



Canterbury Land and Water Regional Plan Compliance Assessment

531 & 535 Mill Road Fast Track Application

Prepared for Carter Group Limited



5.1 - 5.6 Region-wide Rules: General Rules

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5.6 Any activity that—	D	Consent is sought to undertake earthworks in a river including reclamation, permanent diversion and realignment. The works are to occur within the following streams on site:
(a) would contravene sections 13(1), 14(2), s14(3) or s15(1) of the RMA; and		
(b) is not a recovery activity; and		- Ōhoka Stream South Branch (a section is to be permanently realigned)
(c) is not classified by this Plan as any other of the classes of activity listed in section 87A of the RMA		- Northern spring channel (reclamation of part, and realignment) - Southern spring channel realignment - Groundwater seep waterway realignment - Reclamation of the farm drains (3 unnamed watercourses on site) - Works within the banks of the Ōhoka Tributary to create benched fresh plains.

All surface waterbodies on the site are considered rivers under ECan's definition in the LWRP as natural watercourses or modified natural watercourses.

Reclamation/realignment of a river is a discretionary activity. The disturbance of the riverbed is considered to contravene s13(1) of the RMA and it is not otherwise classified by in the LWRP.

5.93A - 5.97 Region-wide Rules: Stormwater

Reticulated Stormwater Systems

5.93 The discharge of stormwater or construction-phase stormwater from a reticulated stormwater system onto or into land or into or onto land in circumstances where a contaminant may enter water, or into groundwater or a surface waterbody that meets the conditions under this rule.	RD	The proposal includes the establishment of a new reticulated stormwater system that would be directed to discharge to land (SMAs, swales, wetlands and proprietary devices/raingardens) ultimately discharging to surface waterbodies. The stormwater discharge points are detailed on the application plans.
2. A stormwater management plan has been prepared to address the management of stormwater in the catchment and is lodged with the application; and	Complies	PDP has prepared a stormwater management report included with the application (Appendix 31).
3. The discharge will not cause a limit in Schedule 8 to be exceeded.	Complies	The Stormwater Management Report prepared by PDP (Appendix 31) states that the Schedule 8 limits can be achieved (Section 7.1).

Construction-phase stormwater not discharged from a Reticulated Stormwater System

5.94A The discharge of construction-phase stormwater, other than into or from a reticulated stormwater system, to a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, that meets the conditions under this rule.

1. The area of disturbed land from which the discharge is generated is less than:	Infringes	The development of the site would involve the discharge of construction-phase stormwater. The
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(a) 1000m² for any construction-phase stormwater generated as a result of work carried out in an area shown as High Soil Erosion Risk on the Planning Maps; or (b) two hectares in any other location; and		area to be developed for each stage is greater than 2ha. Approximate stage areas for construction works are listed below, however within any stage over 5ha in area, the works area would be limited to 5ha.
		• Stage 1 - 12ha • Stage 2 – 2.85ha • Stage 3 – 5.06ha & 1.34ha • Stage 4 – 9.68ha • Stage 5 – 8.39ha • Stage 6 - 11.17ha • Stage 7 – 16.27ha and 2.07ha • Stage 8 -11.07ha • Stage 9 – 13.61ha • Stage 10 – 12.37ha • Stage 11 – 22.55ha

2. The concentration of total suspended solids in the discharge shall not exceed:

(a) 50g/m³ where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or	Complies	Stormwater would be directed to sediment retention ponds within each stage.
		• Stage 1 – treated stormwater would discharge to the Whites Road swale which then discharges to Ōhoka Stream. • Stage 2 – treated stormwater would discharge to Ōhoka Stream and Mill Road drain. • Stage 3 – treated stormwater would discharge to Ōhoka Stream and to Whites Road drain • Stage 4 – treated stormwater would discharge to the Whites Road drain (by the southern spring channel) • Stage 5 – treated stormwater would discharge to Ōhoka Stream • Stage 6, 8 and 10 – treated stormwater would discharge to Whites Road drain • Stage 7 – treated stormwater would discharge to the northern spring channel • Stage 9 – treated stormwater would discharge to South Ōhoka stream • Stage 11 – would discharge to a farm drain ESCP measures would be installed to limit TSS concentrations to a maximum of 50mg/L

