>	Insert at beginning of (a): "Where practicable".
<b>C47.2864.73</b>	<b>Horticulture New Zealand</b>	<b>32.3.2A</b>	Insert ", crop rotations" after "types of crops" in (a).
<b>C47.3015.1</b>	<b>Hoddys Orchard Ltd</b>	<b>C47 GEN</b>	Delete minimum flow and triggers for rationing for the Waimea River.
<b>C47.3015.2</b>	<b>Hoddys Orchard Ltd</b>	<b>31.1.2.3Fig. 31.1E</b>	Delete the 400 l/sec allocation limit for the Reservoir Zone and replace with lesser reduction and amend figures so that all zones are treated consistently by having the same percentage reduction.
<b>C47.3015.3</b>	<b>Hoddys Orchard Ltd</b>	<b>Sch. 31C</b>	Amend Table 1C to decrease minimum flow and rationing triggers for the Waimea River.
<b>C47.3015.4</b>	<b>Hoddys Orchard Ltd</b>	<b>30.2.3.9B</b>	Ensure a transparent, clear mechanism adopted to enable changes in crops to continue to be irrigated. Consider less complex method for determining water allocations. Work further with water users to develop better re-allocation method.

<b>Support</b>		FC47.2864.25	
<b>C47.3016.1</b>	<b>Vailima Orchard Ltd</b>	<b>C47 GEN</b>	Delete minimum flow for the Waimea River and replace with 500 l/sec (for 'without dam' option).
<b>C47.3016.2</b>	<b>Vailima Orchard Ltd</b>	<b>30.1.3.19B</b>	Retain staged rationing for Lower Confined Aquifer Zone to reflect delayed effect of takes from the Lower Confined Aquifer.
<b>C47.3016.3</b>	<b>Vailima Orchard Ltd</b>	<b>Sch. 31C</b>	Retain staged rationing for Lower Confined Aquifer Zone to reflect delayed effect of takes from the Lower Confined Aquifer.
<b>C47.3076.1</b>	<b>Maisey, Neville</b>	<b>C47 GEN</b>	Amend to ensure Lee Valley Community Dam funding is only by users of the augmented water.
<b>C47.3076.2</b>	<b>Maisey, Neville</b>	<b>C47 GEN</b>	Delete references to the need for the Lee Valley Community Dam to meet water demand in all Waimea Zones.
<b>C47.3451.1</b>	<b>TrustPower Ltd</b>	<b>30.2.3.9B(d)</b>	Delete clause (d), as amended.
<b>Oppose</b>		FC47.3914.7	
<b>C47.3451.2</b>	<b>TrustPower Ltd</b>	<b>30.2.3.11</b>	Delete clause (b).
<b>C47.3451.3</b>	<b>TrustPower Ltd</b>	<b>Sch. 30A</b>	Retain reference to potential value for hydro-electric power generation in Lee River.
<b>C47.3493.1</b>	<b>Jensen, Lars</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water demand crops.
<b>C47.3493.2</b>	<b>Jensen, Lars</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3493.3</b>	<b>Jensen, Lars</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use.
<b>C47.3634.1</b>	<b>Nelson Winegrowers</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water demand crops.
<b>C47.3634.2</b>	<b>Nelson Winegrowers</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3634.3</b>	<b>Nelson Winegrowers</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against grape growers.
<b>Oppose</b>		FC47.3933.1	
<b>C47.3853.1</b>	<b>Paterson, I and O'Connor, T</b>	<b>C47 GEN</b>	Delete all references to water augmentation and the Lee Valley Community Dam, including risk to groundwater quality.
<b>C47.3853.2</b>	<b>Paterson, I and O'Connor, T</b>	<b>C47 GEN</b>	Continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).

<b>C47.3862.1</b>	<b>2P4W Ltd</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water demand crops.
<b>C47.3862.2</b>	<b>2P4W Ltd</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3862.3</b>	<b>2P4W Ltd</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against grape growers.
<b>C47.3863.1</b>	<b>Appleby Fresh Ltd</b>	<b>C47 GEN</b>	Delete all references to water augmentation and the Lee Valley Community Dam, including risk to groundwater quality.
<b>C47.3863.2</b>	<b>Appleby Fresh Ltd</b>	<b>C47 GEN</b>	Continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3864.1</b>	<b>Blakeley, Stephen</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water demand crops.
<b>C47.3864.2</b>	<b>Blakeley, Stephen</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3864.3</b>	<b>Blakeley, Stephen</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against grape growers.
<b>C47.3865.1</b>	<b>Bolitho, B C &amp; A C</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam.
<b>C47.3866.1</b>	<b>Bolitho, Colin &amp; Margaret</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam.
<b>C47.3867.1</b>	<b>Bolitho, Trevor &amp; Robyn - Waimea Estates</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam.
<b>C47.3868.1</b>	<b>Cassidy, Dennis</b>	<b>C47 GEN</b>	Amend rules so that all zones are treated consistently by having the same percentage reduction.
<b>C47.3868.2</b>	<b>Cassidy, Dennis</b>	<b>C47 GEN</b>	Amend policy and rules to allocate dam costs on a per hectare basis.
<b>C47.3868.3</b>	<b>Cassidy, Dennis</b>	<b>C47 GEN</b>	Replace minimum flow of 800 l/sec for Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.3868.4</b>	<b>Cassidy, Dennis</b>	<b>C47 GEN</b>	Delete from policy and rules any provisions for new urban reticulation within existing Delta Zone water permits and allocate to community water supplies on the basis of current bona fide use.
<b>C47.3868.5</b>	<b>Cassidy, Dennis</b>	<b>C47 GEN</b>	Retain allocation provisions based on crop and soil type.
<b>C47.3869.1</b>	<b>Challies, Edward</b>	<b>30.0.3</b>	Delete reference to the dam in the last paragraph.
<b>C47.3869.3</b>	<b>Challies, Edward</b>	<b>30.0.4.1</b>	Delete all references to the WWAC being a community based

group and delete all references to the dam as a 'community' dam.

<b>C47.3869.4</b>	<b>Challies, Edward</b>	<b>30.0.4.7</b>	Amend to reflect that current over-allocation is the Council's responsibility and has resulted in unsustainable water intensive production practices and that regulation is needed to ensure sustainable land and water use.
<b>C47.3869.5</b>	<b>Challies, Edward</b>	<b>30.1.30</b>	Amend to say that Council has reserved commitment to the Lee Valley Community Dam pending further consultation and more certainty about ownership and payment.
<b>C47.3869.6</b>	<b>Challies, Edward</b>	<b>30.2.30</b>	Delete from the first paragraph inserted by Change 47, the first sentence beginning "In water management zones benefitting ..." and state, instead, that benefits of the proposed dam will be unevenly distributed.
<b>C47.3870.1</b>	<b>Challies, G H</b>	<b>C47 GEN</b>	Delete all sections referring to or making provisions for a dam in the Lee Valley.
<b>C47.3870.2</b>	<b>Challies, G H</b>	<b>30.0.4.1</b>	Delete new text at the end of the 4th paragraph.
<b>C47.3870.3</b>	<b>Challies, G H</b>	<b>C47 GEN</b>	Provide for temporary sealing of the Neiman and Pearl Creek culverts during low flows to allow freshwater to back up and replenish groundwater (if environmental impacts tolerable).
<b>C47.3870.4</b>	<b>Challies, G H</b>	<b>30.0.4.7</b>	Reduce permit allocations equally until supply fits the allocation and allow for current high water use based on existing use.
<b>C46.3870.5</b>	<b>Challies, G H</b>	<b>16.12Fig. 16.12A</b>	Retain bore spacings (for 'without dam' option).
<b>Support</b>		FC46.1118.11	
<b>C47.3870.6</b>	<b>Challies, G H</b>	<b>30.1.3.19B</b>	Provide for temporary transfer of existing allocations up to a cease take. Consider establishing water auctions during low flow periods.
<b>C47.3870.7</b>	<b>Challies, G H</b>	<b>30.2.3.9B(e)</b>	Amend to ensure water not allocated to small number of high water use permit holders by removing "actual".
<b>Oppose</b>		FC47.2864.31	
<b>C47.3870.8</b>	<b>Challies, G H</b>	<b>30.2.3.9B(f)</b>	Amend to: "providing a permit duration of 20 years".
<b>C47.3870.9</b>	<b>Challies, G H</b>	<b>30.2.3.9B(f)</b>	Insert new clause: "(g) Ensure all existing water permits remain with the land of origin (while encouraging temporary transfers to occur)."
<b>C47.3870.10</b>	<b>Challies, G H</b>	<b>30.2.3.11</b>	Allow for transfers to occur readily up to when 'cease take' provisions apply.
<b>C47.3870.11</b>	<b>Challies, G H</b>	<b>30.2.30</b>	Delete the first paragraph inserted by Change 47, i.e. beginning "In water management zones benefitting from an augmented supply...".
<b>C47.3870.12</b>	<b>Challies, G H</b>	<b>Sch. 30A</b>	Replace minimum flow of 800 l/sec for Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.3870.13</b>	<b>Challies, G H</b>	<b>Sch. 30B</b>	Retain new schedule.
<b>C47.3870.14</b>	<b>Challies, G H</b>	<b>31.1.2.1</b>	Amend condition (e) to allow for one domestic bore per property in the coastal margin of the Delta Zone.
<b>C47.3870.15</b>	<b>Challies, G H</b>	<b>31.1.2.2(c)</b>	Amend to make each rationing step 10%.
<b>C47.3870.16</b>	<b>Challies, G H</b>	<b>31.1.2.3</b>	Delete new matter (1A). Replace with one-off allocations.
<b>C47.3870.18</b>		<b>Sch. 31A</b>	

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<b>C47.3870.18</b>	<b>Challies, G H</b>	<b>Sch. 31A</b>	Retain expiry dates for 'without dam' scenarios.
<b>C47.3870.19</b>	<b>Challies, G H</b>	<b>Sch. 31C</b>	In Table 1C, replace minimum flow of 800 l/sec with 500 l/sec for Waimea River and replace rationing trigger of 3000 l/sec with 2500 l/sec.
<b>C47.3871.1</b>	<b>Challies, James</b>	<b>C47 GEN</b>	Delete text referring to over-allocation and ensure water management reflects current supply.
<b>C47.3871.2</b>	<b>Challies, James</b>	<b>C47 GEN</b>	Replace minimum flow of 800 l/sec for Waimea river with 500 l/sec (for 'without dam' option).
<b>C47.3871.3</b>	<b>Challies, James</b>	<b>C47 GEN</b>	Delete provisions for bona fide review and replace with water allocation on the basis of land title.
<b>C47.3872.1</b>	<b>Challies, Margaret</b>	<b>C47 GEN</b>	Replace minimum flow of 800 l/sec for Waimea river with 500 l/sec (for 'without dam' option).
<b>C47.3873.2</b>	<b>Challies, Robert</b>	<b>31.1.2.2Fig. 31.1D</b>	Retain provisions for allocation based on soil and crop type.
<b>C47.3874.1</b>	<b>Challies, Susan</b>	<b>C47 GEN</b>	Reduce allocations in all zones on a 'one-off' basis to enable sustainable limits.
<b>C47.3874.2</b>	<b>Challies, Susan</b>	<b>C47 GEN</b>	Delete all references to Lee Valley Community Dam and augmented water supplies.
<b>C47.3875.1</b>	<b>Ching, Ralph &amp; Margaret</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against low water users.
<b>C47.3876.1</b>	<b>Cook, Terry</b>	<b>C47 GEN</b>	Delete all provisions relating to water quality effects arising from the Lee Valley Community Dam.
<b>C47.3876.2</b>	<b>Cook, Terry</b>	<b>C47 GEN</b>	Continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3877.1</b>	<b>Cumpstone, Ann</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules referring to the Lee Valley Community Dam.
<b>C47.3878.1</b>	<b>Cumpstone, Kris</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against low water users.
<b>C47.3878.2</b>	<b>Cumpstone, Kris</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against low water users.
<b>C47.3878.3</b>	<b>Cumpstone, Kris</b>	<b>C47 GEN</b>	Reduce allocations evenly across all users.
<b>C47.3879.1</b>	<b>Daniell-Smith, Brett</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water-demand crops.
<b>C47.3879.2</b>	<b>Daniell-Smith, Brett</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3879.3</b>	<b>Daniell-Smith, Brett</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of

the Lee Valley Community Dam to better reflect actual water use.

<b>C47.3880.1</b>	<b>Davis, Garry</b>	<b>C47 GEN</b>	Continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
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<b>C47.3881.1</b>	<b>Delta Zone</b>	<b>C47 GEN</b>	Amend rules so that all zones are treated consistently by having the same percentage reduction.
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<i>Oppose</i>	FC47.2864.1
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<b>C47.3881.2</b>	<b>Delta Zone</b>	<b>C47 GEN</b>	Amend policy and rules to allocate dam costs on a per hectare basis.
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<b>C47.3881.3</b>	<b>Delta Zone</b>	<b>C47 GEN</b>	Replace minimum flow of 800 l/sec for Waimea River with 500 l/sec (for 'without dam' option).
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<b>C47.3881.4</b>	<b>Delta Zone</b>	<b>C47 GEN</b>	Delete from policy and rules any provisions for new urban reticulation within existing Delta Zone water permits and allocate to community water supplies on the basis of current bona fide use.
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<b>C47.3881.5</b>	<b>Delta Zone</b>	<b>30.1</b>	Insert new policy to prevent export of water away from the Waimea plains.
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<i>Support</i>	FC47.2864.10
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<b>C47.3881.6</b>	<b>Delta Zone</b>	<b>30.1</b>	Insert new policy to ensure water permits stay fixed with the land and are not determined by crop or land use at time of review.
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<b>C47.3881.7</b>	<b>Delta Zone</b>	<b>C47 GEN</b>	Investigate allocation regime that allows for temporary water auction at times of rationing.
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<b>C47.3883.1</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>30.2.3</b>	Amend so that all reductions in allocations are consistent and even.
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<b>C47.3883.2</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Sch. 30A</b>	Amend to replace the minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
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<b>C47.3883.3</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>31.1.2.2(c)</b>	Delete exception and require bona fide reviews for community water supplies.
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<b>C47.3883.4</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>31.1.2.5Fig. 31.1F</b>	Ensure allocation limits based on good science and include explanation for allocation limits in the explanation to the rules.
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<b>C47.3883.5</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>31.1.2.5Fig. 31.1F</b>	Ensure allocation limits based on good science and include explanation for allocation limits in the explanation to the rules.
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<i>Support</i>	FC47.2864.71
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<b>C47.3883.7</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Sch. 31C</b>	In table 1C replace minimum flow for Waimea River with 500 l/sec.
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<b>C47.3883.8</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Chapter 31</b>	Amend to ensure rationing and allocation reductions are the same over all zones, at the same time and the same rate.
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<b>C47.3883.12</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Sch. 31A</b>	Make consent durations longer (for 'without dam' option) and provide more flexibility.
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<b>C47.3884.1</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>30.2.3.9B(d)</b>	Delete provisions for meeting water demand for urban development.
<i>Oppose</i> FC47.3914.3			
<b>C47.3884.2</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>30.2.3.9B(e)</b>	Amend provision to allow land use changes to be made, and reflect that historic use may have been less to meet water shortage challenges.
<b>C47.3884.3</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>30.2.3.9B(e)</b>	Allocate water on the same basis for everyone such as the same volume per hectare of irrigable land.
<b>C47.3884.4</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>31.1.2.2</b>	Insert provisions to ensure community water supply network and water use by residential and business users is efficient by requiring a distribution efficiency plan.
<b>C47.3884.5</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>C47 GEN</b>	Amend to replace minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.3884.6</b>	<b>Finnigan, Bart &amp; Steph</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3885.1</b>	<b>Flatman, Richard</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water-demand crops.
<b>C47.3885.2</b>	<b>Flatman, Richard</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3885.3</b>	<b>Flatman, Richard</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use and not discriminate unfairly against grape growers.
<b>C47.3886.1</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.8</b>	Delete policy.
<b>C47.3886.2</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.9</b>	Delete clause (m).
<i>Oppose</i> FC47.2864.24			
<b>C47.3886.3</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.9A</b>	Rewrite policy to clarify and ensure consistency.
<b>C47.3886.4</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.9B</b>	Replace the word "reduce" with "manage" and "over-allocation" with "allocation" in the first sentence to acknowledge effects of non-consumptive use.
<b>C47.3886.5</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.9B(d)</b>	Delete new text providing for future new urban use at the end of the clause and replace with "...except where an activity has little or no impact on the minimum flows of a water body."
<i>Oppose</i> FC47.3914.4			
<b>C47.3886.6</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>30.2.3.12</b>	Retain policy.
<b>C47.3886.7</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>Sch. 30A</b>	Review minimum flows to account for in-stream values and the effects on existing users.
<b>C47.3886.9</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>Sch. 31C</b>	Retain Table 1C but review rationing regime to reduce impact.
<i>Oppose</i> FC47.2864.83			

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<b>C47.3886.10</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>31.1.7.1</b>	Retain rule as amended.
<b>C47.3886.11</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>Sch. 31A</b>	Retain schedule as amended.
<i>Support</i>	FC47.3914.12		
<b>C47.3886.12</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>Sch. 31AA</b>	Retain new schedule.
<b>C47.3887.1</b>	<b>Frost, A S &amp; D M</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam, and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3888.1</b>	<b>Gargiulo, A R &amp; J C</b>	<b>C47 GEN</b>	Replace minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.3888.2</b>	<b>Gargiulo, A R &amp; J C</b>	<b>C47 GEN</b>	Delete all provisions for the 'cease take' flow.
<b>C47.3888.3</b>	<b>Gargiulo, A R &amp; J C</b>	<b>Chapter 31</b>	Amend to reduce allocation for all zones evenly and phase them in over a 30-year timeframe.
<b>C47.3888.4</b>	<b>Gargiulo, A R &amp; J C</b>	<b>Sch. 31C</b>	Replace triggers and rationing steps in Table 1C with those in Table 1B.
<b>C47.3888.5</b>	<b>Gargiulo, A R &amp; J C</b>	<b>C47 GEN</b>	Amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual and potential future water use.
<b>C47.3889.1</b>	<b>Halstead, B E &amp; M C Trust</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam
<b>C47.3891.1</b>	<b>Haworth, Nigel B</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam, and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3892.1</b>	<b>Hebberd, Jill</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3893.1</b>	<b>Higgins, Cecilia</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3894.1</b>	<b>Hughson, Cathy</b>	<b>C47 GEN</b>	Delete new allocation limits (for 'without dam' option) and reduce allocations evenly across all permits.
<b>C47.3894.2</b>	<b>Hughson, Cathy</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3895.1</b>	<b>Johnson, G A</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3895.2</b>	<b>Johnson, G A</b>	<b>Chapter 30</b>	Delete all references to allocation by crop type.
<b>C47.3895.3</b>	<b>Johnson, G A</b>	<b>31.1.2.5Fig. 31.1F</b>	Delete figure.
<i>Oppose</i>	FC47.1445.3		
<b>C47.3895.4</b>	<b>Johnson, G A</b>	<b>31.1.2.2</b>	Ensure rationing for community water supply is the same as for other users.

<b>C47.3897.1</b>	<b>Kinloch Trust</b>	<b>30.1</b>	Include new policies to protect water yield from sensitive land in upper catchments.
<i>Support</i>	FC47.3870.1		
<b>C47.3897.2</b>	<b>Kinloch Trust</b>	<b>30.2</b>	Include new provisions to ensure efficient water use in any urban development.
<i>Support</i>	FC47.3870.2		
<b>C47.3897.3</b>	<b>Kinloch Trust</b>	<b>30.2.3.9B(d)</b>	Amend (d) to ensure allocation matches supply and delete exception for urban development.
<i>Oppose</i>	FC47.3914.6		
<i>Support</i>	FC47.3870.3		
<b>C46.3897.3</b>	<b>Kinloch Trust</b>	<b>16.12Fig. 16.12A</b>	Retain amendments to the figure (for 'without dam' option).
<i>Support</i>	FC46.3870.3		
<b>C47.3897.4</b>	<b>Kinloch Trust</b>	<b>30.2.3.9B(e)</b>	Delete (e) "to reflect actual use" and amend to enable diversification of land use.
<i>Support</i>	FC47.3870.4		
<b>C47.3897.5</b>	<b>Kinloch Trust</b>	<b>30.2.3.9B(f)</b>	Reword (f) to: "providing for a permit duration of 20 years".
<i>Support</i>	FC47.3870.5		
<b>C47.3897.6</b>	<b>Kinloch Trust</b>	<b>30.2.3.11</b>	Amend (b) to: "reducing allocations to reflect true supply within a common water zone".
<i>Support</i>	FC47.3870.6		
<b>C47.3897.7</b>	<b>Kinloch Trust</b>	<b>30.2.3.16</b>	Delete amendments.
<i>Support</i>	FC47.3870.7		
<b>C47.3897.8</b>	<b>Kinloch Trust</b>	<b>Sch. 30A</b>	Amend to replace the minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
<i>Support</i>	FC47.3870.8		
<b>C47.3897.10</b>	<b>Kinloch Trust</b>	<b>31.1.2.2(c)</b>	Amend to make rationing steps the same for urban users as for other permit holders.
<i>Support</i>	FC47.3870.10		
<b>C47.3897.11</b>	<b>Kinloch Trust</b>	<b>Chapter 31</b>	Delete from all rules the provisions for bona fide reviews.
<i>Support</i>	FC47.3870.11		
<b>C47.3897.12</b>	<b>Kinloch Trust</b>	<b>Sch. 31A</b>	Retain 'without dam' provisions.
<i>Support</i>	FC47.3870.12		
<b>C47.3899.1</b>	<b>Lansdowne Park Ltd</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam, and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3900.1</b>	<b>Little, Dennis</b>	<b>Chapter 31</b>	Delete 'cease take' provisions and allow for stock drinking water.
<b>C47.3900.2</b>	<b>Little, Dennis</b>	<b>C47 GEN</b>	Continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3901.1</b>	<b>Little, Shirley A</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).

<b>C47.3902.1</b>	<b>Mahau Orchard</b>	<b>Chapter 31</b>	Adopt allocation limits that do not reduce allocations to Waimea East Irrigation Co. Ltd, unless reduction is small and meets existing demand (for 'without dam' option).
<b>C47.3903.1</b>	<b>Neale, Gary</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water-demand crops.
<b>C47.3903.2</b>	<b>Neale, Gary</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3903.3</b>	<b>Neale, Gary</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use.
<b>C47.3904.1</b>	<b>Nelson Regional Economic Development Agency</b>	<b>C47 GEN</b>	Retain water management provisions for the Lee Valley Community Dam.
<b>C47.3905.1</b>	<b>Neudorf Investments Ltd</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam.
<b>C47.3906.1</b>	<b>O'Connor, Brendan</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3907.1</b>	<b>O'Connor, F J &amp; E A</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3908.1</b>	<b>O'Connor, Margaret</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3908.2</b>	<b>O'Connor, Margaret</b>	<b>Sch. 31C</b>	Delete minimum flow and rationing provisions for Waimea River and replace with 500 l/sec and 2500 l/sec.
<b>C47.3909.1</b>	<b>O'Connor, Mark</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3910.1</b>	<b>O'Connor, Mary E</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3911.1</b>	<b>O'Connor, Michael</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).