(b) 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case Schedule 5 visual clarity standards shall apply; and	Complies	ESCP measures would be installed to limit TSS concentrations to a maximum 50mg/L.
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3. The discharge does not result in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of 20% (one in five year event); and	Complies	Runoff would be attenuated to match pre-development discharge for rainfall up to a 20% AEP event.
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4. The discharge is not from, into or onto contaminated or potentially contaminated land; and	Infringes	Remediation of the contaminated land is to occur prior to bulk earthworks in accordance with a remedial action plan (proposed as a condition of consent).
5. The discharge does not contain any hazardous substance; and	Complies	No hazardous substances are expected to mix with the stormwater
6. The discharge does not occur within a Community Drinking-water Protection Zone as set out in Schedule 1.	Complies	The discharge does not occur within a Community Drinking-water Protection Zone.
5.94B The discharge of construction-phase stormwater, other than into or from a reticulated stormwater system, into a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, that does not meet one or more of the conditions of Rule 5.94A.	RD	The proposed construction phase stormwater does not meet all the conditions set out in rule 5.94A – the area of land to be worked exceeds 2ha and the site contains contamination which is to be remediated in stages in accordance with a RAP.

5.98 - 5.100 Region-wide Rules: Other Minor Contaminant Discharges

5.98 Any discharge of water or contaminants onto or into land in circumstances where a contaminant may enter groundwater that is not classified by any of the above rules, that meets the conditions under this rule.

1. The volume of the discharge does not exceed 10 m ³ per day and the application rate does not exceed 10 mm per day; and	Infringes	Construction-phase stormwater is designed to discharge to surface water as discussed above. Any discharge that may enter groundwater is incidental. The construction phase stormwater where flocculants may be used would discharge to surface water. It is possible that a contaminant may then enter groundwater. Additionally, during instream works, contaminants may incidentally enter groundwater. Taking a conservative approach this discharge may exceed the permitted volume and rate of incidental groundwater discharge. Dewatering discharge may need to be discharged to ground if the TSS quality for discharge to surface water cannot be met.
2. The discharge is not directly into groundwater; and	Complies	The discharge is not directly to groundwater.
3. The discharge does not result in any overflow or runoff into any surface water body or onto neighbouring site; and	Complies	The discharge for construction phase stormwater would be contained within on-site sedimentation pond (up to 20% AEO event) and would not result in overflow or runoff onto any surface water body or neighbouring site. Works instream are contained within the work site.
4. The discharge does not, in groundwater, render fresh water unsuitable or unpalatable for consumption by animals or humans; and	Complies	The discharge would not render any freshwater unsuitable for consumption.
5. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope; and	Infringes	On occasion flocculants may be required which are considered a hazardous substance.



6. The discharge does not occur when the soil moisture exceeds field capacity; and	Complies	The discharge does not occur when the soil moisture exceeds field capacity.
7. The discharge is not from or into contaminated or potentially contaminated land; and	Infringes	The discharge is from contaminated land as parts of the overall site were identified in the DSI as contaminated, however it is noted that remediation would be undertaken prior to bulk earthworks.
8. The discharge is not within		
(a) 50 m of a bore used for water abstraction; or	Complies	The discharge points for construction phase stormwater would be located more than 50 metres from a bore used for water abstraction.
(b) within a Community Drinking-water Protection Zone as set out in Schedule 1; and	Complies	The construction phase stormwater discharge would not be within any Community Drinking-water Protection Zone that exists at the time of consent being granted.

5.99 Any discharge of water or contaminants into surface water or onto or into land in circumstances where it may enter surface water that is not classified by any of the above rules, that meets the conditions under this rule.

1. The discharge is not from or into contaminated or potentially contaminated land; and	Infringes	The discharge is from contaminated land as parts of the overall site were identified in the DSI as contaminated.
2. The discharge is not into a Natural State water body; and	Complies	The discharge of construction phase stormwater is not to a Natural State water body under the LWRP definition.
3. The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and	Complies	The discharge would be controlled to meet the standards after reasonable mixing with the receiving waters.
4. The concentration of total suspended solids in the discharge shall not exceed:		
(a) 50 g/m ³ , where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake; or	Complies	The discharge would be controlled to comply so that the total suspended sediment would not exceed 50 g/m ³ .
(b) 100 g/m ³ where the discharge is to any other river or to an artificial watercourse; and	Complies	The total suspended sediment would not exceed 100 g/m ³ Where the discharge is to an artificial watercourse (southern parts of Whites Road drain).
5. The discharge does not result in more than a 20% change in the rate of flow of the receiving surface water body; and	Complies	The discharge would be controlled to comply so that the discharge would not result in more than 20% change in flow rate.
6. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope.	Infringes	On occasion flocculants may be required which are considered a hazardous substance.

5.100 Any discharge that is not permitted by either Rule 5.98 or 5.99 and is not classified by any other rule in this Plan. **D** Does not comply with rule 5.98(5) and (7). Does not comply with rule 5.99(1) and (6). Details of flocculant use during construction are set out in **Appendix 30**.

5.103 - 5.110 Region-wide Rules: Bores

5.103 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a water infiltration gallery (other than a water infiltration gallery used for emergency firefighting)

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purposes), or a bore, other than a bore for hydrological or geotechnical investigation or monitoring, that meets the conditions under this rule.

1. The bore or gallery is installed by a bore driller or bore drilling company that holds a current accreditation under the CRC Bore Installers Programme; and	Complies	The bore would be installed by a bore driller that holds appropriate current accreditation.
2. The screening of any bore or gallery may only be into a single aquifer or water permeable zone. During bore installation reasonable and practicable methods shall be used to minimise the risk of interconnection or movement of groundwater between aquifers or water-permeable zones; and	Complies	The bore would be installed into a single aquifer.
3. Any bore constructed to abstract groundwater is screened to below any minimum water level for the groundwater zone as set out in Section 6 to 15 of this Plan; and	Complies	The bore would be screened in compliance with this rule.
4. Contaminants or water are prevented from entering the top of the bore or gallery or underlying groundwater by: (a) covering or capping the bore or the above ground portion of the gallery pipe, when not in use; and (b) sealing the exterior of the bore (the annulus) with bentonite or concrete grout from ground level to above the screen or 1 m below ground level, whichever is the lesser; and (c) sealing the bore-head or above ground portion of the gallery pipe at ground or pumphouse floor level with a concrete pad of at least 0.3 m radius and 0.1 m thickness which is contoured to slope away from the bore or pipe; and	Complies	The bore would be designed to comply with these requirements.
5. Information on bore or gallery location, bore installation (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore; and	Complies	The administration requirement can be met.
6. The bore or gallery is not installed on contaminated or potentially contaminated land.	Infringes	The site is identified as contaminated. The bore would be installed following remediation of contaminated areas.
5.105 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore or a water infiltration gallery that does not meet one or more of the conditions in Rule 5.103, or 5.104 or 5.104A.	D	Currently there is contamination and therefore 5.013(6) cannot be met. However, when the bores for the community water supply are installed, the site would have been remediated.

5.111 - 5.115 Region-wide Rules: Small and Community Water Takes

5.115 The taking and using of water for a community water supply from groundwater or surface water that meets the conditions under this rule.	RD	
1. A Water Supply Strategy prepared in accordance with Schedule 25 is submitted with the resource consent application; and	Complies	Refer to the water supply strategy (Appendix 29) prepared in accordance with Schedule 25.



2. Where the application seeks water for purposes other than drinking water, the application shall identify which components are not related to drinking water, and which of those are existing or new activities.

Complies

The water supply assessment prepared by PDP sets out the quantities required for drinking water and sets out the components not related to drinking water. These additional components include:

- Irrigation for the polo field
- Irrigation for the SMAs
- Firefighting supply

5.116 - 5.118 Region-wide Rules: Water for Construction and Maintenance

5.116 The taking and using of water from a river, lake or an artificial watercourse for infrastructure construction, maintenance and repair that meets the conditions under this rule.

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No specific take and use is required under this rule. The diversion/take and use of water within waterways during construction is addressed under rules 5.135-5.141B and 5.126. Reclamation of rivers is assessed under Rule 5.6. Water carts are proposed to be filled from a groundwater take. Therefore, it is considered that should a minor take and use arise under this rule it can be undertaken as a permitted activity.

1. The take and use does not exceed 15 L/s and 100 m³ per day; and

Complies

Should the take be required it would not exceed the requirement.

2. The take and use is for no longer than 2 months; and

Complies

Should a take and use arise, it would be limited to less than two months.

3. The take does not at any time exceed 10% of the flow at the point of take; and

Complies

The take would be designed so that it does not exceed 10% of the flow at the point of take.