<b>C47.3912.1</b>	<b>Pearl Creek Farm Partnership</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3913.1</b>	<b>Price, Annette</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam.
<b>C47.3913.2</b>	<b>Price, Annette</b>	<b>C47 GEN</b>	Delete all references to allocation by crop types, and allocate water on an even basis.
<b>C47.3913.3</b>	<b>Price, Annette</b>	<b>C47 GEN</b>	Allocate water to community water supply on the same bona fide basis as all water permit holders, and adopt the same rationing steps.
<b>C45.3914.1</b>	<b>Queen Street Industrial Park Ltd</b>	<b>2.2</b>	Insert into meaning for 'Bona Fide', a new clause: "- for rural industrial or commercial land uses, the reasonable current needs and projected needs for the rural industrial or commercial zoned land within the duration of a consent."
<i>Oppose</i>	FC45.2864.5	FC45.1118.10	
<b>C47.3914.1</b>	<b>Queen Street Industrial Park Ltd</b>	<b>30.2.3.9B(d)</b>	Insert at the end of clause (d): "or to meet the needs of land zoned for non-irrigable use but has not yet been developed."
<i>Oppose</i>	FC47.2864.29		
<b>C47.3914.2</b>	<b>Queen Street Industrial Park Ltd</b>	<b>30.2.3.9B</b>	Insert new clause after (e): "having regard to the future needs of undeveloped land not zoned for irrigable use based on the forecast development of that land".
<i>Oppose</i>	FC47.2864.27		
<b>C47.3914.3</b>	<b>Queen Street Industrial Park Ltd</b>	<b>Sch. 30A</b>	Delete changes as they relate to the minimum flow of 800 l/sec for the Waimea River.
<b>C47.3914.4</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.2</b>	Delete references to step 4 or allow for small quantities to continue to be taken.
<b>C47.3914.5</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.2</b>	Delete matter (1A) if no change made to the meaning for 'bona fide user' or add new matter that provides for use of water for industrial purposes.
<b>C47.3914.6</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.3Fig. 31.1E</b>	Delete allocation limit for Delta Zone.
<i>Oppose</i>	FC47.2864.60		
<b>C47.3914.7</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.3</b>	Delete matter (1A) if no change made to the meaning for 'bona fide user' or add new matter that provides for use of water for industrial purposes.
<i>Support</i>	FC47.3886.11		
<b>C47.3914.8</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.3A(e)</b>	Delete or clarify that the condition does not prevent continued use of existing bores.
<b>C47.3914.9</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.5Fig. 31.1F</b>	Delete allocation limit for the Delta Zone.
<i>Oppose</i>	FC47.2864.72		
<b>C47.3914.10</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.5</b>	Delete condition (c) or clarify that the condition does not prevent continued use of existing bores.
<b>C47.3914.11</b>	<b>Queen Street Industrial Park Ltd</b>	<b>31.1.2.5</b>	Delete matter (1A) if no change made to the meaning for 'bona fide user' or add new matter that provides for use of water for industrial purposes.
<i>Support</i>	FC47.3886.16		

<b>C47.3914.12</b>	<b>Queen Street Industrial Park Ltd</b>	<b>Sch. 31A</b>	Retain longer water permit durations, providing industrial water use is provided for as a bona fide use.
<b>C47.3914.13</b>	<b>Queen Street Industrial Park Ltd</b>	<b>Sch. 31C</b>	Delete Table 1C.
<b>C47.3915.1</b>	<b>Reid, Emma</b>	<b>C47 GEN</b>	Delete provisions for Lee Valley Community Dam as the preferred option for managing water demand.
<b>C47.3916.1</b>	<b>Reid, Victoria</b>	<b>30.2.3.9B(e)</b>	Delete all references to allocation according to actual use, crop types or soil water-holding capacity and allocate water on an even basis.
<b>C47.3917.1</b>	<b>Rogers, Max</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam and continue to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3920.1</b>	<b>Sangster, Daniel &amp; Hannah</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam, and manage water yield effects of vegetation in contributing catchments.
<b>C47.3921.1</b>	<b>Sangster, Harold &amp; Val</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam, and manage water yield effects of vegetation in contributing catchments.
<b>C47.3922.1</b>	<b>Sangster, Steve &amp; Margaret</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3922.2</b>	<b>Sangster, Steve &amp; Margaret</b>	<b>Sch. 30A</b>	Amend to manage water according to the current provisions, including a minimum flow of 500 l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3923.1</b>	<b>Shirley, Paul</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3923.2</b>	<b>Shirley, Paul</b>	<b>C47 GEN</b>	Ensure water allocation results in efficient water use and allows for choices in making decisions about land use intensification.
<b>C47.3923.3</b>	<b>Shirley, Paul</b>	<b>C47 GEN</b>	Amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use.
<b>C47.3923.4</b>	<b>Shirley, Paul</b>	<b>C47 GEN</b>	Retain provisions for reduction in allocations to match actual use, including for community water supply.
<b>C47.3924.1</b>	<b>Southtop Gardens</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3925.1</b>	<b>Sutton, Steve</b>	<b>30.2.3</b>	Amend so that all reductions in allocations are consistent and even.
<b>C47.3925.2</b>	<b>Sutton, Steve</b>	<b>Sch. 30A</b>	Amend to replace the minimum flow for the Waimea River with 500 l/sec (for 'without dam' option).
<b>C47.3925.3</b>	<b>Sutton, Steve</b>	<b>31.1.2.2(c)</b>	Delete exception and require bona fide reviews for community water supplies.
<b>C47.3925.4</b>	<b>Sutton, Steve</b>	<b>31.1.2.5Fig. 31.1F</b>	Ensure allocation limits based on good science and include explanation for allocation limits in the explanation to the rules.
<b>C47.3925.5</b>	<b>Sutton, Steve</b>	<b>31.1.2.5Fig. 31.1F</b>	Ensure allocation limits based on good science and include

explanation for allocation limits in the explanation to the rules.

<b>C47.3925.7</b>	<b>Sutton, Steve</b>	<b>Sch. 31C</b>	In Table 1C, replace minimum flow for Waimea River with 500 l/sec.
<b>C47.3925.8</b>	<b>Sutton, Steve</b>	<b>Chapter 31</b>	Amend to ensure rationing and allocation reductions are the same over all zones, at the same time and at the same rate.
<b>C47.3925.12</b>	<b>Sutton, Steve</b>	<b>Sch. 31A</b>	Make consent durations longer (for 'without dam' option) and provide more flexibility.
<b>C47.3926.1</b>	<b>Taylor, Graeme</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3926.2</b>	<b>Taylor, Graeme</b>	<b>C47 GEN</b>	Reduce allocations evenly across all zones and allow for water transfer in each zone (for 'without dam' option).
<b>C47.3927.1</b>	<b>Todd, Patricia &amp; Robert</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam.
<b>C47.3928.1</b>	<b>Vickery, Julie</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam.
<b>C47.3928.2</b>	<b>Vickery, Julie</b>	<b>Chapter 31</b>	Delete provisions for re-allocation on the basis of crop type and allocate at 350 cubic metres per hectare per week.
<b>C47.3928.3</b>	<b>Vickery, Julie</b>	<b>31.1.2.2Fig. 31.1D</b>	Delete figure.
<b>C47.3929.1</b>	<b>Vickery, Stephen J</b>	<b>C47 GEN</b>	Delete all references to the Lee Valley Community Dam and adopt current provisions for minimum flow and rationing and reduce allocations evenly by 20%.
<b>C47.3930.1</b>	<b>Wagner, M &amp; M</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3931.1</b>	<b>Wagner, R</b>	<b>31.1.2.2Fig. 31.1D</b>	Delete all reference to allocation by crop type and reduce allocations evenly across all permit holders.
<i>Oppose</i>	FC47.2864.54		
<b>C47.3931.2</b>	<b>Wagner, R</b>	<b>31.1.2.2(c)</b>	Amend to make rationing steps the same for all users.
<b>C47.3931.3</b>	<b>Wagner, R</b>	<b>C47 GEN</b>	Delete plan change where it refers to Lee Valley Community Dam.
<b>C47.3932.1</b>	<b>Waimea Irrigators and Water Users</b>	<b>C47 GEN</b>	Delete all provisions for the Lee Valley Community Dam.
<b>C47.3932.2</b>	<b>Waimea Irrigators and Water Users</b>	<b>31.1.2.2(c)</b>	Delete rationing exception for community water supplies and ensure same steps apply to all consent holders.
<b>C47.3932.3</b>	<b>Waimea Irrigators and Water Users</b>	<b>Sch. 31C</b>	Delete Table 1A.
<i>Oppose</i>	FC47.1118.45		
<b>C46.3932.4</b>	<b>Waimea Irrigators and Water Users</b>	<b>Chapter 18</b>	Create new Surface Water Yield Protection Areas in all of the Wairoa and Lee catchments.
<i>Oppose</i>	FC46.1089.1		
<i>Support</i>	FC46.1521.14		
<b>C47.3932.4</b>	<b>Waimea Irrigators and Water Users</b>	<b>Sch. 31C</b>	Amend Table 1C to make it apply only to the Reservoir and Waimea East Zones.
<i>Oppose</i>	FC47.1118.46		
<b>C46.3932.5</b>	<b>Waimea Irrigators and</b>	<b>Chapter 18</b>	Insert new discretionary activity rule for new plantation forest in the

<b>Water Users</b>		new Surface Water Yield Protection Areas.	
<i>Oppose</i>	FC46.1089.2		
<i>Support</i>	FC46.1521.15		
<b>C47.3932.5</b>	<b>Waimea Irrigators and Water Users</b>	<b>Sch. 31C</b>	Amend Table 1B (for 'without dam' option) so it applies to all zones except the reservoir and Waimea West, but replace the minimum flow for the Waimea River with 500 l/sec. Remove reference to step 1 and 2 rationing.
<i>Oppose</i>	FC47.1118.47		
<b>C46.3932.6</b>	<b>Waimea Irrigators and Water Users</b>	<b>Chapter 18</b>	Insert new discretionary activity rule for replanting of existing plantation forest in the new Surface Water Yield Protection Areas.
<i>Oppose</i>	FC46.1089.3		
<i>Support</i>	FC46.1521.16		
<b>C47.3932.6</b>	<b>Waimea Irrigators and Water Users</b>	<b>31.1.2.2(f)</b>	Delete clause (iv) and replace with a provision that any renewal cannot be less than 50% of the original consent quantity.
<b>C47.3932.7</b>	<b>Waimea Irrigators and Water Users</b>	<b>31.1.2.2(f)</b>	Delete the exception for community water supplies in relation to bona fide reviews.
<b>C47.3932.8</b>	<b>Waimea Irrigators and Water Users</b>	<b>30.0.4.1</b>	Delete amendments to paragraphs 5, 6 and 7.
<b>C47.3932.9</b>	<b>Waimea Irrigators and Water Users</b>	<b>31.1.2.2Fig. 31.1D</b>	Delete provisions for re-allocation on the basis of crop type and allocate at the same rate of 350 cubic metres per hectare per week and allow for changes in crop type.
<i>Oppose</i>	FC47.2864.53		
<b>C45.3933.2</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>2.2</b>	Ensure meaning for 'water supply agreement' includes all existing and potential water users and make sure the meaning is consistent with terminology in the permit with respect to take and use.
<i>Support</i>	FC45.2864.7		
<b>C47.3933.3</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.0.4.7</b>	Amend to correct reference to over-allocated Wai-iti (where there is now a dam).
<b>C47.3933.4</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.30</b>	Amend to correct reference to over-allocated Wai-iti (where there is now a dam).
<b>C47.3933.8</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.1.3.22A</b>	Amend (c) to provide shorter ten-year term permits (for 'without dam' option) to ensure sustainable limits can be met.
<i>Oppose</i>	FC47.3886.3	FC47.1118.48	
<b>C47.3933.9</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.1.30</b>	Amend explanatory text as if it applies after the Plan change is decided.
<b>C47.3933.10</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.30</b>	Amend explanatory text as if it applies after the Plan change is decided.
<b>C47.3933.11</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.3.9A</b>	Retain new policy.
<b>C47.3933.12</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.3.8</b>	Retain policy, as amended.

<b>C47.3933.14</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.3.11</b>	Amend to ensure neither this policy nor policy 30.2.3.10 applies to water resources subject to augmentation.
<i>Support</i>		FC47.1118.49	
<b>C47.3933.15</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.3.12</b>	Ensure policy and rules for transfers apply to Hope and Upper Catchment Zones (for 'with dam' option).
<b>C46.3933.16</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>16.12Fig. 16.12A</b>	Insert Golden Hills Zone into section with Waimea West Zone, ('without dam') and ensure Wai-iti Dam Service Zone is in both sections, separate Eastern Hills and Upper catchments for clarity and delete reference to setback from Waimea River where the zone is not close to the river.
<i>Support</i>		FC46.1118.121	
<b>C47.3933.16</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>30.2.20.1</b>	Exclude water resources subject to water augmentation from (d) (the waiting list provisions).
<b>C47.3933.17</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 30A</b>	Retain, but amend to correct spelling, clarify that the schedule refers to water bodies not zones, provide clarity about decision making and remove ambiguity about what provisions apply and when.
<b>C47.3933.19</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.2(f)</b>	Clarify so that it is clear that clause (iv) does not apply and ensure terms are defined appropriately.
<b>C47.3933.21</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.2Fig. 31.1E</b>	Retain new figure unless new investigation shows more defensible limits.
<i>Support</i>		FC47.2864.55	
<b>C47.3933.22</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.2Fig. 31.1E</b>	Retain new figure unless new investigation shows more defensible limits.
<i>Support</i>		FC47.2864.56	
<b>C47.3933.23</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.3A</b>	Clarify relationship between amount of water allocated and financial contribution made towards the Waimea Community Dam Ltd.
<b>C47.3933.24</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.3A</b>	Delete Note.
<b>C47.3933.25</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.3A</b>	Insert statement explaining that sections 124A-124C of RMA do not apply.
<b>C47.3933.26</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.3</b>	Insert statement explaining that sections 124A-124C of RMA do not apply.
<b>C47.3933.27</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.2.5</b>	Clarify (c) regarding timing of restrictions on taking.
<b>C47.3933.31</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.7.1</b>	Include augmented takes in Hope and Upper Catchments and ensure downstream transfers between Upper Catchments and Appleby Gravel Zones.
<b>C47.3933.32</b>		<b>31.1.7.1A</b>	

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<b>C47.3933.32</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.7.1A</b>	Include augmented takes in Hope and Upper Catchments and ensure downstream transfers between Upper Catchments and Appleby Gravel Zones.
<b>C47.3933.33</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.7.1A</b>	Add maximum to the rate of take in condition (g), amend inconsistency in (h) regarding short term transfers and in (i) require more details about the transfer.
<b>C47.3933.34</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.7.1A</b>	Explain why transfers are not permitted for the Wai-iti Zone.
<b>C47.3933.35</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>31.1.20</b>	Retain but correct grammar in paragraph 18 and insert additional text to explain where numbers have been derived from and linkages between them. (Text provided in full in the submission)
<b>C47.3933.36</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 31A</b>	Correct references to zone names, and reduce permit duration to ten years.
<b>Oppose</b>	FC47.3914.15	FC47.1118.50	
<b>C47.3933.37</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 31AA</b>	Retain new schedule.
<b>C47.3933.38</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 31C</b>	Correct references in Table 1A to drought frequencies and insert explanatory note.
<b>C47.3933.39</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 31C</b>	In Table 1B reduce confusion by deleting unnecessary references to Waimea River.
<b>C47.3933.40</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Sch. 31C</b>	Clarify that Step 4 rationing is a 'cease take' flow as indicated in Figure 31.1C and policy 30.2.3.1.
<b>C47.3934.2</b>	<b>Ward, Jeff</b>	<b>C47 GEN</b>	Ensure funding policy and rules allow a one-off payment.
<b>C47.3935.1</b>	<b>Wickham, David</b>	<b>C47 GEN</b>	Delete Plan Change where it refers to Lee Valley Community Dam.
<b>C47.3935.2</b>	<b>Wickham, David</b>	<b>C47 GEN</b>	Amend to manage water according to the current provisions, including a minimum flow of 500l/sec for the Waimea River and the current rationing regime (for 'without dam' option).
<b>C47.3936.1</b>	<b>Woollaston, Philip</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that reflect the lower water needs of grapes, efficient use of water by grape growers and provide for the efficient use of water by low water demand crops.
<b>C47.3936.2</b>	<b>Woollaston, Philip</b>	<b>C47 GEN</b>	Withdraw changes and consider water management provisions that do not discriminate unfairly against grape growers if the dam is not built.
<b>C47.3936.3</b>	<b>Woollaston, Philip</b>	<b>C47 GEN</b>	Withdraw changes and amend policy and rules for the funding of the Lee Valley Community Dam to better reflect actual water use.

■ **ASSESSMENT**

1.0 DELETE REFERENCES TO LEE VALLEY COMMUNITY DAM

As with the related plan changes, particularly Plan Change 46 (refer SAR 573.1), a number of submitters are seeking that all references to the Lee Valley Community Dam are deleted. Others however, support the provisions and seek that they be retained.

Submitter 1521 suggests the plan changes relating to water management in the event there is no dam should be removed.

As with SAR 573 and for the reasons described in that report, it is recommended that no relief be given to these submissions.

1.1 Managing within Constraints

A significant number of submitters consider that water demand (existing and presumably any future demand) can and should be managed within existing constraints. This view is largely supported by confidence in the current pattern of water use along with a view that water use efficiency, including by urban water users can be improved along with consideration of alternative water augmentation measures such as weirs, on-site (urban) water storage tanks, gravel removal and smaller dams. These submitters generally consider the current management regime to be acceptable.

One key point apparently overlooked by submitters opposed to the provisions for an augmentation scheme and supporting the current regime is that the Council does not in fact currently have a water management regime for the Waimea water resources that sets allocation limits or minimum flows.

It had proposed a management regime in 2001, (with variation 15 to the TRMP) which included a low flow of 500l/sec for the Waimea River at Appleby: up from the previous 225l/sec minimum flow for the Waimea River (in the former Waimea Water Management Plan), and a soils-based allocation for irrigation.

Submissions on those provisions had not been heard when a series of severe droughts following notification in 2001 showed that the river flow and groundwater levels did not behave as the modelling indicated they would. Models used to generate the allocation limits and river flow had underestimated the water losses from the river to groundwater and a review was carried out. A review of the data and running new refined models showed the level of over-allocation was significant and serious consideration was given to investigation of augmentation options. It was clear even then that there would be a contest about the appropriate minimum flow for the Waimea River, and any measures which resulted in reduced allocation.

Rather than continue with the hearing of submissions on the 2001 plan change, Council, with the agreement of the stakeholders withdrew the 2001 changes and replaced them in 2007 with interim provisions that would maintain the status quo until investigation into augmentation options could be carried out. This has now been carried out by the Waimea Water Augmentation Committee (see also SAR 573.1)

The Council and community now have to consider all the water management provisions for the Waimea Plains afresh and following on from the provisions first notified in 2001, but with better data to take into account and a viable augmentation alternative to consider.

1.2 Setting Limits 30.0.3

Resource management can occur in two general situations. In the first, management objectives are being met and there is lower threat or risk. In the second, management objectives are not being met and problems of over-allocation are occurring. The way these situations are managed can reflect this and either anticipate further growth in precautionary terms, or be set to manage an existing (over-allocation) problem.

The first sentence in 30.0.3 reflects this as Council has adopted both a 'default allocation' regime for systems under less demand pressure where actual allocation limits were not set, but new applications are guided by specific allocation policies, as well as where allocation limits are set for specified management zones. The NPSFM now requires limits to be set for all water bodies, but the Council's regime still complies with that policy. No change recommended in response to submission 47.1041.2.

Flow regimes and limits can be revised either where augmentation increases instream flows or increases supply for abstractive use. While most allocation regimes are generally about increasing security of supply for abstractive use, there is also potential for increased flows through ecosystem enhancement projects or hydro-power schemes. No change recommended in response to Submission 47.1445.1.

Section 30.0.4.1

The beginning of paragraph 4 can be better worded to expressed Council's commitment to better water management, including provisions of appropriate minimum flows, as sought by 1041.3.

Council has examined augmentation options identified as necessary in the interim provisions. A preferred option

has been identified and Council has prepared this plan change in support of it. Further consultation on funding will establish whether it proceeds, and the remainder of this plan change provides flow and allocation provisions to address over-allocation in the absence of a dam. No other changes recommended.

Sections 30.0.4.7 and .8

The Council has responsibility under the RMA and the NPSFM for managing over-allocation in some water management zones and through the plan change is proposing regulation to address it. A further statement to acknowledge this responsibility is not necessary (3869.4).

Water over-allocations in Tasman are invariably a historic consequence of 'water rights' issued under the previous legislation. Council (and the previous authorities) have adopted moratoria on the issue of new consents in these zones since the mid 1980's.

Without the Lee Valley Community Dam, the affected Waimea Zones will remain over-allocated until the new rules and anticipated regular reviews of consents eventually result in reduced amounts of water being allocated to permit holders. This will take some time to achieve because under the proposal by Council it is dependent on regular bona fide reviews of permits. A change to the text to reflect this is recommended as sought by 47.1041.10 (the bona fide re-allocation approach is discussed further in section 7 of this report).

There is a Wai-iti Dam Service Zone as well as a Wai-iti Zone where there is no augmented water supply so no change is recommended as sought by 3933.4.

Section 30.1.30

Submitter 47.3869.5 suggests a more accurate expression of the relationship between the plan change and the Council's commitment to construction of the dam, while 47.3933.9 suggests the text should reflect what is expected by the change. Submission 1118.9 seeks text that better explains the effect of the proposed flow regime. These suggestions add value to the Plan and are recommended in part.

2.0 POLICY and RULES for FUNDING (WITH DAM)

The water management provisions for the Waimea Plains include policy and rules that link water allocation to the level of contribution to the scheme. The regime reflects the Council's desire to ensure all owners of irrigable land and water users taking from the augmented ground and surface water supplies contribute equitably to the costs of a more secure water supply.

Submission 47.3869.47 challenges the reference to the Lee Valley Community Dam as a community dam.

That the Lee Valley Dam is a community dam is firstly reflected in the establishment of the Waimea Water Augmentation Committee (WWAC). The membership is made up of a wide range of community and stakeholder interests. WWAC has been inclusive and comprehensive in ensuring identified issues were accounted for, and the wider community informed of various studies and outputs throughout the investigation.

Secondly, the governance and management of the dam will be by water users and stakeholders. The governance and funding model is yet to be confirmed, but the proposal includes enabling landowners and permit holders to be shareholders in the company. Shareholders will also include other agencies such as iwi, Fish and Game and Council. The dam will not be owned by the Council.

2.1 Scheme Design and Impacts on Water Allocation

The 'run of the river' augmentation mechanism being proposed for the Lee Valley Community Dam makes it difficult to distinguish natural from augmented water. Any alternative allocation may result in 'free riders' who take advantage of augmentation without paying. The link between water allocation and contribution to construction costs is also important to ensure the land and water use opportunities enabled by the dam are fully realised.

Run of the river augmentation also means that most of the costs are 'fixed' because they are nearly all linked to the construction cost of the dam, and irrespective of the amount of water taken. This limits the opportunities for adjusting cost structures according to the amount of water used such as by a construction charge and additional volume charge (as would be more common with a reticulated system).

Further debate about the funding model is signalled by Council to occur as part of the Long Term Plan review in 2015. No change as sought by 47.3886.2 is recommended.

2.2 Benefits for Water Users

The dam provides a more secure future for landowners. It is acknowledged that all users do not need the same amount of water for any particular crop – and efficient water use will depend on matching water use with crop need irrespective of whether there is a dam. However, the presence of a dam provides security of supply and an absence of rationing during most droughts for water users.

The data provided in the summary report by Landcare Research (Attachment 1) calculates the potential irrigation water demand and assesses current and future security of supply impacts under both the dam and the no dam possibilities. It also considers the impact of rationing on a low water use crop (grapes). Even low water use crops are adversely affected by the reduced security of supply standards under a no dam scenario.

The dam enables un-rationed water takes to beyond a 40 year return period drought, and rationed water beyond a 60 year drought. The security of supply standard is greatly improved for all water users. Compare this with the potential rationing regimes explained in section 4 and further outlined in the Landcare Research report (attachment 1 to SAR 573)

The dam also provides flexibility to landowners to change crops from time to time. Water can also be applied for to meet industrial or commercial uses, provided the funding contribution has been made.

As market returns for various crops or land use systems vary from time to time, this water allocation and funding approach provides for resilience and enables land and water use that is responsive to market signals. The dam does not just provide water, it provides security and flexibility for landowners and water users.

2.3 How Costs are Imposed

The Plan makes a water permit dependent on a financial contribution but does not state the funding requirements.

The Plan does not directly require a funding contribution by landowners – this aspect is to be considered through the Long Term Plan process and may include a Rate under the Local Government Act. The LTP process will further refine the governance model including the concept of shareholding in the dam.

However, the Plan serves to ensure that water permit applicants/users are financial contributors to the dam either as land owners, through a shareholding or through some other funding mechanism. That is, the granting of the permit is dependent on their contribution, which is made through another mechanism.

Submission 45.3933.2 seeks that the term 'water supply agreement' applies to all existing and future water users and seeks that the meaning is consistent with terminology in the permit with respect to take and use.

The term 'water supply agreement' is used in the rule regulating water take and use should the dam be constructed. Its effect is to ensure that permit applicants have made a financial contribution to the dam. People may access water from the augmented zones and pipe it to other properties (outside the zones). In this case, the water user will need to have a water supply agreement which is subject to a charge depending on the amount of water being taken. The other mechanism by which people will contribute to the dam is likely to be a rate (under the Local Government Act) and which be applied to land in the area where there is increased access to augmented water.

The definition refers to a contract between the holder of a water permit and the dam company. However, it is possible that the person is not yet the holder of the permit. The application of the permit depends on the holding of the agreement, not vice versa. In fact, the contract can be held irrespectively and separately to the water permit. It would be less confusing and more accurate to replace the reference to water permit and just refer to the water supply agreement as follows;

"Water supply agreement - means a contract between any person and the Waimea Community Dam Limited, for or in connection with the contribution by that person towards the provision or operation of the Lee Valley Community Dam".

2.4 Amount Allocated

A number of submissions were received from people growing low water use crops seeking a volume based funding model. The plan does not define the funding model. That is still to be done through the Long Term Plan process. However, in order to provide a supportive environment for a dam that accounts for security of supply and land use flexibility, there is a need to ensure water allocation provisions complement funding and governance models proposed for the dam.

The water allocation provisions need also to reflect the wider infrastructure costs and challenges and the issues surrounding water shortages facing the entire community.

People could however choose to apply for less water than they have invested in as pointed out by 3933.23. A small amendment is recommended to ensure the rules allow for this situation.

The new allocation rule regulating new takes in an augmented situation requires the amount of water allocated to be equivalent to the amount of any shareholding or water supply agreement. It is conceivable that less than that equivalent amount of water is to be taken. The condition should be amended to reflect that the amounts to be allocated represent an upper limit, but not the actual amount.

2.5 Transition

Submission 47.3933 suggests the advice note after condition (d) is not necessary as this is likely to be resolved in the plan change process. The allocation regime is dependent on several elements critical to the governance and funding model to be adopted for the dam and which are yet to be finalised.

They include:

- A Waimea Dam Company,
- A Rate under the LGA used to set up the property based funding regime,
- Water supply agreements for water supply outside the augmented water management zones

It may be necessary to amend the plan provisions as a result of changes made through the LTP process. It is expected the Plan Change will be operative before final decisions on the LTP. No change is recommended.

However, if the LTP process does not affect the Plan as it is currently written, the note attached to the rule explaining this connection can be removed as a Clause 20 amendment.

## 2.6 Other Investment into Irrigation Infrastructure

Submission 47.1118.14 seeks that when assessing any applications to take water for irrigation, the Council will take into account the investment into the irrigation infrastructure as the efficient use of water is assisted by efficient infrastructure. The implication is that the financial investment is a reason for deciding on an application for irrigation. While efficient irrigation infrastructure is important, financial investment is not the indicator that determines the level of efficiency. Note however, the presence of existing infrastructure is a consideration in setting duration of water permits.

No change is recommended. See also the assessment about efficient use of infrastructure in section 12.

## 2.7 Bona Fide Water Use

Submission 1445.30 suggests that permits issued under the with dam scenario also need to be regularly reviewed to reduce allocations to bona fide use.

However, under the with dam scenario, water users are required to contribute funding for the construction and operation of the dam before a consent will be issued. This contribution provides them with a more secure supply and more flexibility for the water use. It enables land use change to occur without need for reassessment of consents and reflects the financial commitment to the augmentation.

Policy 30.2.3.9A allows for the investment into augmentation to be acknowledged by not requiring bona fide use of water or demonstration of water use at the time the application is made. These exceptions mean investments can be made into augmentation schemes that improve the overall supply of water, and that the investor has choice as to when the water is used. This policy provides exceptions to the more general policy requirements in both 30.2.3.9 and 30.2.3.11 as applicable.

No change is recommended.

## 3.0 NEW POLICIES

Submitter 3881.5 and 3881.6 seeks that water is not exported away from the Waimea plains and also that water is fixed to the land. Neither approach is consistent with general allocation policy already adopted. The plan and allocation provisions do not specify a limit to the length of pipe from a point of take.

Being able to reticulate water is a key concern of Council as a supplier of community water supplies and can also be integral to the design of an irrigation scheme. While the water is required to be used efficiently at its final destination, the Council does not restrict how it gets there. In addition, the fixing of water permits to land is inconsistent with national direction, including through the NPSFM Policy B3. See also SAR 574.12.1 in respect of submissions about efficient use of irrigation infrastructure.

No changes recommended.

## 3.1 Water Yield Effects from Plantation Forest

Submitters 3932 and 3897 seek policy and rules to manage water yield effects of plantation forest in the upper catchment.

The Council does have rules in some parts of the district that limit new plantation forest because of the water yield effects. The reduction is caused because of the evaporation of water from the tree canopy before it reaches the ground. The combination of the amount and distribution of rainfall, geology and forest cover influence the degree to which water yields are affected.

The effect of afforestation is more severe in low rainfall areas. The low rainfall areas with existing forestry restrictions are on the Moutere Gravel formation (around 1100mm) but the upper catchment areas of the Eastern Nelson Hills have higher rainfalls (>2000mm)

Geology is the main physical factor apart from rainfall affecting water yield. In dry summers it is the geology which determines yield from a catchment. High yield catchments are those with fractured geology and high rainfall, including the Eastern Hills catchments of the Wairoa River.

In Tasman, water yield effects from plantation forest are greatest and most significant in the Moutere Gravel geology, and there are restrictions on new afforestation in those areas.

The higher base flows in the catchments contributing flows to the Waimea River from the fractured rock and higher rainfalls mean controls on new plantation forest are unlikely to make much difference to the water yield. No changes are recommended.

#### 4.0 MANAGEMENT OBJECTIVES and their IMPACTS on RIVER FLOW MANAGEMENT and ALLOCATION LIMITS

A large number of submissions seek deletion of the new minimum flow regimes and adoption of a 500l/sec minimum flow in the Waimea River in the without dam scenario. Other submitters seek retention of the proposed new flow regime.

The establishment of a minimum flow requires consideration of the values and uses for which the river and associated groundwater are to be managed. The Waimea River has a wide range of uses and values and these are summarised in Table 1 in Attachment 4. The water quantity needs for these uses and values will not be fully met unless there is augmentation of the resource.

A dam, operated so that a minimum flow of 1100l/sec is sustained in the Waimea River, will enable all uses and values to be met most of the time.

There are no submissions suggesting alternative flow regimes (only one submission 3933.38, providing corrections to Schedule 31C in relation to how the triggers are applied and deletion of unnecessary references to Waimea River ) and some suggestions for acknowledging additional uses and values.

#### 4.1 Management Without a Dam

Without a dam none of the values, neither instream nor abstractive, will be adequately met, especially during most summers when flows are low.

The Council has determined that a minimum flow of 800l/sec is appropriate. It meets basic instream needs and provides for some abstraction. These management objectives are provided in Schedule 30A.

Even at a minimum flow of 800l/sec, however, the instream uses and values will not all be satisfied. This is illustrated in Attachment 4 which lists the range of uses and values for the plains water bodies. 800l/sec will protect native fish diversity, but not abundance. At this flow, the trout fishery is only moderately provided for. Swimming values are not high under either flow as at these lower flows the river suffers from algal proliferation. Increasing incidence of the toxic blue green algae is of particular concern, especially during long periods of stable low flow.

The impact of low flows on the river ecosystem is described more fully in a summary report (Cawthron, R Young 2013) contained in Attachment 5 which considers the current health of the river as well as an assessment of the effects of the proposed minimum flow regime. The report is a summary of a range of previous investigations and flow assessment reports.

In addition to providing for the minimum needs of the aquatic ecosystem, the minimum flow also serves to protect the water quality from sea water intrusion. This risk increases with increasing sea-level rise. This is further explained in the summary report given in Attachment 1 (Landcare Research, A Fenemor 2013).

Given the inability to meet the needs of the range of either instream or abstractive river uses and values, any flow management regime including the minimum flow for the river will be a compromise.

One of the key drivers for sustainable management is the prevention of seawater intrusion, so at the very least 500l/sec is required in the lower Waimea River to prevent that. At this level the health of the river is compromised. While the ecosystem can recover from occasional low flows that might occur from time to time, low flows that fall below the mean annual low flows for extended periods or occur frequently from year to year are more damaging to ecosystem values. Attachment 5 describes the impact of various low flow regimes on native fish and trout. At 800l/sec, some 80% of trout habitat (compared to that at the mean annual low flow of 1300l/sec) is provided for and this flow will also protect most other native fish. However, at this flow, the torrentfish and bluegill bully (which are both classified as declining in the latest national threat classification for native fish), are only provided with 70% protection at this flow.

The increase in habitat for torrentfish and bluegill bully from 45-50% to 70% by increasing flows from 500 to 800L/sec shows a significant benefit for these species. Torrentfish are currently abundant in riffles in the Waimea R, however, they are only present in riffle habitat that is currently available, so with higher minimum flows their abundance will increase proportionally.

Sustaining native fisheries is already a management objective and given the level of protection provided by 800l/sec, the sustaining of trout habitat could also be included as a management objective.

Maintaining either 500 or 800 l/sec will also significantly impact on existing water users as their access to water is gradually reduced. Reductions in allocation will occur over time, and the rationing impact on the remaining permit

holders will reduce as the sustainable limits are reached.

**4.2 Instream Values and Management Objectives Schedule 30A**  
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Changes to Schedule 30A are limited to the Waimea aquifers, Waimea River, spring fed, coastal creeks and the Wairoa, Roding and Lee Rivers. Submissions covered changes relating to which water bodies should be included and variations to both uses and values and their associated management objectives.

Several submissions requested specific changes or additions to listed uses and values and their respective management objectives. However none of the submissions requesting additions to the schedule provided evidence to support their inclusion as part of the submission. It is preferable if such inclusions are addressed through future stakeholder discussions following development of an evidentiary protocol to ensure inclusion (or removal) of specific uses and values within the schedule are equitable and based on adequate information.

Blue duck have been seen in the upper catchments of the rivers noted by Submissions 1445 and 1041, however they have not been sighted in most recent surveys. The potential for improving the habitat for blue duck remains, but this area is not part of the blue duck management planning already adopted by Department of Conservation. Biodiversity mitigation measures identified as part of the dam feasibility studies include pest control as a way of off-setting adverse effects of the dam. This measure will have an added advantage for blue duck. There is little to be gained by adding this value in respect of water quantity management.

Trout habitat can partially be provided for at the 800l/sec flow (protection of 80% of habitat), and this level protects most other native fish species. The habitat of at-risk torrent fish and bluegill bully (which are classified as declining in the latest national threat classification) is only provided 70% protection at 800l/sec.

The key amendments made to Schedule 30A include clarification of when the 'with-dam' and 'without dam' parts apply. This is addressed in section 8 of this SAR.

An additional management objective has also been recommended for the Waimea River under the 'without dam' scenario to provide objectives at non-drought times to provide clarity about and ensure the relevant values and uses are still provided for.

**4.2.1 Water Bodies identified in Schedule 30A**  
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Some changes have been made to the water body names listed in Schedule 30A (and 30B) to avoid confusion between the water bodies (to which the schedules apply) and the water management zones, in particular the Appleby Gravel Aquifer.

Submission 3933 requested the amendment of the spelling of Neimannn (Creek) to Neimann, which was a typographical error in the notified version. The spelling in Schedule 30A (and 30B) will be as shown on the New Zealand 1:50,000 Topographical Map sourced from Land Information New Zealand data (ie Neimann).

Amendments to Schedule 30A also include widening of the water body coverage for spring fed streams, while retaining specific reference to Pearl and Neimann Creeks (consistent with changes made to Schedule 30B). Other spring fed streams in the Waimea area will likely have similar uses and values, particularly from an ecological perspective, and experience the same adverse effects from reduced flows as Pearl and Neimann Creeks. It is considered appropriate that Pearl and Neimann Creeks are specifically identified due to their recognition for regionally significant native fisheries. Borck Creek is also identified due to its significance in the urban margin of Richmond as well as its native fish habitats.

The recommended changes to Schedule 30A are also shown as tracked changes in Attachment 7.

**4.3 Effects of the Proposed Flow Regime on Abstractive Users**  
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The combined effect of drought and continued pumping means the river flow drops fast. Modelling outputs and the experience to date shows rationing is successful in maintaining the river flow but comes at a cost to water users.

Attachment 4 also shows that abstractive users are not provided for under a minimum flow regime of either 500 or 800 l/sec in the Waimea River. This is because if flows are to be managed to maintain a specified minimum, then not only will allocation limits need to be reduced to more sustainable levels, rationing will need to occur sooner and more often.

This is because water continues to flow from the river to groundwater in a drought and this is exacerbated by abstraction from groundwater. Even if all takes cease when flows at Appleby reach 800l/sec, the river will continue to fall because of the continued losses to groundwater. As a drought continues, the time it takes for the river to drop from 800l/sec to 500l/sec can be a matter of days rather than weeks.

The proposed new flow management regime will result in more rationing (commencing at 3000l/sec rather than the previous interim 2500l/sec).

The flow frequency data for the Wairoa River (shown in Table 2 in Attachment 6) shows that the first trigger for rationing (3000l/sec) will occur every year. Table 3 Attachment 6 provides a summary of the flow statistics for the

Waimea River.

Also given (Table 4 Attachment 6) is a summary of the flow statistics data for the Wairoa River at Irvines, the rationing trigger site. The amount currently allocated in the catchment is given as a percentage of the Mean Annual Low Flow and other drought flows. It illustrates the extent to which the water is over-allocated even without consideration of a suitable minimum flow for the river.

#### 4.3.1 Recent Drought Management

The river flow ceased entirely during the 2000/01 drought and rationing had reached 60% of allocated use when it rained again. Rationing had commenced at 2000l/sec. That drought had a return period of about 27 years.

After the 2000/01 experience, in subsequent drought years (2001/02, 2002/03, 2004/05, 2005/06 and 2012/13) rationing was initiated when flows reached 2500l/sec at the gorge. The objective of this rationing was to maintain flows for as long as possible in the lower Waimea by maintaining groundwater levels for longer. There was no minimum flow specified in the interim provisions and the river did not dry during any of those drought events.

The most recent drought in the summer of 2012/13, the Waimea River flow did not drop below 800l/sec and rationing had started at 2500l/sec and had reached step three. However, the return period for that drought was 2.5 years. The severity of that drought was particularly a function of soil moisture levels and a protracted period of low rainfall resulting in extensive damage to crop/pasture growth and production. The antecedent rain had however, kept aquifer levels at reasonable levels.

#### 4.4 Cease Take and Increased Rationing

The regional economy depends in part on irrigation of productive land in the plains; increased frequency of rationing will have an adverse impact on the region's economy. Less investment into primary production, especially high value crops such as glasshouse crops and market gardening is also likely as the water security is reduced below economically acceptable limits.

The costs of a drought on individual water permit holders will vary according to crop type and mixture, time of year and area being irrigated. Some crops such as grapes can withstand the effects of drought for longer while glasshouse crops are lost after only a few days without water. Animal health is also dependent on water, although animals can be moved to other areas.

The cease take flow provisions will impose an even greater cost on water users compared with the previous (interim) regime which sought to 'eke out' available water for as long as possible (and hope for rain). The proposed plan requires that all water takes cease when the Wairoa River flow at Irvines reaches 2300l/sec. This flow has occurred 12 out of the last 14 years and has occurred between 6 to 100 days in each year it is reached. (refer to Table 2) The flow at Appleby, (with abstraction subject to rationing regimes which increased from 1800l/sec to 2500l/sec between 2001 and 2013) was less than 800l/sec in 5 of the last 14 years and occurred between 2 and 73 days in those years. (refer to Table 3)

The abstractive takes all occur downstream of the rationing trigger. The time of year, pattern of water use, antecedent rain, ambient groundwater storage and soil moisture levels will all affect exactly how the cumulative abstraction affects the Waimea River flows downstream of the rationing trigger point.

The Council has proposed a higher rationing trigger flow (3000l/sec) at Irvines (up from the interim 2500l/sec and that was an increase from the previous 1800l/sec initially suggested in 2001) with a resulting ability to maintain higher flows for longer.

The Council has also specified the minimum flow that it will seek to maintain by rationing during a drought. (The interim provisions did not include a minimum flow).

Council has worked with the Dry Weather Task Force in adopting an adaptive drought management regime as rationing got progressively more restrictive during the last decade. Council is also looking to more aggressively reduce water permit allocations and the impact of these reductions will also help delay rationing over time.

Given all the proposed new measures, and the uncertainty about how they will impact on flows in the Waimea River during any given drought, it is recommended that a specific cease take flow is not specified in the plan. If after stage 3, rationing is no longer effective and the drought is continuing, the Council issue water shortage directions under RMA Section 329 that are consistent with policy 30.2.3.1 (see also SAR 574.5 about priority water takes). (Note that this does not mean that 'cease take' directions will not be made, they will just be made in response to the river flow patterns during any particular drought.)

In addition, including the Step 4 rationing trigger as proposed means it is relevant across the district, while in reality only the Waimea Zones had such a regime specified. Cease take flows need to be introduced in consultation with the affected communities.

This regime provides some protection for the instream values of the river while recognising the existing investment into irrigation and other abstractive water uses. It also recognises and relies on gradual reduction in permit allocations to achieve a sustainable level of allocation.

The higher rationing trigger and a minimum flow ensures the life-supporting capacity, ecosystem processes and indigenous species are sustainably managed as required by the NPSFM. This new regime will alter the river flow responses during droughts and a more adaptive approach to managing rationing beyond step 3 is warranted. Not having a specified cease take flow recognises that the trigger is above all points of take and that at any time the pattern of water use and the river flows downstream of this trigger will vary from time to time.

It also recognises the success of the DWTF in managing water takes during droughts and the robust policy approach to managing water takes during extreme drought already in the Plan. It also allows flexibility in decision making according to time of year and pattern of water use and can enable continuing partial exercise of water permits to meet several end user needs authorised by the permit such as domestic or stock water supply if necessary or appropriate.

There is a risk however, that despite specifying the minimum flow, the decision about implementing successive rationing steps might be delayed in the hopeful expectation of rain and the pressure to continue allowing the abstraction of water. The river flow continues to decline even after rationing steps take effect because river water continues to replenish depleted groundwater.

In order to ensure appropriate progression of rationing therefore, it is also recommended that a step three rationing trigger also be specified and that it be set at 2400l/sec for the Wairoa River at Irvines.

4.5 Rationing Impacts on Urban Users Policy 30.2.3.16, and Rule 31.1.2.2(c)

The impact on urban water users of rationing as proposed is also significant.

At 500l/sec, the urban water supply currently sourced from a well field in the Delta Zone for Richmond and surrounding areas is still at risk. Four of the wells have already been de-commissioned because of historic sea water intrusion. Two new wells have been drilled further inland for emergency use because of the sea water risk.

The Plan allows for a slightly lower level of rationing for community supplies than for other water users. The community rationing steps are 10%, 17.5% and 25% compared to the steps for other users at 20%, 35% and 50%. This was to reflect the lack of control the asset managers have over the individual household use and the human health and well-being aspects of water use. Submissions, including 2864.37 and 2864.35, 3870.15, 3895.4, 3897.10, 3931.2 and 3932.2 all seek that the same rationing steps be imposed for urban takes as for other users.

In spite of the less restrictive rationing steps, during a drought when rationing is imposed, the community water consent holders have historically managed urban demand to reduce the amount taken. A range of water restrictions and hosing bans are implemented when any rationing is required and the water meter returns generally show that reductions in the same order as irrigators are being made by urban users.

However, as urban development increases the peak water demand within any permit allocation increases towards the maximums allowed for within the term of the permit, it becomes increasingly difficult for water managers to make the required cuts in use by household users without drastic measures and cutting supplies. Rationing beyond step 3 would require this level of intervention, but before then a slightly lower performance measure is justified.

If a flow of even 500l/sec is to be maintained, rationing beyond stage 3 will have a significant impact on community water users, including the non-residential component of the take.

5.0 DROUGHT MANAGEMENT AND PRIORITY END USES OF WATER

A number of submitters suggest various priority allocation options for managing water takes during a drought. They include a two tier rationing regime, with some uses continuing to take water when others are required to cease taking and a priority during droughts for specified end uses including for stock drinking water, essential food production and processing of perishable foods. Submitters suggest reference to these possible priority end uses in relation to minimum flow management and rationing, but also in relation to meanings of word and policies and explanations.

5.1 Food Production

Recognition of water abstraction specifically for food production as a particular end use is sought by submitter 2864 in a number of places throughout the Plan. These include reference to use of water for food production, and protection of productive lands for food production.

Irrigation water is mostly used to irrigate plant crops used either directly for human food or indirectly for food through irrigation of stock feed. Water can also be used to process food products such as through stock processing, milk and other primary produce processing such as fruit and vegetable processing plants. Water can also be used to irrigate amenity plantings, including in plant nurseries, production species such as pine seedlings, and sports fields.

In nearly all water management zones, the biggest proportion of water abstracted is used for food production, either through irrigation or processing. There is a small proportion of water used in non-food crop irrigation or industry use. In the Delta and Reservoir zones, the proportion of water used for community water supplies is also significant. The Plan already acknowledges community water supplies as a significant end use.

The water allocation issues and policies already acknowledge the value to the community of sustainably managing water to enable a range of end uses (for example, see 30.0.2 acknowledges the community values of abstracted water.) Note too, that the Plan also provides for a reservation of a percentage of the allocatable quantity of water for irrigation end use in the Motueka Plains, in recognition of the connection between water availability and enabling the productive use of high quality land. There is sufficient water in the Motueka Plains to meet current demand.

Apart from the Motueka example, the water allocation policies do not generally direct or set preferences for specific end uses of water, and the focus has been on efficient allocation regimes, efficient use and equitable allocation between competing end uses. Within this framework, food production is enabled and provided for. The issue of identifying preferred end uses of water has previously been considered by the Council (EP08/07/10) and its position is not to pick winners in relation to end use of water.

Land use is not managed nor allocated in the same way. Competition for land for various end uses is reflected by land value and most often land has higher value for non- food production end uses such as residential development. In addition once land has been developed it generally does not remain available for other productive end uses. Water can continue to move between competitive end uses to a greater degree (though not once it has been allocated and used for community supplies, which is a defined priority end use).

There is an indisputable linkage between use of irrigation water and maximising production from the very limited amount of highly productive land in the District.

Council is currently reviewing its policy provisions for rural subdivision and built development, to ensure that the intent of maintaining productive opportunities is adequately reflected in its rules. There is possibly a need for clearer recognition in the Plan that productive land value is better enabled where there is water available for irrigation. However, the contribution of water availability to land productive value in different locations must reflect both the existing water allocation policy and land use policy. This is particularly so where actual or potential irrigation use of water substantially enhances the existing high productive value of irrigable productive land. This includes within the Waimea Plains even in the event there is a decision not to construct the dam by 2015. The Part II provisions acknowledge the risk the dam is not built in the short term, but still ensure the dam site continues to be protected for future generations. The acknowledgement of future generations needs can also be made in respect of the highly limited amount of highly productive, irrigable land in the plains.

But this contribution does not make any case to provide end-use specific management objectives in Schedule 30A for [irrigation for] food production, nor a higher priority status for in low flow periods, than at present under Policy 30.2.3.1, as sought.

The submission requests concerning “food production” and “takes essential for food production” are seen as covering ground that is already within both the land policy and water allocation policy provisions of the Plan. Most irrigation end-use is for food production; no further specification such as takes “essential for food production” is considered necessary, as all end-uses are broadly stated.

And the Plan’s land use policies already provide for protection of production land, including where such land is irrigable, for food production. It is acknowledged that the concepts of productive value and high productive value need some improvement to account for irrigability. This and consideration of protection of the Waimea Plains for food production fall within the current rural land policy review. SAR 573 notes that there is connection between Part V Water and Part II Land that also needs to be considered as part of the rural land review.

The need to confirm the adequacy of these connections, and to have irrigability covered in the context of productive land evaluation, including in relation to the needs of future generations, are able to be taken up in that current review, and this is recommended.

5.2 Low Water Use Crops

A number of submitters (including 47.3684.1) seek measures that provide for (and prefer) the efficient use of water by low water use crops.

Preference for low water use crops is not included in the plan change as Council has always maintained a flexible, maximum rate, approach to allocation that enables landowners to change the types of crop grown from time to time according to best economic return.

In an over-allocated situation, there is perhaps an apparent rationale for preferring low water use crops because it makes the available water ‘go further’; however, it is not necessarily a good economic decision. Flexibility in processes and allocation regimes that allow movement of water between properties has a better chance of ensuring optimal economic return than an allocation regime based on low water use crops. It means higher value crops, even if they use more water per hectare, can compete for limited water, and that economic return could then be significantly improved on both a per hectare and cubic metre of water basis.

Despite the differences in the amount of water used between crops, it is still important that water is used efficiently and recommended changes in SAR 575.3 provide much more certainty about how efficient water use is to be assessed.

No changes are therefore recommended in relation to preferences or provisions for low water use crops.

5.3 Priority During Drought

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The Council has Policy 30.2.3.1 guiding end use priority for water in droughts that exceed the rationing and management provisions specified for a water management zone.

The policy is provided here for reference;

"30.2.3.1 During times of low flow beyond the provisions of any rationing or rostering regime or when implementing a water shortage direction under Section 329 of the Act, Council will give priority to the following uses, whether they are authorised by a permit or through a rule in the Plan (in order of priority from highest to lowest) in requiring reduction or greater restrictions, including cessation for authorised takes:

- (a) water for the maintenance of public health;
  - (b) prevention of significant long term or irreversible damage to the water resource or related ecosystems or specified significant instream values;
  - (c) water necessary for the maintenance of animal health;
  - (d) uses for which water is essential for the continued operation of a business, such as irrigation of horticultural crops or water essential to industrial activities;
- and the following uses will not be authorised during such a drought:
- (e) irrigation and other uses not associated with commercial production such as irrigation of amenity plantings;
  - (f) non-essential uses such as recreational use, for example, swimming pools and car washing."

Up until this stage, the Council and water user community have adopted an 'equal pain' approach to managing droughts. In reality, the pain refers to equal cuts in authorised use based on the amount allocated, not the pain in relation to the impact of the actual amount of water reduced. This is because each permit holder has a different water use pattern and the 'pain' of a cut in authorised use varies from time to time.

A two tier system whereby some users are cut before other users (a consequence of what is being sought by various submitters in relation to different flow triggers for rationing) has an added disadvantage for the Waimea River of extending the low flows for longer.

No changes are being recommended to the existing priority regime. Steps 1 – 3 rationing apply to all permit holders, and if water flows reduce further, the Council, in consultation with the DWTF will issue water shortage directions according to existing policy (30.2.3.1).

If the dam does not proceed, then other drought management measures could be further considered (47.1499.4). The Council currently allows permit holders to 'share' water across more than one bore/permit allocation, provided the total taken is not more than the amount allocated. It is generally adopted by property owners with more than one permit/bore. This water sharing provision could be extended across properties to several permit holders in the same zone. This does not need a plan change to provide for it – but may need variations to consent conditions. It is something existing Water User Committees could play a significant role in helping to develop.

A suggestion has been made that available water during a drought be taken back under the control of the Council and 'auctioned' during a drought to water users (47.3870.6). There are legal barriers to this although it would ensure that, because it had a defined value, it would probably go to high end uses and be used efficiently. A similar outcome might be enabled through a more streamlined transfer regime that enabled short term transfers during a drought.

This should be something the Council develops further to manage demand in water short areas in any event.

Further discussion with water user committees may identify opportunities for water use rostering if the dam does not proceed. This has not been provided for in this plan change, and may be adopted through the DWTF without a plan change in any case. If the decision is made not to proceed with the dam, these options can be further examined. None of these initiatives will address the water shortage, but they may lead to innovative ways to manage droughts.

No changes are recommended at present but other action is recommended to further investigate these alternatives in the event a decision is made not to proceed with the dam.

6.0 POLICIES - GENERAL

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Policy 30.1.3.19B

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This is about the management of abstractive water takes and is generally focussed on quantity. One of the drivers for adequate minimum flow in the river is sea water intrusion, which already occurs during droughts and is not solely in response to sea level rise. It remains a reason for the minimum flow and no change is recommended in response to submission 1118.7. The remainder of the changes sought by submission 1118.7 in relation to the management of water takes beyond step 3 has been addressed in section 574.4 above.

The proposed plan change has inserted the words "water quality" into the policy, however, it is proposed new Policy 33.1.3.7A that directs the management of irrigation to address adverse water quality effects. The recommendation is to remove reference to water quality from this policy rather than insert a new clause relating to water quality as sought by 1445.5 and 1041.9 and to rely on the Chapter 33 policies to manage the water quality effects of irrigation.

Submission 2864.8 suggest the addition of words to maintain and enhance where appropriate instream uses and values. The policy is a “without dam” management policy. As such, the Council is not seeking to enhance uses and values. In this policy and the associated Schedule 30A that the best it can do is protect the existing state of the values and uses.

Policy 30.1.3.22A  
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The management objectives are adopted by Council and policies and rules are established to implement or achieve the objectives. A slight wording change will reflect this as sought by 1445.8.

Clause (c) directs a staged reduction in allocations. It is firstly achieved through the reduction in allocation rates according to bona fide use, crop type and soil type. Permits will be regularly reviewed against these criteria over the term of the permit. The definition of ‘bona fide use’ is quite wide and is essentially one of water use, not land use practices. Water use variations through crop rotations will be reflected in the overall water use. No change as sought by 2864.7 is recommended.

However, the rule 31.1.2.2 refers to regular reviews, when the matter for discretion could just as usefully refer to “reviews of conditions” and conditions on consents will establish the appropriate frequency depending on the zone and the level of over-allocation.

7.0 RE-ALLOCATION of WATER - BONA FIDE REVIEWS (NO DAM) POLICIES 30.2.3.9. 9B, AND 11

A number of submissions were received addressing the policy and rules for the re-allocation of water if there was to be no dam. Relief sought has varied from retention of the proposed changes, to substantial changes to the way bona fide use is assessed and how water is to be re-allocated. Issues raised also include management of community water supplies.

The permits in the affected Waimea Zones all expire in 2016 -2017. The Council already has a policy of protecting existing investment through its controlled activity rule that specifies water take and use applications that are subject to an expiring consent, are controlled activities. Conditions apply relating to efficiency of use, rationing and records of actual water use among others.

The re-allocated amount is to be based on an assessment of bona fide use and for the Waimea Zones this now also includes consideration of the type of crop used. In the interim provisions, rates were based on a maximum 350m<sup>3</sup>/ha/week until investigation on augmentation options was completed.

The re-allocation (except in relation to community water supplies) is proposed to be based on an amount that is the least of;

- (i) the relevant rate given in Figure 31.1D (soil type); or
- (ii) the relevant rate given in Figure 31.1DA (crop type); or
- (iii) any lesser rate applied for; or
- (iv) the level of bona fide use; or
- (v) the sustainable yield of the bore; or
- (vi) the quantity specified on the permit being renewed.

The associated policy (30.2.3.9) ensures that allocated water is necessary to meet a demonstrated need and efficient use of the water (issues surrounding community water supplies are further considered in section 7.6).

Council is seeking that water be actually used and not ‘saved’ in a water permit for some future use. In normal situations where permits are not fully used, Council encourages water permit holders to transfer the unused portions of a permit to another site/person, especially in zones where water is fully allocated and where there is a waiting list. This policy was adopted to assist permit holders in realising the value of the permit, rather than risk water allocations being reduced as part of a bona fide review.

The policy existing before 2001 had a strict ‘use it or lose it’ approach that had resulted in perverse outcomes and a deterioration in relationships between council and permit holders. It meant that users would ‘waste’ water just to show usage and were distrustful of council attempts to ensure accurate data was collected.

7.0.1 Alternative Re-allocation Model

An alternative re-allocation model is described in section 7.5. It considers equity between water permit holders as a greater priority than protecting the current pattern of water use, and provides a clearer site to site and more stringent allocation reduction framework.

However, the Council’s preferred approach is the protection of existing investment for the overall benefit of the regional economy. It recognises efforts and commitment of landowners already dependent on water for irrigation of high value crops, rather than those only partially or not at all exercising consents. This report therefore provides recommendations that support the Council’s preferred decisions.

7.0.2 Derogation of Rights

Submission 3451.1 seeks that reference to reductions of unused parts of consents in clause (d) of policy 30.2.3.9B be deleted as it derogates from the permit holders’ rights.

The Council has a number of policies and rules aimed at ensuring water is allocated efficiently. It has found that, without careful management, water allocated can often exceed the amount actually needed by the consent holder and this can be demonstrated by water meter data.

A previous 'use to or lose it' policy approach was amended in 2001 to include advocacy and provision for site to site transfer of unused water to prevent perverse outcomes and recognise the inherent value of water permits.

This approach does not derogate from permit holders rights as it is designed to ensure water users needs are met, but not at the cost of others who may also have unmet water demand. In the over-allocated Waimea situation that this policy is particularly designed to manage, the Council is even more committed to ensuring water is allocated to permit holders who have existing water needs, and not continued to be authorised for some future use or provide 'buffer' against rationing. It is part of an allocation regime that will contribute to a better security of supply for permit holders.

Case law on derogation of rights has generally been concerned with allocation of water to a another party in a way that has an adverse effect on an existing water user. In this case, however, Council is ensuring efficient water allocation where allocated water is actually used, especially in over-allocated zones or where there are waiting lists.

No change is recommended.

### 7.0.3 When there is Augmentation

Amendments to Policy 30.2.3.9A states clearly that policies 30.2.3.9 and 11 do not apply to applications to take augmented water where the applicant has contributed to the augmentation scheme. Policy 30.2.3.10 will still apply as it concerns the pattern of water take and effects on the flow at different times of the year.

Changes sought by submission 3933.14 are not recommended.

## 7.1 Bona Fide Review

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Despite the poor security of supply for existing permits, there is none-the less a significant value associated with them.

Even without adequate security for irrigation of high value crops, there is still enough perceived value in water short areas for permit holders to be concerned about the impact of the new re-allocation regime for the Plains on their land and water investments. Irrigation opportunity for some crops outside drought periods still has an economic benefit for landowners.

Except for community water supply, the Council has proposed a strict 'bona fide' approach to the re-allocation of water in the Waimea Plains. It will see existing users retain water permit allocations provided there is evidence of actual water use. This is because the economic benefits of water use are optimised where water is actually being used, and it enables Council to reduce the total allocated water down to the sustainable limits.

The Council is required to ensure efficient use of resources, and this mechanism ensures water is not saved but is used for productive purposes (notwithstanding the risk of incorrect water use data noted above).

Submission 2864.21 seeks recognition of existing investment including for frost protection (such as in Policy 30.2.3.9B), however, the Council's provision is for existing use of water (including frost protection), and does not consider wider investment decisions, as these would vary between land owners and it would be difficult to standardise criteria. The bona fide concept already includes irrigation equipment investment. New irrigation or frost protection water takes in the Waimea Plains would be severely constrained by the new allocation limits.

Re-allocation according to crop and soil may result in approximately a 20 -30% reduction in the total allocated amount across all the zones according to present pattern of land use and irrigation.

The Council already has a definition of bona fide:

"Bona fide user – means a party who holds or has held a lawful water permit to take water, and who in the two years prior to its expiry or review, had or has fully exercised that permit, or who, if the permit was not fully exercised, has good reason why that was the case. Bona fide usage has a corresponding meaning. In determining bona fide usage, Council will take into account:

- the area being irrigated and any changes to the area irrigated;
- the existence and availability of plant and equipment required to irrigate the authorised area up to rates specified in Schedule 31D;
- data provided through water meter returns;
- the pattern of rainfall, including timing, amount and distribution of rain, and the impact it had on water demand in the preceding five years
- any actual or proposed changes in crop type;
- any changes in crop water demand because of the nature, age or distribution of crops irrigated;
- the impact of any water rationing requirements imposed during the preceding five years;
- for community water supplies, any growth in the area serviced, or changes in nature or pattern of water use;
- the level of water use efficiency adopted, including appropriate crop and soil-based application rates, soil moisture monitoring and other techniques to ensure efficient water use.

Note: Council may omit water use records from a bona fide review where users have been encouraged not to exercise their consents such as during drought events where irrigation use is not critical to the operation. Council will notify users when these provisions apply. '

Users have some scope to establish a bona fide use between now and expiry of permits in 2016/17 – and if water use does increase between now and then, under the proposed re-allocation regime it means that it will take longer to reach sustainable limits as bona fide use is kept at a higher level.

Rationing effects will remain more significant for longer the more permit holders exercise their consents between now and 2016/17 and if they continue to exercise them beyond this date. Council has recognised this as a risk.

In order for a permit holder to be considered a bona fide user, the permit must have been exercised in the last two years before expiry of the permit. The record of how much water has been used however, includes consideration of crop water demands, rainfall patterns and consequential irrigation need for irrigators as well as consideration of any rationing requirements over the previous five years. This provision allows for variation in water use over a reasonable timescale and in a way that reflects or demonstrates actual need.

No change as sought by 45.1118.1 is recommended.

Submission 45.3914.1 notes the meaning for 'bona fide' seems to be almost entirely focussed on irrigation and seeks that it should be extended to cover other non-irrigation uses. They further seek that it should include 'reasonable current needs and projected needs for the rural industry or commercial zoned land' within the duration of the consent.

This submitter further notes that there is industrial land not yet fully developed along Queen Street and as part of the Richmond West rezoning and seeks that water is made available for that end use. The proposed allocation regime reduces or restricts the amount of water available for these end users and may make already scarce Rural Industrial zoned land even more difficult to develop for the intended uses.

This is an obvious and economic consequence of being in an over-allocated system where there is no more water available for allocation. See also the discussion under community water management in SAR 574 7.6 below.

A consequential amendment to the definition is recommended to address the concerns about its focus on irrigation by reordering the criteria.

Submission 2864.7 suggests a new clause in Policy 30.1.3 .22A to reflect how re-allocations are to be managed, taking account of crop rotations and business cycles of farms. The business cycle of farms will be accounted for in relation to how these impacts on water use as it already accounts for areas irrigated and considers irrigation equipment. The term 'business cycle' is otherwise difficult to interpret in relation to water use and in respect of other submissions on this point by 2864.

No change is recommended.

## 7.2 Impact of Existing Use Re-allocation

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This bona fide approach to re-allocation has variable impacts on existing permit holders. A snap shot of water use by permit holders in the affected zones is provided in Table 5 in Attachment 6. It shows the number of permit holders in each zone by the amount of water being taken as a percentage of the total allocated. It is data for one day only just prior to rationing commenced in March this year. The reasons for low or no water use are not known for each water permit holder but will include a variety of reasons including crop type, farm system or irrigation investment.

### 7.2.1 Full Use of Allocated Water

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Under the proposed allocation regime, users of their full allocation have the greatest benefit as they continue to have sufficient water to irrigate a range of crops or meet the needs of the land use. They maintain authorised access to scarce water supplies and ability to change land use to meet market demand for different crops or other production regime. The water permit (and land) potentially maintains a relatively higher value.

### 7.2.2 Low Water Use Crops

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Landowners who are fully irrigating low water use crops such as grapes and olives will maintain access to water - but lose any kind of flexibility to meet demand for changes in crops. Their water permit (land value) is likely to be correspondingly less in value. The impact of the proposed allocation reduction will have a greater impact on these landowners than on those fully using their permits in terms of water permit values and land value because of the reduced ability to change crops.

### 7.2.3 Low or No Water Use

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Permit holders who have currently low water usage. Low water use may be because they only crop a part of their property, their intended land use is not fully developed (such as for some industrial sites), run stock on a mostly dry land system which they only occasionally irrigate or because they do not currently irrigate. They may also have voluntarily reduced usage because of the drought and water meter returns do not fully reflect this. The impact on

water permit and land value will be similar to the low water use crops, although in this case there may also be a lesser investment into irrigation infrastructure.

Land with a water permit has traditionally been more valuable than that without, so these landowners may also lose capital value (depending on when the land was bought).

#### 7.2.4 No Current Water Use

The Council already has a policy position that requires demonstration of water need and actual use of allocated water. However, for various reasons not all water permits are exercised. Despite this, a property with an associated permit may have part of its value assigned through the existence of a water permit. In an over-allocated situation, there is only very remote possibility that a new water permit can be issued. The status of the activity is non-complying and policies clearly state an intention to allocate water within stated allocation limits. In some zones where there are waiting lists, new applications are prohibited. There is limited provision for site to site transfer as policies and rules ensure that the net water use must not increase. This all conspires to add value to an otherwise unused water permit.

#### 7.3 Impact on Land Value

The relative value of the water permit in relation to the land will however vary from time to time (B Hancock QV pers comm). At the moment, because the demand for productive land is somewhat lower, the land value for smaller sized properties more reflects the underlying "residential" value and the existence of a water permit does not add much value. This effect on land value will vary according to the size of the property with bigger properties showing a correspondingly bigger value associated with water permits.

It is possible that value of industrial land may decline if there is no water available. However, there is still potential for industrial activities that do not rely on water and they may maintain demand and value for this land. It may result in wet industries having to locate elsewhere or seek alternative water supplies.

Should demand for production land improve, then the existence of a water permit could provide more value. Without water permits, landowners no longer have the ability to realise plans for production regimes that requires irrigation and land values may be correspondingly lower.

#### 7.4 Alternative Re-allocation Model

An alternative proposal has been developed that provides more equity between water permit holders, but still specifies reductions in allocations to occur over time. Like the proposed bona fide/crop based allocation option it would be a staged process over the next 20 years, but is a process that provides for all permit holders. It allows time for water to be re-allocated and the new water rationing regime to be monitored (see also section 8 on timeframes). Also, the permit renewal will continue to be a controlled activity as with the proposed regime.

This re-allocation option has less emphasis on actual water use and existing investment. It adopts a pro rata approach to reductions in allocations that is more equitable across consent holders and provides a more certain site to site transfer opportunity.

As a starting point for this approach, reductions on allocated amounts will be linked to the desired new allocation limit for each zone on a pro rata basis. The allocation of water in each zone needs to be reduced by up to 30- 50% depending on river contribution (this may be altered depending on decisions made in relation to submissions on the zonal allocation limits). At permit renewal, existing use will also be accommodated in the total amount allocated, but over time there will be reduction towards the base allocation for the permit. A permit holder can however seek to transfer base allocations from other permit holders. The process would be as follows:

(i) Each permit allocation will involve a base allocation – or pro rata share - of the available sustainable allocation limit. It represents the sustainable allocation spread evenly among permit holders.

This base allocation is transferrable to other points of take within the same zone. A new rule to permit this transfer could be drafted.

(ii) In addition - and separate to - the base allocation, each permit holder can apply for an additional amount (based on the lesser of the soil type and crop type application rates or metered bona fide use for other end uses) to meet existing use needs. Call this amount the bona fide or existing use allocation.

This existing use amount is not transferrable to other points of take.

If there is no current actual need or investment into the water use, the allocation remains at the base rate amount.

(iii) Every five years after the permits have been issued the total permit allocations are compared against sustainable limit for each zone. If there is more water allocated than the sustainable amount for the zone, calculate the % reduction of the allocations necessary to meet the sustainable limits across all permits with extra allocation.

All permits with extra allocation will have the permit quantity reduced by 10% (or less if this can meet the sustainable limit)

All permits that cannot demonstrate bona fide use of the base allocation will have permit allocations reduced by 10% (or less if this can meet the sustainable limit).

(iv) At any time, permit holders can transfer all or part of base allocations to other permit holders. It could be transfer to other people, but if transfer is restricted to permit holder, this helps protect existing investment where actual water use is over the base amount.

(v) A permit review is repeated every five years until the allocated amount matches the allocation limit.

7.4.1 Benefits

The benefits of this revised allocation reduction regime compared to the draft provisions include:

1. The same base allocation across all permit holders irrespective of current land use or crop type.
2. Initial protection of existing investment in part by "extra" allocation, although long term protection of this extra allocation comes at a cost to existing water users.
3. Gradual transfer from non water users to full water users or there may be more of the base allocation used by current non-users. This means movement towards more use of the sustainable portion of the allocated amounts over time.
4. The clearly defined transfer opportunity means the property or real estate value associated with holding a water permit will be moved to actual value for the water permit. This may create a market in the base allocations as full water use permit holders seek to acquire base allocations from non-users. (Unless each 10% of the unused base allocation is "collected" by Council for re-allocation - which means there is no opportunity to reflect water permit value (such as through arrangements between permit holders for site to site transfers) and for this reason is not recommended)
5. It reduces (but doesn't eliminate) the risk of perverse water use to continue to show 'bona fide' use, because the value of the water is retained through the site to site transfer provision for the base quantity.
6. Low water use crops (including grapes) have protection from first rationing step but will be impacted after that (a 50% reduction for the Reservoir Zone means reduction from 35mm to 17.5mm, while the grape crop only needs 14mm (20% more - which is the step one reduction). It provides an incentive for low water use crops roughly consistent with outcomes sought by some submitters.

7.5.2 Costs

1. Compared to the proposed re-allocation regime, existing investment and water use is not protected as well by this approach as by the bona fide review approach. The bona fide approach allows for greater protection of existing economic water uses. The alternative means that existing users will gradually lose any water allocated that is more than the sustainable pro rata or base amount.
2. This approach will result in significant costs over time to water users who currently use their full allocations. They will either have to reduce production or acquire base allocations from other permit holders. Given the overall target for reduction, there may not be base allocation available to these significant water investors to meet their full need in the longer term.
3. This alternative is a new untested approach. The proposed regime is similar to what has already taken place in the Wai-iti and Moutere water management zones to deal with over-allocation and where there are waiting lists.

Either this re-allocation model or the option proposed in the Plan Changes has an impact on community water supply. The options for urban water management are discussed further below but under both the re-allocation options, Council intends to protect the existing community water supply allocation.

7.5 Urban/Community Supply, Bona Fide Reviews and Policy 30.2.3.9 and 9B and Rule 31.1.2.2

The provision of water supply services is considered to be a core public health function of local government and is something that the Council has always provided. The service provides many public benefits and it is considered necessary and beneficial to the community that the Council undertakes the planning, implementation and maintenance of water supply services in the District.

This plan change achieves the purpose of the RMA by enabling people and communities to provide for their social, economic and cultural well-being and meet the reasonably foreseeable needs of future generations.

The Council has existing policy that provides end use priority for community water supplies. It is provided here for reference:

- "30.2.3.5 To reserve water within the sustainable allocation limits of the water body for the following uses:
- (a) irrigation needs in respect of Maori perpetual lease lands under perpetual leasehold terms (where Maori landowners are unable to directly influence authorised access to water for irrigable land through lease arrangements); and
  - (b) community water supply needs, taking into account expected demand until 2026, and to enable temporary use of the reserved water by other users until it is required for the reserved purpose."

Community water supply takes for this purpose are given priority within allocation limits and this is reflected in the reservation for future community supply (See Schedule 31D of the TRMP).

Council reserves water (where water is still available for allocation) for this priority end use and ensures through

conditions in rules that no other user can apply for this reserved water, except for temporary uses. (Refer Table 2 of Schedule 31D).

The bona fide provisions (as amended by this plan change) now essentially grandparent existing allocated volumes of domestic and municipal take authorised by consents to take water in several of the Waimea Zones (but not generally across the district).

The proposed Plan Change Policy 30.2.3.9B allows for the current consent allocations for urban reticulation in the Waimea Zones to be renewed for urban use (not being subject to bona fide reviews) and Policy 30.2.3.9 allows for urban growth water demand for the reticulated area within the term of the permit to be provided for. The proposed Plan Change includes provisions for these Waimea Permits to have a duration of 20 years.

The amount allocated for the Council's Richmond water supply from the Delta Zone in particular allow for some growth for between 10 and 60 years depending on the rate of growth. (Refer to Attachment 2) The other five community water supply permits issued for takes in the Waimea Zones are almost at full usage and have little room for providing for more development.

Existing permits for the community water supplies included water for anticipated growth at the time they were granted. They were originally issued before the concept of reservation was introduced into the Plan. The reservation policy and rules were added to the Plan to provide transparency for water allocation and urban planning.

Several submitters, (including 2864.16, 1499.7, 3884.1, 3886.5, 3897.3, 3451.1 and 1118.18 for Policy 30.2.3.9B(d); 2864.38, 3932.7, for Rule 31.1.2.2) seek that bona fide review apply for existing community water demand through a review of permits in the same way as they will for irrigation and other takes. They seek that the re-allocation provisions limit new use to essential use only or are prevented from increasing altogether and not include provisions for new business commercial and industrial takes. Submission 2864.20 suggests essential use include water necessary for drinking and sanitation only.

The submissions point out that provision for new commercial water use within an urban reticulation is inequitable when other commercial users outside any reticulation including irrigators are already facing drastic cuts in allocation and reduced security of supply. Submitters also seek a range of water supply/demand management measures to be more specifically imposed. Some are already indicated by proposed new matter in rules:

“(1B) For applications to take for community water supply, provisions for demand reduction during rationing in drought periods, through physical restriction or pricing, or end-use efficiencies via management or technology.”

Submitters including 2864.43 seek that these measures include provision of on-site water storage. On-site storage, among a range of other demand and supply management options has already been considered as part of the options available to the asset managers (see Attachment 2)

If the dam does not proceed the case for requiring or promoting on-site storage will need to be further developed. At this stage, it is not considered as part of this plan change.

It is also possible that efficiency gains could be made by industrial and commercial users within the Richmond and adjacent community supply and those gains could be used to meet demand by new industrial users within the reticulation. However, as already noted by the engineering department, more aggressive demand management and water conservation methods will provide benefits, but insufficient to allow Council to live within current allocations.

#### 7.6.1 What is a community water supply?

The Council defines Community Water Supply to mean:

“A reticulated water supply of potable water to a number of water users primarily for domestic household supply and may include industrial and commercial uses.”

There is no guidance as to what proportion of the take is to be domestic or commercial in order for a supply to be still considered a community supply.

The definition recognises that communities are a mixture of water demanding entities that require water in order to function as communities. Non-residential uses such as schools and rest homes are integral to enabling a community to function. A community also depends on commercial and industrial operations to provide work and income for the community it operates in.

The Council's growth model predictions and water demand calculations account for both the residential and non-residential water demand. Water demand predictions for Richmond also include a new wet industry demand for water similar to the current ENZA, Alliance or NPI primary processing demand. Industrial demand is difficult to model as it does not follow a gradually increasing pattern.

The extent to which industrial or commercial access to water is provided by a community supply was a topic of discussion in relation to the management of water from the Motueka Plains aquifers and is also a key issue elsewhere in NZ including in the Waikato region for Hamilton city.

Currently in Tasman, a new industrial or commercial water connection in a reticulated urban area can be made provided the applicable water reticulation scheme has sufficient capacity. The water take for the reticulation scheme would already be authorised by resource consent and as provided for in policy 30.2.3.9.

In contrast, any new commercial or industrial activity with a water demand more than 5m<sup>3</sup>/day wanting to commence in any of the Waimea Plains zones outside the reticulation area would be a non-complying activity, or where a waiting list is maintained, would be prohibited. Essentially, it means the same commercial activity within an urban reticulation has a different ability to access water than one outside a reticulated area.

In addition, as new users increase the amount of water being taken within a reticulation scheme, there is a corresponding increase in the risk of further rationing. The impact of the Council fully exercising its permits to take water from the Delta Zone is potentially significant as its proportion of the total authorised take in this Zone is about 20%.

#### 7.6 Managing Demand Equitably

With a dam, there is no particular constraint to new industry/commercial development in terms of access to water.

Without a dam, a question of both equity and sustainable management arises in relation to water management. The reservation and bona fide review provisions for community water supply needs to account for this inequity in these fully allocated or over-allocated management zones.

At present the Plan does not have any reservation for urban water in the Plains – essentially because all water is already allocated, including in permits for community supply to the Council.

The Council has a current commitment to meet the water needs associated with the uptake of land development options in residential and industrial zoned land in Richmond West and South, with a small amount of land available for residential development in Richmond East.

Land has been made available for industrial development in lower Queen Street as part of the Richmond West development. These provisions were all made within the constraints of the existing water allocations. The provision for industrial land meets a regional demand for industrial zoned land that includes Nelson City, where there is a limited opportunity for such land use.

Several options can be considered. One is to continue allowing allocation of water for the anticipated urban growth, as indicated in the Council's LTP and as reflected in the Plan Change (in policies 30.2.3.9 and 30.2.3.9B). The other is to reconsider how future industrial and commercial uses can be more equitably provided for.

With any of these options, it is still recommended that the existing allocation, as provided within the current water permits for urban supply be grand-parented.

This is despite the potential adverse effects on the security of supply for other users, which is acknowledged. However, the ability to reserve water within allocation limits does not exist as there is no water available for reservation. The previous allocation has already allowed for urban growth, and this approach is still consistent with council policy to provide for community water supply.

However, it is also recommended that additional constraints be adopted to more equitably and transparently manage water demand within the community water supplies. There are several options available.

##### Option A:

This is as contained in the Plan Change.

The stated intention is to ensure the allocation of water has reached the sustainable limits by 2036/37 (Policy 30.1.3.22A) with regular bona fide reviews during the permit term.

The Council has proposed an exception for community water supply to ensure permits are not subject to this review, and does not impose any restrictions on managing new connections. This solution also recognises that prior to the introduction of the reservation policy and rules, the Council had no other means available to manage existing and future community water demand.

##### Option B:

Grandfather existing allocations, but restrict new connections

The provision of water for meeting new community demand could be reduced to meet a restricted range of community needs. For example, it could be limited to supply water for relatively small end uses, with small being described as any takes less than say 5- 20 cubic metres per day. 5 cubic metres per day is the permitted daily quantity in the affected zones. A slightly higher quantity could be justified because of the regional significance for meeting demand for industrial land, existing land development provisions (Part II of the Plan) and community expectations for land development opportunities.

A new restriction on the establishment of significant new water demand reflects the over-allocation being managed,

but allows some (low water use) urban growth as already indicated in re-zoning decisions such as for Richmond West. Large scale industrial use of water (such as by a primary processing plant like Alliance or ENZA would have to be prevented unless alternative water supply can be found.

This option means that uptake/demand for the urban allocation is slowed and the unused water 'remains in the river' to delay rationing . It may also restrict investment into new water demanding industry.

Option C:

New development can be provided for, with the proviso that they are subject to a low security of water supply. I.e water is supplied to new users, but they are the first to be cut back during rationing at stage 1. The security of supply is likely to be very low as rationing (triggered when flows are 3000l/sec) will likely occur every other year.

Option D:

The application for community water supplies are only considered as controlled activities as long as the non-residential end use proportion of the total allocated amount is less than a specified amount (as with Motueka) .

Assessment of Options

Option A:

This provides the Council and its urban residents with the most secure authorised access to water. It does not however, necessarily provide the actual water as the new minimum flow and rationing will have significant effects on the security of supply of the water. It has the greatest adverse effect on security of supply for other water users as new connections increase the total being taken and impacts on the remaining river water flow. It means a higher priority is being given to urban end users in preference to new water use in the Delta Zone.

Option B:

Provides a more equitable approach between the commercial element of water use and existing water users outside reticulated areas. It allows for some uptake of the as yet undeveloped industrial, business and residential land, but recognises the water supply limitations by slowing or constraining urban development to low water end uses.

Council's water metering data shows nearly all residential connections take less than 5m<sup>3</sup>/day whereas the non residential consumption is skewed towards both the higher and lower ends of consumption (which reflects the low water use activities like churches and retail shops and the high uses such as processing or schools.) The top ten water users on the Richmond Reticulation all take more than 15m<sup>3</sup>/day with further detail on the nature of non-residential takes provided in Attachment 2.

Option C:

This is unlikely to be acceptable for new commercial water users and will be difficult to monitor and ensure compliance. In addition, new connections may include activities like rest homes and hospitals and it is difficult to see how differential treatment of these during rationing would meet community needs.

Option D:

This provides the limit for what the Council means by "primarily for domestic household supply". The current percentage of non-residential takes in Richmond is currently about 19% This option provides some flexibility to manage larger daily takes within a total allocation, depending on what percentage is adopted. A percentage that recognises the significance of Richmond as a regional population centre and location for regionally significant industry and other commercial activity (including in respect of Nelson City needs for industrial land).

Recommendation

Option B is recommended. This will allow for development of land as already committed by Council's land use provisions in Part II of the Plan but in a way that recognises the serious water allocation issue. It is also recommended that a new policy is included to describe this management approach. New Policy, explanation and method is recommended to clarify the Council's intent and reflect existing policy as well as account for the water over-allocation issues.

8.0 TIMING, RATE of CHANGE and EXPIRY DATES and POLICY 30.2.3.9B AND 30.1.3.22A

Policy 30.1.3.22A provides transitional arrangements that allow for the decision about the dam and for construction of the dam. Policy 30.2.3.9B also provides the expected timeframe for meeting allocation limits. Submitters, including 1041 and 1445 seek more stringent timeframes.

The plan change drafting allows for two scenarios depending on what decision is made about the dam construction along with interim provisions until the decision is made. The plan change is written to reflect that a decision is to be made by June 2015 as part of the Annual Plan process and that one or other of the provisions apply after that date.

If the Council does not make a decision to proceed with the construction of the dam, then the 'without dam '

provisions will apply.

No changes as sought by Submitter 1041 are recommended.

The NPSFM requires councils to have objectives and limits, including measures to reduce over-allocation within defined time frames by 2030. The Plan change in respect of water quantity gives effect to the NPSFM and provides objectives, limits and a timeframe for meeting them. (The NPSFM does not require the limits and objectives to be met by 2030). The Plan also signals the further steps required to fully implement the NPSFM in respect of the water quality component, as is provided for by the NPSFM.

Council has also considered the rate of change and how that impacts on current investment and business planning.

#### 8.1 Permit Duration

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Council has adopted a water permit term of 20 years even in the absence of a dam and despite the over-allocation situation and despite issues raised in submissions 3933.36 and 1041.69 about uncertainty and the effects of over-allocation. Water permits will be subject to bona fide review and a regular review of conditions throughout the term of the permit to ensure allocated amounts match actual usage.

The permits will also be subject to review following the introduction of any new measures to manage water quality arising from the use of water to irrigate land. The NPSFM requires objectives and limits to be set and the prevention of further over-allocation. A defined timeframe is also required. It is these elements that the NPSFM requires as soon as reasonable, and they are all included in the Council's plan change. Changes to timeframes as sought by submissions 1041.15 are therefore not recommended.

Submission 47.1041.20 seeks shorter permit duration in the without dam scenario as existing permits are replaced with new permits. The longer permit term is defensible given the extent of knowledge about the Waimea water resources, the understanding about the level of over-allocation and the measures being adopted to reduce this.

It is consistent with Council's desire to protect existing investment and to provide a reasonable management framework for water users to work within while working towards the specified sustainable limits. Despite the lack of supply security for users, there is both certainty and clarity for water users and the environment as well as some measure of recognition of the investment and expectation of water users.

However, there is a risk that bona fide reviews will not result in the over-allocation being addressed in the timeframe indicated as there is a continued (perverse) incentive for permit holders to continue showing water use. It is less consistent with the standard 15 year term for other zones, especially in respect of the over-allocation challenges.

No change is recommended.

Submissions 2864.42 and 2864.46 suggests the new matters for discretion (1A) should refer to sustainable specified irrigation rates rather than sustainable allocation limits, however, regular reviews of allocated versus used water will continue to be carried out until the total allocated to all permits within the zone matches the specified allocation limits. No change is recommended.

#### 8.2 Policy for Common Expiry Dates

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Council has long adopted a common expiry date approach in managing abstractive takes. It considers this approach enables consistent management across all abstractive users, and an integrated approach to the cumulative effects of water takes and provides for administrative streamlining and reduction in costs.

The submission 2864.12 request for review of consent based on a common date instead of a permit expiry date and the concern of submission 3886.1 about the Councils 'picking and choosing' between applications all made at the same date is not based on the reality.

The common expiry date part of the Council's regulatory provisions is only one of the relevant components in managing water demand, as it is dependent also on the controlled activity rule for all renewal applications made at the same time. Council does not have to choose between applicants, it merely has to ensure that the applicant is genuine and uses water efficiently. This controlled activity rule and common expiry date provide much more certainty for water users, not less.

In addition, the Council has already had some experience in managing renewal applications for a water management zone at the same time and has developed useful strategies for meeting the RMA timeframes in a way that also assists applicants and reduces costs.

The policy 30.2.3.8 is silent about the length of permit durations, but provides criteria for setting them. The 20 year permit term being proposed in this plan change for the Waimea zones water take consents is actually reasonably long and reflects the degree of knowledge about the system, despite the over-allocation. Where a permit application is not covered by Schedule 31A: Duration of Consents, the new Schedule 31.AA provides additional guidance for establishing suitable duration.

In addition to the criteria specified, Council may also consider imposing a more comprehensive permit review regime to apply during the term of the permit and this is what is signalled in relation to water quality management. An amendment to the policy will account for this and partially gives relief to submission 47.2864.12.

The duration of consent is a discretionary matter in the rules of Chapter 31 (31.1.2.2, 31.1.2.3, 31.1.2.4 and 31.1.2.5) and each rule refers specifically to Schedule 31A. Schedule 31AA, specially refers back to Schedule 31A in relation to water take permit applications. This should provide sufficient clarity for submission 1118.37. It is not always possible to account for every variation in respect of water related activities and there may well be other matters that the Council is required to account for in setting permit durations. There is sufficient guidance for the routine activities and Council will only consider additional matters if they are actually relevant. No change to Schedule 31AA in respect of submission 2864.67 is recommended.

A slight change to policy 30.2.3.8 and no changes to schedules 31A and 31AA are recommended.

9.0 SITE to SITE TRANSFERS – POLICY 30.2.3.12 and RULES 31.1.7.1 AND 31.1.7.1A

Since the interim measures have been in place, site to site transfers of water permits have been restricted in the Waimea Zones in order to prevent the overall water use from increasing. This is what submission 47.2864.22 also appears to be seeking. The low rate of use of allocated water in these over-allocated zones served as a protection for the remaining river flow and Council was seeking to reduce the risks of increased total use of the allocated water.

In an over-allocated situation, especially where there isn't full use of allocated water, site to site transfers that may result in a greater amount of allocated water being used must be limited so that the sustainable limits are reached faster. No change is recommended.

Under the proposed re-allocation regime the ability to transfer permits continues to be restricted in the plains and permit holders face reductions in (unused) allocation amounts. Submission 3870.10 also seeks the ability to transfer water from site to site until a cease take occurs, but this will greatly increase the stress on the river and note that more frequent rationing will need to occur with the current regime anyway.

Submission 1118.21 seeks an additional clause that allows transfer of water within an irrigation scheme. An irrigation scheme such as the Waimea East Irrigation Company scheme has one resource consent to take water (from the Reservoir Zone.) The total amount taken will (under the bona fide review approach being adopted in the plan change) be calculated based on meter returns and existing irrigated land area. Once allocated, the water authorised under the permit can be used within the zone area as directed by the company, not the consent. Further applications to transfer water within the reticulated area are not necessary.

Given the previous pattern of water use, the proposed plan change is not likely to allow the renewal of the WEIC consent for the same quantities currently allocated in the permit under the no dam regime. It does not prevent the WEIC from moving water between irrigators within the scheme from time to time to best match demand and supply.

The bona fide approach to re-allocation of water means water allocations will be reduced to match actual demonstrated need according to water meter use, areas irrigated, actual irrigation plant and equipment and the type of crop being irrigated. Site to site transfers of un-used permits or parts of permits will not generally be allowed.

Submission 2864.26 seeks a wording change to reflect Councils approach to site to site transfers. There is existing text already describing the intention of policy 30.2.3.11 (although it is incorrectly referred to in the Plan as policy 30.2.3.9 and will be corrected).

9.1 Site-to-site Transfers of Water Permits - with dam

The policy for site to site transfers to apply in the 'with dam' scenario allows for less restriction on site to site transfers within the augmented zones. Submissions 3933.15 and 3933.31 seek that both the Hope and Upper catchments have site to site enabled as well.

The Hope Zone is not directly affected by the improved water flows enabled by the dam and continues to be recharged from rain and groundwater flows from the eastern hills. The Upper Catchments Zone is augmented but because the demand for abstractive water is likely to be low there, the allocation limit is not specified and any take from that zone are to be matched by a decrease in the allocation limit from the Appleby Gravel Zone. In these two zones therefore, a change to the point at which water is taken may have a different effect on the resource or on another water user.

Note also that the Wai-iti catchment contains two zones, one augmented by the Kainui Dam (the Wai-iti Dam Service Zone and one where there is no augmentation – the Wai-iti zone.

Submission 3933.33 seeks that short term transfers be allowed for by amending condition (h) which requires the duration on the transferred permit to be the same as the original permit. Section 127 of the RMA specifically states that no application can be made to change the duration of consent. Further, Section 136 of the Act refers to the transfer of the whole or part of the holder's interest in the permit. That is, the permit is being transferred and the duration is a (permanent) part of the permit.

The issue of the duration of the temporary transfer is a matter to be resolved between the two parties and subject to other agreements as to the length of time a permit is leased or transferred. That is not a plan matter. However, the rule could be amended to be more consistent with existing transfer rules and refer also to the transfers of limited duration.

There is also likely a need for additional guidance material and processes to ensure Council retains records of whom water is allocated to and for how long, as sought by 2989.16. A more secure recording of the transfers is going to be required than the proposed 'advice' condition (i). The recommendation is that a more specific requirement for notification be imposed and that it be supported by a prescribed form that must be supplied to the Council. The permits will be issued with clear differentiation between conditions that remain with a property and those that are integral to the consent and which need to move to the second property.

Council is yet to prepare a form in respect of any permitted transfer. (In developing the form, the Council can also consider the extent to which the form can also assist with managing other applications to transfer water permits.)

On-line electronic notification will be encouraged and Council processes can be developed to ensure relevant information is automatically transferred to monitoring and compliance data bases.

The Plan Change provides for even less regulation for site to site transfers where a supply has been augmented. This is reflected in both policy and rules and described in the explanation, although there is a constraint relating to bores or points of take that are already existing. Under an augmented scenario, it is likely that there will be more points of take created. Provided any new takes comply with bore setbacks and are subject to relevant take provisions that reflect sustainable yield, the site to site provisions could equally apply to bores that are constructed once the dam is operating. A slight change to allow for site to site transfers between new points of take is also suggested. (See 2864)

Submission 47.2864.62 seeks that condition (aa) in the controlled site to site transfer rule in relating to transfers in augmented zones is removed. However, the condition is important as the rules progress from permitted (in the with Lee Valley Community Dam scenario) to transfers where there is no augmentation at all. Condition (aa) means the controlled rule applies in the Lee Valley Community Dam scenario if the permitted conditions can't be met, and also to the augmented Wai-iti Dam Service Zone. The rule ensures adverse effects arising from a change in the location of a point of take (including drawdown effects on neighbouring bores or changes in stream flow at the point of take) can be addressed. No change recommended.

Submission 2864.63 also seeks that transfers of permits to take surface water downstream of the original permit also be permitted. The chances of an adverse effect from a take if it is moved downstream are less than a move upstream, because the water was already being affected by the abstraction at that downstream location. In addition, there are currently very few takes from surface water in the Waimea Plains to which this rule will apply. It is possible that more applications to take surface will be made as the augmented water becomes available. A small amendment to allow this (provided it does not result in new takes in the coastal margins) is recommended.

**10.0 ZONE ALLOCATION LIMITS**

Several submitters seek an even (pro rata ) cut back across all the zones rather than the proposed reductions based on hydrological connection of each zone with the river. Others prefer the proposed allocation limits based on hydrological connections with the river.

The Landcare Research summary report (Attachment 1) provides information about the technical issues surrounding zone allocations.

Setting the allocation limits requires consideration of the management objectives and flow regime required for the water resource as well as an understanding about water supply security. Given this, the Council proposed new sustainable allocation limits for the affected Waimea Zones.

They are based on sensitivity of the river to pumping from that zone and informed also by computer modelling to predict water use and river behaviour interactions. This approach results in slightly different percentage reductions for each of the zones as shown below;

Zone	Current Allocation	Proposed Allocation (% reduction)	Pro rata allocation (42 % reduction)
Reservoir	809	400 (50%)	470
Waimea West	207.5	100 (52%)	117
Hope and Eastern Hills	113	70 (38%)	65
Golden Hills	113	90 (20%)	65
Delta	804	420 (48%)	465

If the alternative 'pro rata ' approach is adopted it can be argued that all permit holders are treated more equitably in relation to each other. However, despite the uncertainties mentioned in the Landcare report, this approach does not consider the cumulative effects of all the takes in the zone or the actual zone river interaction. While it is possible that the rationing effects of this allocation approach may be subtle, the risk of an even approach as opposed to a scientific approach may cause future issues. No change is recommended.

Submission 2864.45, 2864.51 and 2864.53 seek clarification about how limits specified in Figures 31.1EA and BE are to be implemented. At present all the Waimea zones are over-allocated and no new consents could be granted as long as this continues.

This is through the rule conditions requiring that each take on its own or in combination with others does not exceed the stated limit. Existing consent holders are able to seek renewal of takes through rule 31.1.2.2. While the zone continues to be over-allocated, these consents are subject to reviews until the sustainable zone limits are reached. No change appears necessary.

#### 11.0 METHODS, WAITING LISTS

Submission 3933.16 seeks that takes from augmented supplies be removed from the waiting list provisions. The augmented zones are still subject to allocation limits. The waiting list provision provides for procedural management of applications to take water when limits are reached. It does not prevent site to site transfer of water from happening as well. The waiting list is a critical connection to the prohibited activity rule that prevents allocation (and re-allocation) of water if there is a party already waiting for water. If allocation limits are reached and there is no waiting list, an application becomes a non-complying activity with particularly high policy hurdles before granting can be considered.

The dam ensures that water demand will be able to be met for the foreseeable future. It's inclusion in the waiting list provisions does not make any material difference until the allocation limits are reached and provides for a consistent overall approach.

No changes are recommended.

Submissions 1499.8 and 1118.23 seek retention of the deleted method 30.2.20.4 about reviewing soil based allocation for the Waimea zones.

This method was part of the interim provisions for Waimea Water management. In 2001, the Council proposed soil based allocation limits. The impact of this was a reduction in allocations for many users. This was opposed by irrigators at that time because the higher than necessary allocation rates provided a buffer against rationing. The Council delayed the new soil based approach so that it could account for this effect as part of providing for the interim 'status quo' management regime. This new plan change reintroduces the soil based allocation rate as part of ensuring efficient use of water.

No change is recommended.

#### 12.0 BORES and EFFICIENT USE OF INFRASTRUCTURE

2864.19 seeks an allowance for closer spacings if pump tests determine localised effects are not significant. Table 16.12A establishes the minimum distances for bores that can be constructed as controlled activities. Allowance for closer distance can only be ascertained on a case by case basis as the specific relationship between existing and new bores in any particular location will vary. Closer spacing will remain a matter for discretion and the significance of adverse effects from closer spacing a matter for discretion.

No change recommended.

3933.16 seeks some corrections to the table which should be made for clarity and completeness.

#### 12.1 Waimea East Irrigation Company Infrastructure

Submission 1118 seeks amendments to restrict the drilling of new bores near to the boundary of the WEIC scheme boundary. This is because the submitter considers that bore spacings provide a mechanism for controlling the abstraction of water.

Significant infrastructure for abstraction and delivery of water already exists through the WEIC and the submitter considers that efficient use of water for irrigation through this scheme can be promoted and provided for by minimising the ability to establish conflicting points of abstraction.

The prevention of water abstraction where alternative infrastructure is in place is one way of providing for efficient infrastructure use. It does not necessarily provide for efficient use of the reticulated water.

The infrastructure in this case is privately owned and a restriction on new points of take is essentially a reduction in choice for potential water users. This is especially in the 'with dam' situation where a landowner may otherwise be able to take advantage of the increase in allocation by constructing a new bore or re-commissioning an existing bore. The construction of the WEIC as a public irrigation scheme was originally prompted in part by concerns about risk of sea water intrusion into the Lower Confined Aquifer by the increasing number of water takes. Existing water right holders taking from the LCA at that time were required to connect to the WEIC. The WEIC has since moved out of public ownership and control.

With the dam in place, the risk of sea water intrusion is reduced and the allocation limit for the LCA has been increased by a small amount (A small increase is made for both the LCA and UCA Zones, where they underlie the WEIC reticulation, sufficient for about 80ha irrigation.)

There are possibly a number of existing bores from which land owners in those zones could access any additional water. It is also likely that they will be contributing to the augmentation scheme, possibly through rates on their land.

A de facto 'requirement' to connect to a private scheme should a landowner wish to take advantage of the augmented supply also means a different set of costs, including a contribution to reticulation and on-going operating costs.

At present the TRMP has no controls over the piping of water provided all other rules (setbacks, rates of take etc) are met. There are also no requirements that an existing reticulation scheme be used as first option for a water supply. The WEIC is not the only privately owned irrigation infrastructure and a comparable scheme is the Lower Moutere Irrigation Scheme.

While the RM Act requires regard to the efficient use of finite physical resources, the construction of new bores (or re-commissioning of existing bores) to access water within limits does not prevent efficient use of the WEIC (or any other scheme).

Besides, in order to examine whether restrictions on new bores was more efficient, the Council would need to determine exactly what criteria should be used in determining "efficiency" and in this case, it would be difficult to determine if the protection of the infrastructure was efficient or if it actually prevented competition. A measure of the scheme efficiency would be in terms of the costs of connection and if it compared favourably with other options to land owners, in which case there would be less need for rules to make it happen.

There is no particular resource management need in this case to restrict a potential new water user from having a choice.

No changes are recommended.

## 12.2 Coastal Margins

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Submitters 3914 and 3933 query the impact of the rules to introduce restrictions on new takes during summer months in the coastal margin of the Lower Confined Aquifer Zone, including in the restricted discretionary rule.

The provisions result in new takes in the sensitive coastal margins of the specified zones (as well as the over-allocated Moutere Surface and Wai-iti Zones where there is no allocation limit specified in Figure 31.1F). The conditions apply in addition to the requirement for new takes to comply with the allocation limits specified.

While the seaward extent of the Lower Confined Aquifer is out to sea and its exact location uncertain, it is very vulnerable to permanent damage by sea water intrusion. The proposed restriction protects the zone by preventing new bores close to the margin. Similarly, there is already an existing restriction on new bores in the coastal margin of the Delta Zone.

Existing bores can continue to be used (within existing allocation limits) and subject to existing consents, but new takes from bores in these margins are non-complying activities. Note that existing takes must comply with the conditions in rule 31.1.2.3 in order to continue. No change as sought by 3870.14 and 1521.8 is recommended.

There should also be a reference to new takes in the coastal margin of the LCA. This would ensure consistency with the other rules and corrects an omission in the notified version. The restriction protects existing users from the risk of seawater intrusion from new (summer) water takes located near the coast in sensitive areas.

Submission 3914.8 seeks that the intent of condition (e) in Rule 31.1.2.3A is clarified. It seeks that existing takes not be affected by this condition.

The intention is to prevent new takes in the coastal margins of zones where sea water intrusion can be a risk. It was not to apply to existing water users if the dam is constructed. An amendment to show this is therefore recommended.

## 13.0 RULES - MISCELLANEOUS

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Rule 31.1.2.2 (without dam controlled)

New takes may be directly from a river. Despite the arguably obvious need to prevent fish from blocking a reticulation system for operational efficiency, it is important for ecosystem reasons to ensure fish and eels don't enter the reticulation system as sought by 2989 and amendments are recommended accordingly.

The guidance for water metering for non-consumptive takes is provided in policy 30.2.3.13 as it will not always be necessary to measure water use by meters and other means may be appropriate. The schedule directs water metering requirements for consumptive takes. No change as sought by 2829.9 is recommended.

Procedural Allocation

The rules provide for existing water users to reapply for water as controlled activities, and also establish allocation

limits and procedural decision to manage sequential applications (including waiting lists).

The Plan provides for a similar recognition of existing use investment as is provided in Sections 124A to 124C of the RMA. The Act applies if the relevant plan has not allocated the resources (water) for the activity (take and use). Sections 124A and B also apply if the Plan does not say that 124 does not apply and the sections apply to an application where the resource is allocated to that use and not over-allocated. In fact, the Council plan already manages allocations within limits as well as provides for procedural allocation (see policies 30.2.3.4, .5 and .6) and the provisions in Section 124A(b) are not applicable and the circumstances described in Section 124C do not arise. However, given the complexity of the legislation, it may be useful to clarify that sections 124A-C do not apply in respect of water allocation.

A further improvement to plan clarity that has no real effect is to amend the title of the rule to clarify its application to existing permit holders ONLY i.e. “Controlled Activities (Take, Diversion or Use for fresh or inshore coastal water for existing permit holders)” Similarly, also amend 31.1.2.3 title to clarify its application to zones with allocatable water ONLY: “Controlled Activities (Take, Diversion or Use in Zones with Available, Allocatable Water)”

Rule 31.1.2.3A (with dam controlled activity)

Submission 1041.52 seeks that clause (b) be amended by inserting reference to January 2020. The effect of the rule, as proposed, is to limit the amount of water use to existing levels until the dam operates. By inserting the new date it means that after the date the use limitation would not apply which is probably contrary to what the submitter is actually seeking.

Note also that the transitional provisions for maintaining the flow (Schedule 31C and Table B) only last until a decision is made.

The additional length of time while water permit takes are maintained at current levels to provide for construction is given in Policy 30.1.3.22A. The policy indicates a review of the Plan will occur if the dam is not operating as envisaged by 1 November 2020.

No change is recommended.

Rule 31.1.2.5 (restricted discretionary activity)

Submission 2864.57 suggests an additional element in matters for discretion relating to crop rotation and existing investment. The discretion relates to a calculation of the amount of water to be allocated. The crop type is accounted for as is the area being irrigated and these two elements will be informed by any potential crop rotation needs. Also, given that renewal applications where there already is existing investment are controlled activities, the consideration of existing investment for a discretionary activity is less relevant.

Submission 1118.27 seeks clarification about the status of the Reservoir Zone in 31.1.2.5 matter (8). In the with dam scenario, the Reservoir Zone will become part of the new Appleby Gravel Zone and reference to the zone in this matter is not required. However, the Planning Maps still contains reference to ‘Reservoir’ which is misleading and should be deleted.

Rule 32.3.2A (information requirements)

Information needs now include specific requirements in relation to where water supplies affected by a water take application are augmented. A map will be required showing land location and the consent process will consider how to manage any uncertainty that may be involved in managing crop rotations. No change as sought by 47.2864.72 and 2864.73.

## ■ RECOMMENDATIONS AND REASONS

### **Recommendation 574.1**

<b>C47.1041.1</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.2</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<i>Allow</i>	FC47.1118.1	
<i>Disallow</i>	FC47.2864.5	
<b>C47.1041.4</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow</b>
<b>C47.1041.5</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<b>C47.1041.10</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<i>Allow in Part</i>	FC47.2864.9	
<i>Disallow</i>	FC47.1118.3	

C47.1041.17 <i>Allow</i>	Nelson Marlborough Fish & Game Council FC47.1118.9	Disallow
C47.1041.43	Nelson Marlborough Fish & Game Council	
C47.1041.68	Nelson Marlborough Fish & Game Council	Allow In Part
C46.1118.3 <i>Disallow</i>	Waimea East Irrigation Co. Ltd FC46.2864.10	Allow In Part
C47.1118.4	Waimea East Irrigation Co. Ltd	Allow In Part
C47.1118.5	Waimea East Irrigation Co. Ltd	Allow
C47.1118.9 <i>Allow in Part</i>	Waimea East Irrigation Co. Ltd FC47.2864.22	Allow In Part
C47.1118.22	Waimea East Irrigation Co. Ltd	Allow
C47.1118.24	Waimea East Irrigation Co. Ltd	Disallow
C47.1223.1	Garnett, Colin J	Disallow
C47.1445.1 <i>Allow</i>	Director-General of Conservation FC47.2864.4	Disallow
C47.1445.3	Director-General of Conservation	Allow
C47.1445.4	Director-General of Conservation	Disallow
C47.1445.9	Director-General of Conservation	Allow In Part
C47.1445.40	Director-General of Conservation	Allow In Part
C47.1521.3	Federated Farmers of NZ (Inc.)	Disallow
C47.1521.4	Federated Farmers of NZ (Inc.)	Disallow
C47.1521.5 <i>Allow</i>	Federated Farmers of NZ (Inc.) FC47.3932.6	Disallow
C47.1521.6 <i>Allow</i>	Federated Farmers of NZ (Inc.) FC47.1445.1	Disallow
C47.1521.7	Federated Farmers of NZ (Inc.)	Disallow
C47.2616.1	Hill, William F	Disallow
C47.2758.2	Richards, David	Disallow
C47.2852.1	Riley, Trevor H	Disallow
C47.2864.1	Horticulture New Zealand	Disallow
C47.2864.3	Horticulture New Zealand	Allow In Part
C47.2864.4	Horticulture New Zealand	Allow In Part
C47.2864.5	Horticulture New Zealand	Allow
C47.2864.11 <i>Disallow</i>	Horticulture New Zealand FC47.1521.7	Disallow
C47.2864.26	Horticulture New Zealand	Disallow
C47.2864.50 <i>Allow</i>	Horticulture New Zealand FC47.3886.13	Allow
C47.3076.1	Maisey, Neville	Disallow
C47.3076.2	Maisey, Neville	Disallow
C47.3853.1	Paterson, I and O'Connor, T	Disallow

C47.3863.1	Appleby Fresh Ltd	Disallow
C47.3869.1	Challies, Edward	Disallow
C47.3869.4	Challies, Edward	Disallow
C47.3869.5	Challies, Edward	Disallow
C47.3870.1	Challies, G H	Disallow
C47.3870.2	Challies, G H	Disallow
C47.3870.3	Challies, G H	Disallow
C47.3870.11	Challies, G H	Disallow
C47.3871.1	Challies, James	Disallow
C47.3874.2	Challies, Susan	Disallow
C47.3876.1	Cook, Terry	Disallow
C47.3877.1	Cumpstone, Ann	Disallow
C47.3884.6	Finnigan, Bart & Steph	Disallow
C47.3889.1	Halstead, B E & M C Trust	Disallow
C47.3892.1	Hebberd, Jill	Disallow
C47.3893.1	Higgins, Cecilia	Disallow
C47.3894.2	Hughson, Cathy	Disallow
C47.3895.1	Johnson, G A	Disallow
C47.3904.1	Nelson Regional Economic Development Agency	Allow
C47.3905.1	Neudorf Investments Ltd	Disallow
C47.3913.1	Price, Annette	Disallow
C47.3915.1	Reid, Emma	Disallow
C47.3922.1	Sangster, Steve & Margaret	Disallow
C47.3923.1	Shirley, Paul	Disallow
C47.3923.3	Shirley, Paul	Disallow
C47.3924.1	Southtop Gardens	Disallow
C47.3926.1	Taylor, Graeme	Disallow
C47.3927.1	Todd, Patricia & Robert	Disallow
C47.3928.1	Vickery, Julie	Disallow
C47.3930.1	Wagner, M & M	Disallow
C47.3931.3	Wagner, R	Disallow
C47.3932.1	Waimea Irrigators and Water Users	Disallow
C47.3932.8	Waimea Irrigators and Water Users	Disallow
C47.3933.3	Waimea Water Augmentation Committee (WWAC)	Disallow
C47.3933.4	Waimea Water Augmentation Committee (WWAC)	Disallow
C47.3933.9	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.10	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.35	Waimea Water Augmentation Committee (WWAC)	Allow In Part



C47.3865.1	Bolitho, B C & A C	Disallow
C47.3866.1	Bolitho, Colin & Margaret	Disallow
C47.3867.1	Bolitho, Trevor & Robyn - Waimea Estates	Disallow
C47.3868.2	Cassidy, Dennis	Disallow
C47.3869.3	Challies, Edward	Disallow
C47.3869.6	Challies, Edward	Disallow
C47.3875.1	Ching, Ralph & Margaret	Disallow
C47.3878.2	Cumpstone, Kris	Disallow
C47.3879.3	Daniell-Smith, Brett	Disallow
C47.3881.2	Delta Zone	Disallow
C47.3885.3	Flatman, Richard	Disallow
C47.3886.2	Fonterra Co-Operative Group Ltd	Disallow
Allow	FC47.2864.24	
C47.3886.3	Fonterra Co-Operative Group Ltd	Disallow
C47.3888.5	Gargiulo, A R & J C	Disallow
C47.3903.3	Neale, Gary	Disallow
C45.3933.2	Waimea Water Augmentation Committee (WWAC)	Allow In Part
Allow in Part	FC45.2864.7	
C47.3933.14	Waimea Water Augmentation Committee (WWAC)	Disallow
Disallow	FC47.1118.49	
C47.3933.23	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.24	Waimea Water Augmentation Committee (WWAC)	Disallow
C47.3934.2	Ward, Jeff	Disallow
C47.3936.3	Woollaston, Philip	Disallow

### Plan Amendments

Topic : 2.2

Amend meaning for 'water supply agreement' to read: "...means a contract between any person and the Waimea Community Dam Limited, for or in connection with the contribution by that person towards the provision or operation of the Lee Valley Community Dam."

Topic : 31.1.2.3A

(d) Amend first part to read: "The amount of water allocated is no more than the equivalent amount .."

### Reasons

1. The water supply agreement is a contract between a person and the dam company. The granting of a water permit is dependent on the holding of such a contract, but a contract is not dependent on the holding of a permit.
2. The policy and water allocation regime reflect the need for water users to be contributors to the construction of the dam and the augmenting of water supplies.
3. The dam provides water for current and future water users as well as providing security and flexibility to use land for a wide range of productive purposes.
4. The water allocation regime for the with dam scenario also reflects the importance of recognising the investment water users are making into the augmentation of their water supplies.
5. Assessment of applications to take water will include examination of efficient water use practices. The presence of existing or proposed irrigation infrastructure is also a consideration in setting duration of a consent.

### Recommendation 574.3

C47.3870.9	Challies, G H	
C47.3871.3	Challies, James	Disallow

<b>C47.3881.5</b> <i>Disallow</i>	<b>Delta Zone</b> FC47.2864.10	<b>Disallow</b>
<b>C47.3881.6</b>	<b>Delta Zone</b>	<b>Disallow</b>
<b>C47.3897.1</b> <i>Disallow</i>	<b>Kinloch Trust</b> FC47.3870.1	<b>Disallow</b>
<b>C47.3920.1</b>	<b>Sangster, Daniel &amp; Hannah</b>	<b>Disallow</b>
<b>C47.3921.1</b>	<b>Sangster, Harold &amp; Val</b>	<b>Disallow</b>
<b>C46.3932.4</b> <i>Allow</i> <i>Disallow</i>	<b>Waimea Irrigators and Water Users</b> FC46.1089.1 FC46.1521.14	<b>Disallow</b>
<b>C46.3932.5</b> <i>Allow</i> <i>Disallow</i>	<b>Waimea Irrigators and Water Users</b> FC46.1089.2 FC46.1521.15	<b>Disallow</b>
<b>C46.3932.6</b> <i>Allow</i> <i>Disallow</i>	<b>Waimea Irrigators and Water Users</b> FC46.1089.3 FC46.1521.16	<b>Disallow</b>

**Plan Amendments**

Topic : 30.1

No Plan amendments.

**Reasons**

1. "Fixing" water to the land is a form of priority governed by location. This is not consistent with the Council's existing allocation policy or with direction for efficient water use indicated by the NPSFM.
2. Water yield effects from plantation forest are managed in high risk catchments which tend to be in catchments with the clay bound gravels of the Moutere Gravel geology. The nature of the geology and rainfall in the Wairoa catchment mean the effect of plantation forest on water yield in that area is relatively insignificant.

**Recommendation 574.4**

<b>C47.730.1</b>	<b>Challies, John C</b>	<b>Disallow</b>
<b>C47.1026.1</b>	<b>Yelverton, Donald F</b>	<b>Disallow</b>
<b>C47.1026.2</b>	<b>Yelverton, Donald F</b>	<b>Disallow</b>
<b>C47.1041.8</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<b>C47.1041.9</b> <i>Allow</i>	<b>Nelson Marlborough Fish &amp; Game Council</b> FC47.1118.2                      FC47.2864.12	<b>Disallow</b>
<b>C47.1041.23</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<b>C47.1041.25</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.26</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.27</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.28</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.29</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.30</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<b>C47.1041.31</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.32</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>
<b>C47.1041.34</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>
<b>C47.1041.35</b> <i>Disallow</i>	<b>Nelson Marlborough Fish &amp; Game Council</b> FC47.1118.15                      FC47.2864.36	<b>Allow In Part</b>

C47.1041.36 <i>Allow</i>	Nelson Marlborough Fish & Game Council FC47.2864.37	Disallow
C47.1041.37 <i>Disallow</i>	Nelson Marlborough Fish & Game Council FC47.2864.38	Allow In Part
C47.1041.46	Nelson Marlborough Fish & Game Council	Allow In Part
C47.1041.71 <i>Disallow</i>	Nelson Marlborough Fish & Game Council FC47.1118.38	Allow In Part
C47.1118.6	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.7 <i>Disallow</i>	Waimea East Irrigation Co. Ltd FC47.2864.13	Disallow
C47.1118.8	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.25	Waimea East Irrigation Co. Ltd	Allow
C47.1118.26	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.29 <i>Allow in Part</i> <i>Disallow</i>	Waimea East Irrigation Co. Ltd FC47.2864.50 FC47.3932.3	Allow In Part
C47.1118.36	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.39 <i>Allow</i>	Waimea East Irrigation Co. Ltd FC47.3932.5	Disallow
C47.1118.40	Waimea East Irrigation Co. Ltd	Disallow
C47.1445.11	Director-General of Conservation	Disallow
C47.1445.12	Director-General of Conservation	Allow In Part
C47.1445.13	Director-General of Conservation	Allow In Part
C47.1445.14	Director-General of Conservation	Allow In Part
C47.1445.15	Director-General of Conservation	Allow In Part
C47.1445.16	Director-General of Conservation	Allow In Part
C47.1445.17	Director-General of Conservation	Disallow
C47.1445.18	Director-General of Conservation	Allow In Part
C47.1445.19	Director-General of Conservation	Allow In Part
C47.1445.24	Director-General of Conservation	Disallow
C47.1445.42 <i>Disallow</i>	Director-General of Conservation FC47.1118.43	Allow In Part
C47.1499.1	Bay, Roger	Disallow
C47.1499.2	Bay, Roger	Disallow
C47.1499.3	Bay, Roger	Disallow
C47.1499.4	Bay, Roger	Allow In Part
C47.1499.5	Bay, Roger	Disallow
C47.1499.9	Bay, Roger	Disallow
C47.1499.10	Bay, Roger	Allow In Part
C47.1521.18	Federated Farmers of NZ (Inc.)	Disallow
C47.1651.1	Wai West Horticulture Ltd	Disallow

C47.2616.2	Hill, William F	Disallow
C47.2818.2	Lower Confined Aquifer (LCA) Water User Committee	Allow
C47.2818.3	Lower Confined Aquifer (LCA) Water User Committee	Allow
<i>Allow</i>	FC47.1521.22	
C47.2864.30	Horticulture New Zealand	Allow In Part
C47.2864.32	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.1521.16	
C47.2864.33	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.1521.17	
C47.2864.35	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.3886.9	
C47.2864.36	Horticulture New Zealand	Disallow
C47.2864.37	Horticulture New Zealand	Disallow
C47.2864.65	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.1521.19	
C47.2864.68	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.1521.20	
C47.3015.1	Hoddys Orchard Ltd	Disallow
C47.3015.3	Hoddys Orchard Ltd	Disallow
C47.3016.1	Vailima Orchard Ltd	Disallow
C47.3451.3	TrustPower Ltd	Allow
C47.3853.2	Paterson, I and O'Connor, T	Disallow
C47.3863.2	Appleby Fresh Ltd	Disallow
C47.3868.3	Cassidy, Dennis	Disallow
C47.3870.12	Challies, G H	Disallow
C47.3870.13	Challies, G H	Allow In Part
C47.3870.15	Challies, G H	Disallow
C47.3870.19	Challies, G H	Disallow
C47.3871.2	Challies, James	Disallow
C47.3872.1	Challies, Margaret	Disallow
C47.3876.2	Cook, Terry	Disallow
C47.3880.1	Davis, Garry	Disallow
C47.3881.3	Delta Zone	Disallow
C47.3883.2	Ewers, J S Ltd and Blackbyre Horticultural Ltd	Disallow
C47.3883.7	Ewers, J S Ltd and Blackbyre Horticultural Ltd	Disallow
C47.3884.5	Finnigan, Bart & Steph	Disallow
C47.3886.7	Fonterra Co-Operative Group Ltd	Disallow
C47.3886.9	Fonterra Co-Operative Group Ltd	Disallow
<i>Allow</i>	FC47.2864.83	
C47.3887.1	Frost, A S & D M	Disallow
C47.3888.1	Gargiulo, A R & J C	Disallow

C47.3888.2	Gargiulo, A R & J C	Disallow
C47.3888.4	Gargiulo, A R & J C	Disallow
C47.3891.1	Haworth, Nigel B	Disallow
C47.3895.4	Johnson, G A	Disallow
C47.3897.7	Kinloch Trust	Disallow
<i>Disallow</i>	FC47.3870.7	
C47.3897.8	Kinloch Trust	Disallow
<i>Disallow</i>	FC47.3870.8	
C47.3897.10	Kinloch Trust	Disallow
<i>Disallow</i>	FC47.3870.10	
C47.3899.1	Lansdowne Park Ltd	Disallow
C47.3900.1	Little, Dennis	Allow In Part
C47.3900.2	Little, Dennis	Disallow
C47.3901.1	Little, Shirley A	Disallow
C47.3906.1	O'Connor, Brendan	Disallow
C47.3907.1	O'Connor, F J & E A	Disallow
C47.3908.1	O'Connor, Margaret	Disallow
C47.3908.2	O'Connor, Margaret	Disallow
C47.3909.1	O'Connor, Mark	Disallow
C47.3910.1	O'Connor, Mary E	Disallow
C47.3911.1	O'Connor, Michael	Disallow
C47.3912.1	Pearl Creek Farm Partnership	Disallow
C47.3914.3	Queen Street Industrial Park Ltd	Disallow
C47.3914.4	Queen Street Industrial Park Ltd	Allow In Part
C47.3914.13	Queen Street Industrial Park Ltd	Disallow
C47.3917.1	Rogers, Max	Disallow
C47.3922.2	Sangster, Steve & Margaret	Disallow
C47.3925.2	Sutton, Steve	Disallow
C47.3925.7	Sutton, Steve	Disallow
C47.3932.2	Waimea Irrigators and Water Users	Disallow
C47.3932.3	Waimea Irrigators and Water Users	Disallow
<i>Allow</i>	FC47.1118.45	
C47.3932.4	Waimea Irrigators and Water Users	Disallow
<i>Allow</i>	FC47.1118.46	
C47.3932.5	Waimea Irrigators and Water Users	Disallow
<i>Allow</i>	FC47.1118.47	
C47.3933.17	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.38	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.39	Waimea Water Augmentation Committee (WWAC)	Allow In Part
C47.3933.40	Waimea Water Augmentation Committee (WWAC)	Disallow

**Plan Amendments***Topic : 30.1.30*

1. Insert new text after new text in paragraph 17:

"The minimum flow of 510 l/sec in the Lee River between the dam and the Roding confluence is equivalent to the natural 7-day MALF, also set to provide for recreation and maintain aquatic habitat. With 13 million cubic metres of water storage, the Lee Valley Community Dam provides water security for droughts occurring on average every 60 years.

*Topic : Sch. 30A*

Amend to include:

- (i) reference to contribution to spring fed creeks for aquifer zones,
- (ii) include Borck Creek in (10),
- (iii) correct references to names of water bodies,
- (iv) provide for flow management in the Waimea River at times outside of drought periods,
- (v) include hydro-power potential of the Lee River in the without dam scenario, and
- (vi) refer to maintenance of at least 70% of the native fish, eel and trout habitat in the without dam Waimea River flow management objective.

*Topic : 31.1.2.2*

Delete the entry for Step 4 Rationing in Figure 31.1C and amend beginning of last sentence under Figure 31.1C to read: "Rationing beyond Step 3 will be imposed through ....."

*Topic : 31.1.20*

1. Insert new text into paragraph 17:

"Schedule 31C Table 1A provides that in the rare event of a severe (more than 50 year return period) drought, some form of water restrictions may be implemented by the water company to maintain an absolute minimum flow of 800 l/sec in the Waimea River. When total reservoir storage in the Lee Valley Community Dam falls to 2.7 million cubic metres (equivalent to a 40 year drought), Council will begin consultation with the water company about rationing water. This level allows a week's consultation while a flow release of 1100 l/sec is ongoing, then 1 million cubic metres to ration out before dam is empty, which leaves 1 million cubic metres residual storage."

2. Insert new text after paragraph beginning "Council has also developed":

"Schedule 31C Table 1B and C specify the rationing requirements in the absence of the Lee Valley Community Dam. Without water augmentation, rationing can be expected in the Waimea basin during an average summer with rationing cuts of more than 50% occurring for significant periods in many years. Directions to cease abstractive takes can be expected in order to maintain the Waimea River flow at 800l/sec.

No new water permits can be granted in the absence of water augmentation until sustainable limits have been reached."

*Topic : Sch. 31C*

1. Delete from Table 1A, the references to drought frequency for the rationing triggers.
2. Delete the words: "Step 4 rationing trigger ..." from the first row of Table A and delete the entire column for step 4 including the flow entry of 2300l/sec in Table C.
3. Insert in Table 1C a column for step 3 rationing trigger at 2400l/sec

**Reasons**

1. Without a dam, the minimum flow of 800l/sec will provide some protection for instream values as well as allow for some abstraction and prevent sea water intrusion. It is a compromise that satisfies neither set of values.
2. No changes are made to the management objectives as the identified objectives are the key considerations used in establishing the flow regimes.
3. Blue duck have been seen in the upper catchments of the rivers noted by Submissions 1445 and 1041, however they have not been sighted in most recent surveys. The potential for improving the habitat for blue duck remains, but this area is not part of the blue duck management approach already adopted by the Department of Conservation. Biodiversity mitigation measures identified as part of the dam feasibility studies include pest control as a way of off-setting adverse effects of the dam. This measure will have an added advantage for blue duck. There is little to be gained by adding this value now.
4. Trout habitat can partially be provided for at the 800l/sec flow (protection of 80% of habitat), and this level protects most other native fish species. The habitat of at-risk torrent fish and bluegill bully (which are classified as declining in the latest national threat classification) is only provided 70 % protection at 800l/sec.
5. The cease take flow at the Wairoa Gorge has been deleted along with other references to cease take flows in the rules because the implications for this for other water bodies has not been considered with the communities involved. The cease take has also been deleted for the Waimea River because of the uncertainty around the exact flow at which a cease take might be required. The reduction in allocations will mean rationing has a greater impact on river flows and the earlier rationing will also mean groundwater levels are sustained for longer. Given the variability from drought to drought in water demand and availability, it provides flexibility to the Council in consultation with the Dry Weather Task Force to manage both rationing and cease take flow directions in a more responsive and adaptable manner.
6. There is a risk however, that despite specifying the minimum flow, the decision about implementing successive rationing steps might be delayed in the hopeful expectation of rain and the pressure to continue allowing the abstraction of water. Because the river flow continues to decline even after rationing steps take effect a step 3 rationing trigger is recommended instead.
7. The plan refers to both fish and eels where appropriate, despite the fact that eels are fish. This is because in previous

discussions with iwi they have indicated that eels have a particular value and are a taonga worthy of separate mention.

**Recommendation 574.5**

<b>C47.1118.10</b> <i>Disallow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.2864.23	<b>Disallow</b>
<b>C47.2616.3</b>	<b>Hill, William F</b>	<b>Disallow</b>
<b>C45.2864.2</b> <i>Allow</i> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC45.3932.1 FC45.1118.4                      FC45.1521.1                      FC45.3886.2	<b>Disallow</b>
<b>C47.2864.9</b> <i>Allow in Part</i>	<b>Horticulture New Zealand</b> FC47.1521.5                      FC47.3886.7	<b>Allow In Part</b>
<b>C47.2864.27</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.13	<b>Disallow</b>
<b>C47.2864.28</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.14	<b>Disallow</b>
<b>C47.2864.29</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.15	<b>Disallow</b>
<b>C47.2864.31</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.2864.34</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.2864.52</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.18	<b>Disallow</b>
<b>C47.2864.58</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.2864.66</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.3870.6</b>	<b>Challies, G H</b>	<b>Disallow</b>
<b>C47.3881.7</b>	<b>Delta Zone</b>	<b>Disallow</b>

**Plan Amendments**

*Topic : C47 GEN*

No Plan amendments.

*Topic : 30.2.3.11*

No Plan amendments.

*Topic : 30.2.30*

No Plan amendments.

*Topic : Sch. 30A*

No Plan amendments.

*Topic : 31.1*

No Plan amendments.

*Topic : 31.1.2.5*

No Plan amendments.

*Topic : 31.1.20*

No Plan amendments - low water use crops.

**Other Action**

Rural Land Use and Subdivision Review

The Plan's land use policies already provide for protection of production land, including where such land is irrigable, for food production.

It is acknowledged that the concepts of productive value and high productive value need some improvement to account for irrigability. This and consideration of protection of the Waimea Plains for food production fall within the current rural land policy

review. SAR 573 notes that there is connection between Part V Water and Part II Land that also needs to be considered as part of the rural land review.

The need to confirm the adequacy of these connections, and to have irrigability covered in the context of productive land evaluation, including in relation to the needs of future generations, are able to be taken up in that current review, and this is recommended.

**Reasons**

1. There is an indisputable linkage between use of irrigation water and maximising production from the very limited amount of highly productive land in the District. Council is currently reviewing its policy provisions for rural subdivision and built development, to ensure that the intent of maintaining productive opportunities is adequately reflected in its rules. There is possibly a need for clearer recognition in the Plan that productive land value is better enabled where there is water available for irrigation. But this contribution does not make any case to provide end-use specific management objectives in Schedule 30A for [irrigation for] food production, nor a higher priority status for in low flow periods, than at present under Policy 30.2.3.1, as sought. No further specification such as takes for essential for food production is considered necessary, as all end-uses are broadly stated.
2. The Council does not have a preference for particular crops. It prefers to adopt allocation regimes that are responsive and flexible, allowing movement of water to where it is needed. The extent to which this can be provided in the Waimea Zones is somewhat limited because of the level of over-allocation. There is also an expectation that how ever much water is required by a crop (within the specified limits), it will however, be used efficiently and not wasted.
3. The Council has already established end use priority for water once the rationing provisions are exceeded and go beyond the step 3 triggers. There is no intention to change these priority uses. In making decisions about any cease take directions that are required during a drought and movement beyond step 3, the Council, in consultation with the Dry Weather Task Force can account for the needs of animals.

**Recommendation 574.6**

<b>C47.1041.14</b> <i>Allow</i>	<b>Nelson Marlborough Fish &amp; Game Council</b> FC47.1118.4	<b>Disallow</b>
<b>C47.1445.8</b>	<b>Director-General of Conservation</b>	<b>Allow In Part</b>
<b>C47.2864.7</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.3	<b>Disallow</b>
<b>C47.2864.8</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.4	<b>Disallow</b>
<b>C47.3886.4</b>	<b>Fonterra Co-Operative Group Ltd</b>	<b>Disallow</b>
<b>C47.3933.11</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow</b>

**Plan Amendments**

*Topic : 30.1.3.22A*

Replace 'establish' with 'adopt' and insert 'specify' before 'minimum flows'.

*Topic : 30.1.3.19B*

Delete the words "water quality" from the first sentence.

*Topic : 31.1.2.2*

Delete from matter (1A) the first word 'regular'.

*Topic : 31.1.2.3*

Delete from matter (1A) the first word 'regular'.

*Topic : 31.1.2.5*

Delete from matter (1A) the first word 'regular'

**Reasons**

1. Chapter 33 policies address the water quality effects of contaminant discharges and land use effects on water quality and cross reference back to Chapter 31 to achieve the outcomes sought.
2. The word regular in relation to bona fide reviews is redundant.

**Recommendation 574.7**

<b>C47.1026.3</b>	<b>Yelverton, Donald F</b>	<b>Disallow</b>
<b>C47.1041.77</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow</b>

<b>C45.1118.1</b> <i>Disallow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC45.1521.3	<b>FC45.2864.4</b>	<b>FC45.3914.1</b> <b>Disallow</b>
<b>C47.1118.18</b> <i>Allow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.3914.8		<b>Disallow</b>
<b>C47.1118.19</b> <i>Allow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.2864.32		<b>Disallow</b>
<b>C47.1118.30</b> <i>Allow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.2864.52		<b>Disallow</b>
<b>C47.1499.6</b> <i>Allow</i>	<b>Bay, Roger</b> FC47.2864.30		<b>Disallow</b>
<b>C47.1499.7</b> <i>Allow</i>	<b>Bay, Roger</b> FC47.3914.2		<b>Disallow</b>
<b>C47.1521.9</b> <i>Disallow</i>	<b>Federated Farmers of NZ (Inc.)</b> FC47.3886.8		<b>Disallow</b>
<b>C47.1521.10</b> <i>Disallow</i>	<b>Federated Farmers of NZ (Inc.)</b> FC47.3886.10		<b>Disallow</b>
<b>C47.1521.12</b> <i>Allow</i>	<b>Federated Farmers of NZ (Inc.)</b> FC47.3932.8		<b>Disallow</b>
<b>C47.1651.2</b> <i>Allow in Part</i>	<b>Wai West Horticulture Ltd</b> FC47.2864.42		<b>Allow In Part</b>
<b>C47.2818.4</b>	<b>Lower Confined Aquifer (LCA) Water User Committee</b>		<b>Disallow</b>
<b>C47.2829.1</b> <i>Allow</i>	<b>Tyson, Neil</b> FC47.2864.49		<b>Disallow</b>
<b>C47.2829.5</b>	<b>Tyson, Neil</b>		<b>Allow</b>
<b>C47.2829.7</b>	<b>Tyson, Neil</b>		<b>Allow</b>
<b>C47.2864.10</b> <i>Allow in Part</i>	<b>Horticulture New Zealand</b> FC47.1521.6		<b>Allow In Part</b>
<b>C47.2864.16</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.2864.17</b>	<b>Horticulture New Zealand</b>		<b>Allow In Part</b>
<b>C47.2864.20</b> <i>Allow</i> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.3914.5 FC47.1521.10		<b>Disallow</b>
<b>C47.2864.23</b>	<b>Horticulture New Zealand</b>		<b>Allow</b>
<b>C47.2864.25</b> <i>Disallow</i>	<b>Horticulture New Zealand</b> FC47.1521.12		<b>Disallow</b>
<b>C47.2864.38</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.2864.43</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.2864.47</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.2864.55</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.2864.62</b>	<b>Horticulture New Zealand</b>		<b>Disallow</b>
<b>C47.3015.4</b> <i>Disallow</i>	<b>Hoddys Orchard Ltd</b> FC47.2864.25		<b>Disallow</b>
<b>C47.3451.1</b> <i>Allow</i>	<b>TrustPower Ltd</b> FC47.3914.7		<b>Disallow</b>
<b>C47.3451.2</b>	<b>TrustPower Ltd</b>		<b>Disallow</b>

C47.3493.1	Jensen, Lars	Disallow
C47.3493.2	Jensen, Lars	Disallow
C47.3634.1	Nelson Winegrowers	Disallow
C47.3634.2	Nelson Winegrowers	Disallow
C47.3862.1	2P4W Ltd	Disallow
C47.3862.2	2P4W Ltd	Disallow
C47.3864.1	Blakeley, Stephen	Disallow
C47.3864.2	Blakeley, Stephen	Disallow
C47.3868.4	Cassidy, Dennis	Disallow
C47.3868.5	Cassidy, Dennis	Allow
C47.3870.4	Challies, G H	Allow In Part
C47.3870.7	Challies, G H	Disallow
Allow	FC47.2864.31	
C47.3870.16	Challies, G H	Disallow
C47.3873.2	Challies, Robert	Allow
C47.3878.1	Cumpstone, Kris	Disallow
C47.3878.3	Cumpstone, Kris	Disallow
C47.3879.1	Daniell-Smith, Brett	Disallow
C47.3879.2	Daniell-Smith, Brett	Disallow
C47.3881.4	Delta Zone	Disallow
C47.3883.3	Ewers, J S Ltd and Blackbyre Horticultural Ltd	Disallow
C47.3884.1	Finnigan, Bart & Steph	Disallow
Allow	FC47.3914.3	
C47.3884.2	Finnigan, Bart & Steph	Disallow
C47.3884.3	Finnigan, Bart & Steph	Disallow
C47.3884.4	Finnigan, Bart & Steph	Allow In Part
C47.3885.1	Flatman, Richard	Disallow
C47.3885.2	Flatman, Richard	
C47.3886.5	Fonterra Co-Operative Group Ltd	Disallow
Allow	FC47.3914.4	
C47.3894.1	Hughson, Cathy	Disallow
C47.3895.2	Johnson, G A	Disallow
C47.3897.2	Kinloch Trust	Allow In Part
Allow in Part	FC47.3870.2	
C46.3897.3	Kinloch Trust	Disallow
Disallow	FC46.3870.3	
C47.3897.4	Kinloch Trust	Disallow
Disallow	FC47.3870.4	
C47.3897.11	Kinloch Trust	Disallow
Disallow	FC47.3870.11	
C47.3902.1	Mahau Orchard	Disallow

C47.3903.1	Neale, Gary	Disallow
C47.3903.2	Neale, Gary	Disallow
C47.3913.2	Price, Annette	Disallow
C47.3913.3	Price, Annette	Disallow
C45.3914.1	Queen Street Industrial Park Ltd	Disallow
Allow	FC45.1118.10 FC45.2864.5	
C47.3914.1	Queen Street Industrial Park Ltd	Disallow
Allow	FC47.2864.29	
C47.3914.2	Queen Street Industrial Park Ltd	Disallow
Allow	FC47.2864.27	
C47.3914.5	Queen Street Industrial Park Ltd	Disallow
C47.3914.7	Queen Street Industrial Park Ltd	Disallow
Disallow	FC47.3886.11	
C47.3914.11	Queen Street Industrial Park Ltd	Disallow
Disallow	FC47.3886.16	
C47.3916.1	Reid, Victoria	Disallow
C47.3923.2	Shirley, Paul	Disallow
C47.3923.4	Shirley, Paul	Allow In Part
C47.3925.1	Sutton, Steve	Disallow
C47.3925.3	Sutton, Steve	Disallow
C47.3926.2	Taylor, Graeme	Disallow
C47.3928.2	Vickery, Julie	Disallow
C47.3928.3	Vickery, Julie	Disallow
C47.3931.1	Wagner, R	Disallow
Allow	FC47.2864.54	
C47.3932.6	Waimea Irrigators and Water Users	Disallow
C47.3932.7	Waimea Irrigators and Water Users	Disallow
C47.3932.9	Waimea Irrigators and Water Users	Disallow
Allow	FC47.2864.53	
C47.3933.19	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3936.1	Woollaston, Philip	Disallow
C47.3936.2	Woollaston, Philip	Disallow

**Plan Amendments**

Topic : 2.2

Amend 'Bona fide user' to read as follows:

"- means a party who holds a lawful water permit to take water, and who in the two years prior to its expiry or review, has fully exercised that permit, or who, if the permit was not fully exercised, has good reason why that was the case. Bona fide usage has a corresponding meaning. In determining bona fide usage, Council will take into account:

- data provided through water meter returns;
- the impact of any water rationing requirements imposed during the preceding five years;
- measures adopted to ensure the level of water use efficiency, including techniques to ensure efficient water use including water saving technology and leak detection and water conservation measures.

For irrigation the Council will also take into account:

- the area being irrigated and any changes to the area irrigated;
- the existence and availability of plant and equipment required to irrigate the authorised area up to rates specified in Schedule 31D;
- the pattern of rainfall, including timing, amount and distribution of rain, and the impact it had on water demand in the preceding

five years;

- any actual or proposed changes in crop type;
- any changes in crop water demand because of the nature, age or distribution of crops irrigated;
- measures adopted to ensure the level of water use efficiency, including appropriate crop and soil-based application rates, soil moisture monitoring and other techniques to ensure efficient water use.

For community water supplies the Council will also take into account:

- any growth in the area serviced, or changes in nature or pattern of water use;
- measures adopted to ensure water use efficiency, including demand management by pricing, water meters and restricted supplies.

Notes: Council may omit water use records from a bona fide review where users have been encouraged not to exercise their consents such as during drought events. Council will notify users when these provisions apply.

Except for over-allocated (e.g. Waimea, Moutere Surface Water ) zones, Council grants consent allocations based on the irrigated soil type, not the crop type. "Fully exercised" in these circumstances, does not require the full consent allocation to be used if the crop water demand is less than the soil type rate."

*Topic : 30.2*

Insert new Policy 30.2.3.9C:

"This policy applies from 1 July 2015 if the Council makes a decision not to provide for the construction of the Lee Valley Community Dam in the Long Term Plan (2015 - 2025): To provide priority for taking and use for community water supplies from the Reservoir, Delta, Golden Hills, and Lower Confined Aquifer Zones in a way that recognises and accounts for the constraints on water availability by:

- protecting existing allocations for community water supplies in these zones,
- ensuring the re-allocation of this water only for community water supplies as existing permits expire,
- providing for new water demand through its community water reticulation only within land that is zoned for urban development, including any urban deferred zone,
- limiting new urban development in these zones to low water use activities"

*Topic : 30.2.3.9*

Amend Policy to read at the start: "Except as provided by policies 30.2.3.9A, 30.2.3.9B, and 30.2.3.9C,..."

*Topic : 30.2.3.9A*

No Plan amendments.

*Topic : 30.2.3.9B*

Amend clause (d) to read: " Except as provided by Policy 30.2.3.9C, reducing allocations of allocated but unused water wherever possible."

*Topic : 30.2.3.11*

No Plan amendments.

*Topic : 30.2.3.12*

No Plan amendments.

*Topic : 30.2.30*

1. Insert new text under heading 'No Lee Valley Dam':

"Council has adopted new policy and rule provisions that recognise existing water permits and re-allocation of water for community water supply from the Delta, Lower Confined Aquifer, Reservoir and Golden Hills Zones and provide for the existing urban development commitments for Richmond identified in this Plan and in the Long Term Plan. However, this recognition also accounts for the water over-allocation issues in the plains and constrains new urban development, unless other augmentation solutions are provided."

2. Insert new method (c) into 30.2.20.3:

"Develop and implement an urban water infrastructure management bylaw that restricts new connections within any urban water supply area as shown in the Long Term Plan, that is supplied water from the Delta, Reservoir, Golden Hills, or Lower Confined Aquifer Zones, to low water demand activities that require less than 15 cubic metres of water per day."

*Topic : 31.1.2.2*

Amend (f) so that it reads: "provided that takes for community water supply are not subject to clause (iv); bona fide reviews or condition (g)".

## **Reasons**

1. The re-allocation of water to bona fide water users ensures existing water use is protected and prevents new water use from establishing. This will reduce the over-allocation in the affected zones. Regular permit reviews will continue ensuring water is allocated only to people who can demonstrate actual use.
2. The bona fide approach ensures efficient allocation and use of allocatable water. It does not derogate rights as the Council requires allocatable water to be efficiently used and not saved for future use. The amendment to the meaning ensures it is more generic, not just focussed on irrigation.
3. Referring to business cycles does not provide any useful direction as to how this may influence actual water use.
4. Bona fide policies do not apply where there is an augmented supply that water users have contributed to in recognition of the investment made.

5. The new policy describes Council's approach to providing for community water supply as a priority, but includes some constraints that recognise the water short nature of the zones and equity with other water users. This will allow for development of land as already committed by Council's land use provisions in Part II of the Plan but in a more sustainable way. There is an adverse effect on the ability of new water use activities to establish and new users may have to locate elsewhere.

**Recommendation 574.8**

<b>C47.336.2</b>	<b>Batten, Garrick</b>	<b>Allow</b>		
<b>C48.1041.13</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<b>C47.1041.15</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.5                      FC47.2864.15			
<b>C47.1041.16</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.8                      FC47.2864.16			
<b>C47.1041.18</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow</b>		
<b>C47.1041.19</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow In Part</b>		
<i>Allow in Part</i>	FC47.1118.10			
<b>C47.1041.20</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.14                      FC47.2864.26	FC47.3886.5	FC47.3886.18	
FC47.3914.1				
<b>C47.1041.21</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Disallow</i>	FC47.1118.11			
<b>C47.1041.22</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.6                      FC47.2864.17			
<b>C47.1041.24</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.2864.18                      FC47.2864.34			
<i>Disallow</i>	FC47.1118.12			
<b>C47.1041.33</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.7                      FC47.2864.35			
<b>C47.1041.41</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Disallow</i>	FC47.1118.13			
<b>C47.1041.45</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.25                      FC47.2864.48			
<b>C47.1041.49</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.26                      FC47.2864.59			
<b>C47.1041.53</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.28                      FC47.2864.64			
<b>C47.1041.58</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.29                      FC47.2864.70			
<b>C47.1041.64</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.30                      FC47.2864.78			
<b>C47.1041.67</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.31                      FC47.2864.80			
<b>C47.1041.69</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.1118.37                      FC47.2864.81	FC47.3886.17	FC47.3914.13	
<b>C47.1041.70</b>	<b>Nelson Marlborough Fish &amp; Game Council</b>	<b>Allow</b>		
<b>C47.1118.11</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Disallow</b>		
<b>C47.1118.12</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Allow</b>		
<b>C47.1118.16</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Disallow</b>		
<i>Allow</i>	FC47.3932.1			

C47.1118.17	Waimea East Irrigation Co. Ltd	Allow
<i>Allow</i>	FC47.3914.9	
C47.1118.20	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.37	Waimea East Irrigation Co. Ltd	Allow
<i>Disallow</i>	FC47.3932.4	
C47.1118.38	Waimea East Irrigation Co. Ltd	Allow In Part
C47.1445.10	Director-General of Conservation	Allow
C48.1445.12	Director-General of Conservation	Disallow
C47.1445.41	Director-General of Conservation	Allow
C47.2829.9	Tyson, Neil	Disallow
C47.2829.17	Tyson, Neil	Disallow
<i>Allow</i>	FC47.2864.28	
C47.2829.18	Tyson, Neil	Disallow
<i>Allow</i>	FC47.1118.51	FC47.2864.82
		FC47.3914.14
C47.2864.12	Horticulture New Zealand	Disallow
<i>Disallow</i>	FC47.1521.8	
C47.2864.14	Horticulture New Zealand	Disallow
C47.2864.42	Horticulture New Zealand	Disallow
C47.2864.46	Horticulture New Zealand	Disallow
C47.2864.54	Horticulture New Zealand	Disallow
C47.2864.67	Horticulture New Zealand	Disallow
C47.3870.8	Challies, G H	Allow
C47.3870.18	Challies, G H	Allow
C47.3883.12	Ewers, J S Ltd and Blackbyre Horticultural Ltd	Allow In Part
C47.3886.1	Fonterra Co-Operative Group Ltd	Disallow
C47.3886.11	Fonterra Co-Operative Group Ltd	Allow
<i>Allow</i>	FC47.3914.12	
C47.3886.12	Fonterra Co-Operative Group Ltd	Allow
C47.3888.3	Gargiulo, A R & J C	Disallow
C47.3897.5	Kinloch Trust	Allow In Part
<i>Allow in Part</i>	FC47.3870.5	
C47.3897.12	Kinloch Trust	Allow
<i>Allow</i>	FC47.3870.12	
C47.3914.12	Queen Street Industrial Park Ltd	Allow In Part
C47.3925.12	Sutton, Steve	Allow In Part
C47.3933.8	Waimea Water Augmentation Committee (WWAC)	Disallow
<i>Allow</i>	FC47.1118.48	FC47.3886.3
C47.3933.12	Waimea Water Augmentation Committee (WWAC)	Allow
C47.3933.36	Waimea Water Augmentation Committee (WWAC)	Disallow
<i>Allow</i>	FC47.1118.50	FC47.3914.15
C47.3933.37	Waimea Water Augmentation Committee (WWAC)	Allow

**Plan Amendments**

Topic: 30.1.2.224

No Plan amendments.

Topic : 30.2.3.8

Insert in (b) after status of activities: "and requirements for permit review"

Topic : 30.2.3.9B

Amend clause (a) to refer to 'a reasonable security of supply'

Topic : Sch. 31A

No Plan amendments.

Topic : Sch. 31AA

No Plan amendments.

### Reasons

1. The plan change drafting allows for two scenarios depending on what decision is made about the dam construction along with interim provisions until the decision is made. The plan change is written to reflect that a decision is to be made by June 2015 as part of the Annual Plan process and that one or other of the provisions apply after that date depending on the decision.
2. The transition provisions, which essentially continue the status quo in relation to flow regimes and a moratorium on new water takes apply until then.
3. The NPSFM requires councils to have objectives and limits, including measures to reduce over-allocation within defined time frames by 2030. The Plan change in respect of water quantity gives effect to the NPSFM and provides objectives, limits and a timeframe for meeting them. The Plan also signals the further steps required to fully implement the NPSFM in respect of the water quality component, as is provided for by the NPSFM. The NPSFM does not require the limits and objectives to be met by 2030 but requires objectives and limits to be set and the prevention of further over-allocation. A defined timeframe is also required. It is these elements that the NPSFM requires as soon as reasonable, and they are all included in the Council's plan change.
4. The water permit term of 20 years is defensible given the extent of knowledge about the Waimea water resources, the understanding about the level of over-allocation and the measures being adopted to reduce this. It is consistent with Council's desire to protect existing investment and to provide a reasonable management framework for water users to work within while working towards the specified sustainable limits. Despite the lack of supply security for users, there is both certainty and clarity for water users and the environment as well as some measure of recognition of the investment and expectation of water users.
5. Water permits will be subject to bona fide review and a regular review of conditions throughout the term of the permit to ensure allocated amounts match actual usage. The permits will also be subject to review following the introduction of any new measures to manage water quality arising from the use of water to irrigate land. This can be reflected in the policy for expiry dates for completeness.
6. There is a risk that bona fide reviews will not result in the over-allocation being addressed in the timeframe indicated as there is a continued (perverse) incentive for permit holders to continue showing water use, but this is considered reasonable given the long history of managing water shortages in the plains.
7. Council's long involvement with common expiry dates allows it to provide for consistent management and an integrated approach to dealing with cumulative effects of water takes. Its experience, despite the amendments to RMA legislation, have shown this approach lends itself to administrative efficiency and cost savings for permit holders. It is linked to the controlled activity for permit renewals that enables certainty for water permit holders as recently required by amendments to Section 124.

### Recommendation 574.9

C47.1118.21	Waimea East Irrigation Co. Ltd	Disallow
C47.1521.16	Federated Farmers of NZ (Inc.)	Allow
C47.1521.17	Federated Farmers of NZ (Inc.)	Allow In Part
C47.2829.14	Tyson, Neil	Disallow
C47.2829.16	Tyson, Neil	Allow In Part
C47.2864.22	Horticulture New Zealand	Disallow
Disallow	FC47.1521.11 FC47.3886.4 FC47.3886.6	
C47.2864.24	Horticulture New Zealand	Allow
C47.2864.63	Horticulture New Zealand	Allow In Part
C47.2864.64	Horticulture New Zealand	Allow In Part
C47.3870.10	Challies, G H	Allow In Part
C47.3886.6	Fonterra Co-Operative Group Ltd	Allow
C47.3886.10	Fonterra Co-Operative Group Ltd	Allow

<b>C47.3897.6</b> <i>Allow in Part</i>	<b>Kinloch Trust</b> FC47.3870.6	<b>Allow In Part</b>
<b>C47.3933.15</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Disallow</b>
<b>C47.3933.31</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Disallow</b>
<b>C47.3933.32</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Disallow</b>
<b>C47.3933.33</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Disallow</b>
<b>C47.3933.34</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow</b>

### Plan Amendments

Topic : 31.1.7.1A

1. Amend condition (c) to include another provision:  
"The transfer is either where:
  1. Both points of take are from bores and there is an applicable:
    - (i) bore land use consent
    - (ii) irrigation management plan for each point of take; or
  2. The transfer is a surface water take to a new point downstream of the original point of take and:
    - (i) there is an applicable irrigation management plan for both points of take
    - (ii) the new take is not in a coastal margin for the zone
    - (iii) the take is not in the Upper Catchments Zone."
2. Delete the date restriction from (c).
3. Amend condition (i) to read: "The prescribed form for transferring all or part of a water permit is completed by the holder of the permit jointly with the person to whom the interest in the permit will transfer, and lodged with Council, before commencing to exercise the consent(s)."
4. Add to condition (f)(iv): "river flow and ecosystem effects (including fish screening at the intake)".

### Reasons

1. Site to site transfers of water permits have been restricted in the Waimea Zones in order to prevent the overall water use from increasing, but they are not prevented from occurring.
2. Multiple users within one reticulated system (including the WEIC or community water supplies) serviced through one point of take can be supplied with water at different rates within the total amount allocated.
3. Hope Zone is not directly augmented by the Lee Valley Community Dam and site to site transfers in those zones may still create adverse effects on neighbouring bores that need to be accounted for. Similarly for the Upper Catchments Zone, which although augmented the demand for abstractive water is likely to be low there, the allocation limit is not specified and any take from that zone are to be matched by a decrease in the allocation limit from the Appleby Gravel Zone means site to site transfers need more oversight.
4. The issue of the duration of the temporary transfer is a matter to be resolved between the two parties and subject to other agreements as to the length of time a permit is leased or transferred. However, the Plan allows for transfers that are of a temporary nature. The duration of the permit cannot be amended.

### Recommendation 574.10

<b>C47.1041.50</b> <i>Disallow</i>	<b>Nelson Marlborough Fish &amp; Game Council</b> FC47.3914.11	<b>Allow</b>
<b>C47.1118.31</b> <i>Allow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.3932.2	<b>Disallow</b>
<b>C47.1118.33</b> <i>Allow</i>	<b>Waimea East Irrigation Co. Ltd</b> FC47.2864.74	<b>Disallow</b>
<b>C47.1445.27</b> <i>Disallow</i>	<b>Director-General of Conservation</b> FC47.3914.10	<b>Allow</b>
<b>C47.1499.11</b>	<b>Bay, Roger</b>	<b>Disallow</b>
<b>C47.2818.1</b>	<b>Lower Confined Aquifer (LCA) Water User Committee</b>	<b>Allow</b>
<b>C47.2829.12</b> <i>Allow</i>	<b>Tyson, Neil</b> FC47.2864.61	<b>Disallow</b>
<b>C47.2829.13</b> <i>Allow</i>	<b>Tyson, Neil</b> FC47.2864.73	<b>Disallow</b>
<b>C47.2864.51</b>	<b>Horticulture New Zealand</b>	<b>Allow</b>

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<i>Allow</i>	FC47.3886.14	
<b>C47.2864.53</b>	<b>Horticulture New Zealand</b>	<b>Allow</b>
<i>Allow</i>	FC47.3886.15	
<b>C47.3015.2</b>	<b>Hoddys Orchard Ltd</b>	<b>Disallow</b>
<b>C47.3016.2</b>	<b>Vailima Orchard Ltd</b>	<b>Allow</b>
<b>C47.3016.3</b>	<b>Vailima Orchard Ltd</b>	<b>Allow</b>
<b>C47.3868.1</b>	<b>Cassidy, Dennis</b>	<b>Disallow</b>
<b>C47.3874.1</b>	<b>Challies, Susan</b>	<b>Disallow</b>
<b>C47.3881.1</b>	<b>Delta Zone</b>	<b>Disallow</b>
<i>Allow</i>	FC47.2864.1	
<b>C47.3883.1</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Disallow</b>
<b>C47.3883.4</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Allow</b>
<b>C47.3883.5</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Allow</b>
<i>Allow</i>	FC47.2864.71	
<b>C47.3883.8</b>	<b>Ewers, J S Ltd and Blackbyre Horticultural Ltd</b>	<b>Disallow</b>
<b>C47.3895.3</b>	<b>Johnson, G A</b>	<b>Disallow</b>
<i>Allow</i>	FC47.1445.3	
<b>C47.3914.6</b>	<b>Queen Street Industrial Park Ltd</b>	<b>Disallow</b>
<i>Allow</i>	FC47.2864.60	
<b>C47.3914.9</b>	<b>Queen Street Industrial Park Ltd</b>	<b>Disallow</b>
<i>Allow</i>	FC47.2864.72	
<b>C47.3925.4</b>	<b>Sutton, Steve</b>	<b>Allow</b>
<b>C47.3925.5</b>	<b>Sutton, Steve</b>	<b>Allow</b>
<b>C47.3925.8</b>	<b>Sutton, Steve</b>	<b>Disallow</b>
<b>C47.3929.1</b>	<b>Vickery, Stephen J</b>	<b>Disallow</b>
<b>C47.3931.2</b>	<b>Wagner, R</b>	<b>Disallow</b>
<b>C47.3933.21</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow</b>
<i>Allow</i>	FC47.2864.55	
<b>C47.3933.22</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow</b>
<i>Allow</i>	FC47.2864.56	

**Plan Amendments**

*Topic : 31.1.2.3*

No Plan amendments.

*Topic : 31.1.2.5*

No Plan amendments.

**Reasons**

1. Setting sustainable allocation limits requires consideration of the management objectives and flow regime required for the water resource as well as an understanding about water supply security. Given this, the Council proposed new sustainable allocation limits for the affected Waimea Zones based on sensitivity of the river to pumping from that zone and informed also by computer modelling to predict water use and river behaviour interaction.
2. A scientific approach based on modelled water use and ground and surface water interactions and connectivity to the river is a more robust management approach than a pro-rata reduction in all zone allocations.

**Recommendation 574.11**

<b>C47.1118.23</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Disallow</b>
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Allow FC47.2864.33

C47.1499.8 Bay, Roger Disallow

**Plan Amendments**

Topic : 30.2.20.1

No Plan amendments.

**Reasons**

1. While unlikely to be reached in the near future, the allocatable water in the 'with dam' scenario may eventually become fully allocated. The permitted site to site transfers mean that water users can much more easily access available water and it is less likely that a waiting list will be needed for these zones. However, there is nothing to be lost by not excluding them for these provisions and for the sake of consistency, the waiting list provisions should remain as they are.
2. The method related to soil based allocation was an interim measure to examine how soil based allocation would impact on water users. It is no longer needed given the new allocation regime that explicitly uses soil based allocation to calculate maximum rates for irrigated land.

**Recommendation 574.12**

C47.1118.3	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.32	Waimea East Irrigation Co. Ltd	Disallow
C47.1118.35	Waimea East Irrigation Co. Ltd	Disallow
C46.1223.3	Garnett, Colin J	Disallow
C46.1521.2	Federated Farmers of NZ (Inc.)	Allow In Part
C47.1521.8	Federated Farmers of NZ (Inc.)	Disallow
C47.2864.21	Horticulture New Zealand	Disallow
C47.2864.57	Horticulture New Zealand	Disallow
C46.3870.5	Challies, G H	Allow
Allow	FC46.1118.11	
C47.3870.14	Challies, G H	Disallow
C47.3897.3	Kinloch Trust	Allow
Allow	FC47.3870.3	
Disallow	FC47.3914.6	
C47.3914.8	Queen Street Industrial Park Ltd	Allow
C47.3914.10	Queen Street Industrial Park Ltd	Allow
C46.3933.16	Waimea Water Augmentation Committee (WWAC)	Allow
Allow	FC46.1118.121	
C47.3933.27	Waimea Water Augmentation Committee (WWAC)	Allow

**Plan Amendments**

Topic : 16.12

Figure 16.12A: Insert Golden Hills Zone with 50m spacing between bores. Repeat setbacks for both Wai-iti zones in both sections; remove reference to Waimea River setbacks for Eastern Hills, Golden Hills, Redwood and Upper Catchments zones.

Topic : 31.1.2.3

Insert into condition (d) new (v): "The coastal margin of the Lower Confined Aquifer Zone".

Topic : 31.1.2.3A

Amend (e) to read: "Any water take and use in the coastal margin of the Lower Confined Aquifer and Delta Zones is not first occurring after 27th April 2013"

Topic : 31.1.2.5

No Plan amendments.

**Reasons**

1. The amendments to bore setbacks correct omissions and inconsistencies.
2. The construction of new bores to access water within limits does not prevent efficient use of the WEIC (or any other scheme). A measure of the scheme efficiency would be in terms of the costs of connection and if it compared favourably with other options to land owners, then there would be less need for rules to make it happen. There is no particular resource management need in this case to restrict a potential new water user from having a choice.
3. The reference to new takes in the coastal margin of the LCA has been added as a correction and for consistency with the other rules. It protects existing users from the risk of seawater intrusion from water takes located near the coast in sensitive areas.

**Recommendation 574.13**

<b>C47.1041.52</b> <i>Allow</i>	<b>Nelson Marlborough Fish &amp; Game Council</b> FC47.1118.27	<b>Disallow</b>
<b>C47.1118.34</b>	<b>Waimea East Irrigation Co. Ltd</b>	<b>Allow</b>
<b>C47.1521.11</b> <i>Allow</i> <i>Disallow</i>	<b>Federated Farmers of NZ (Inc.)</b> FC47.3886.12 FC47.3932.7	<b>Allow</b>
<b>C45.2829.1</b> <i>Allow in Part</i> <i>Disallow</i>	<b>Tyson, Neil</b> FC45.3886.3 FC45.2864.6	<b>Allow In Part</b>
<b>C47.2829.8</b> <i>Allow</i>	<b>Tyson, Neil</b> FC47.1445.2	<b>Allow</b>
<b>C47.2829.10</b>	<b>Tyson, Neil</b>	<b>Allow In Part</b>
<b>C47.2829.11</b>	<b>Tyson, Neil</b>	<b>Disallow</b>
<b>C47.2829.15</b> <i>Allow in Part</i> <i>Disallow</i>	<b>Tyson, Neil</b> FC47.3886.2 FC47.2864.2	<b>Allow In Part</b>
<b>C47.2829.19</b>	<b>Tyson, Neil</b>	<b>Disallow</b>
<b>C46.2864.19</b> <i>Allow in Part</i>	<b>Horticulture New Zealand</b> FC46.1521.10	<b>Allow In Part</b>
<b>C47.2864.45</b>	<b>Horticulture New Zealand</b>	<b>Allow</b>
<b>C47.2864.72</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.2864.73</b>	<b>Horticulture New Zealand</b>	<b>Disallow</b>
<b>C47.3933.16</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Disallow</b>
<b>C47.3933.25</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow In Part</b>
<b>C47.3933.26</b>	<b>Waimea Water Augmentation Committee (WWAC)</b>	<b>Allow In Part</b>

**Plan Amendments**

*Topic : 2.2*

Insert new meaning:

"Sustainable Bore Yield means where the water level in a pumped bore does not adversely affect the pumping rates in neighbouring bores. It is dependent on the static water level, lowering of the water level due to pumping in the bore, lowering of the surrounding water table due to interference as a result of pumping from the bore itself and neighbouring bores and aquifer recharge. These factors are in turn dependent on bore depth, bore construction and aquifer hydraulic characteristics. The sustainable bore yield may vary between bores and aquifers and depend on location in the aquifer."

*Topic : 31.1*

Insert new sentence into 31.1.1: "The provisions of RMA Section 124 A – C do not apply to the allocation of water subject to rules 31.1.2.1, 31.1.2.2, 31.1.2.3, 31.1.2.3A, 31.1.2.4 and 31.1.2.5".

*Topic : 31.1.2.2*

1. Add new condition: "Fish and eels are prevented from entering the reticulation system" and add note: Means of Compliance to Prevent Fish and Eels Entering a Reticulation System given by note 2 for rule 31.1.2.1
2. Amend title of rule to refer to its applicability to existing permit holders only.

*Topic : 31.1.2.3*

1. Add new condition: "Fish and eels are prevented from entering the reticulation system" and add note: Means of Compliance to Prevent Fish and Eels Entering a Reticulation System given by note 2 for rule 31.1.2.1.
2. Amend title of rule to refer to Zones with specified allocatable water.

*Topic : 31.1.2.3A*

Add new condition: "Fish and eels are prevented from entering the reticulation system" and add note: Means of Compliance to Prevent Fish and Eels Entering a Reticulation System given by note 2 for rule 31.1.2.1

*Topic : 31.1.2.5*

No Plan amendments.

*Topic : 31.1.20*

Insert new text:

"Sustainable Bore Yield

New explanation to rules:

The water level in a pumped bore is dependent on the static water level, lowering of the water level in the bore due to pumping, lowering of the surrounding water table due to interference as a result of pumping from the bore itself and neighbouring bores and aquifer recharge. These factors are in turn dependent on bore depth, bore construction and aquifer hydraulic characteristics.

The sustainable bore yield may vary between bores and from aquifer to aquifer. Accounting for acceptable water level lowering so as not to adversely affect pumping rates for other neighbouring bores is an important consideration in determining sustainable bore yields and in establishing the minimum set back distances for bores (in chapter 16.12)."

**Reasons**

1. Preventing fish and eels getting into the pipes is good for the fish as well as the operation of the reticulation system.
2. Guidance for water meters is already provided in policy.
3. The Plan's water allocation provisions mean that section 124 of the RMA will not apply as limits are already set and a procedural allocation regime has been adopted. However, given the complexity of section 124 the additional text provides certainty and clarity.
4. Amendments to condition (b) of Rule 31.1.2.3A would result in a perverse outcome whereby the use limitation no longer applied if the dam is not operating. There are transitional arrangements that apply until a decision is made, then after that, transitional arrangements also provide for the time while the dam is being constructed.
5. Advice about sustainable bore yields is provided for additional clarity.