4. Where the take is from a water body with a minimum flow set in Section 6 to 15, the take or diversion ceases when the flow is at or below the minimum flow, as estimated by the Canterbury Regional Council; and

Complies

The take would be designed to comply.

5. The take is not from a wetland; and

Complies

The take is not from a wetland.

6. Fish are prevented from entering the water intake as set out in Schedule 2; and

Complies

Fish would be prevented from entering the intake.

8. The take is not from any river or part of a river that is subject to a Water Conservation Order.

Complies

The take is not from a river that is subject to a Water Conservation Order.

5.119 - 5.120 Region-wide Rules: Site Dewatering - Groundwater

5.119 The taking of water from groundwater for the purpose of dewatering for carrying out excavation, construction, maintenance and geotechnical testing and the associated use and discharge of that water that meets the conditions under this rule.

1. The take continues only for the time required to carry out the work but the take shall not last for a period exceeding 6 months; and

Infringes

The dewatering would exceed a period of six months. Dewatering would occur throughout the life of the project which would occur in stages over several years. It is proposed to limit dewatering to six months within each year with a 15 year construction period.

2. The take or discharge is not from, into, or onto contaminated or potentially contaminated land; and

Infringes

At the time of dewatering, parts of the site may still be considered to be contaminated or potentially contaminated. Remediation would occur within each stage in accordance with a RAP. The remediation would occur prior to bulk earthworks being carried



		out in the contaminated area and therefore would occur prior to dewatering commencing.
3. The take does not lower the groundwater level more than 8 m below the ground level of the site or cause subsidence of any other site; and	Complies	The take would not lower the groundwater level more than eight metres below the ground level of the site or cause subsidence of any other site. Only minimal lowering of the water table would be required as follows: • Around two metres below the localised high groundwater level at each SMA location (these excavations would be larger areas than those for service trenches and manholes). • Up to around three mbgl for stormwater service trenches. • Approximately four mbgl at the location of the deep Stage 2 stormwater manhole. • Less than 2.5 mbgl for wastewater and subsoil drainage pipework and for realignment of streams. Refer to the dewatering assessment for further details.
4. The take does not have a moderate, high or direct stream depletion effect on a surface waterbody, determined in accordance with Schedule 9, unless the abstracted groundwater is being discharged to the surface waterbody to which it is hydraulically connected; and	Complies	Dewatering is likely to comply. This is based on: • Ensuring that dewatering discharge is split evenly between any two surface waterbodies where it is abstracted from within 100 metres of two surface waterbodies. • The consents for onsite irrigation groundwater take would not be exercised during dewatering. Refer to the dewatering assessment for further details.
5. An assessment of interference effects, undertaken in accordance with Schedule 12, does not show that any community, group or private drinking-water supply bore will be prevented from taking water; and	Complies	The dewatering rate would be lower than the existing water take consented from shallow irrigation bores. Therefore, it is assumed that it would not prevent drinking water supply in the area. Refer to the dewatering assessment for further details.
6. At the point and time of any discharge to surface water, the rate of flow in the river or artificial watercourse is at least five times the rate of the discharge; and	Infringes	The proposal may not comply. The rate of flow in the watercourse for the dewatering period is not known. ESCP measures would be utilised to manage potential erosion, scour and water clarity. In addition, the applicant is willing to accept a further standard condition requiring that dewatering discharges cease if any downstream flooding as a result of the discharges is identified.
7. The concentration of total suspended solids in any discharge to a surface waterbody does not exceed: (a) 50g/m ³ where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake or wetland; or (b) 100 g/m ³ where the discharge is to any other river or to an artificial watercourse; and	Complies	The TSS requirements would be met. If required, settlement tanks would be used prior to discharge. Or, where the TSS requirement cannot be met, the dewatering would discharge to ground. Testing for the water is proposed as a condition of consent.



8. The discharge after reasonable mixing with the receiving waterbody meets the visual clarity standards in Schedule 5; and	Complies	Visual clarity standards would be met. If required settlement tanks would be used prior to discharge.
9. The point of discharge is not within a Community Drinking-water Protection Zone as set out in Schedule 1.	Complies	The point of discharge is not within a Community Drinking-water Protection Zone. Refer to the dewatering assessment prepared by PDP (Appendix 32).
5.120 The taking of water from groundwater for the purpose of de-watering for carrying out excavation, construction, maintenance and geotechnical testing and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.119.	RD	The proposal does not comply with 5.119 (1), (2) and (6)

5.123 - 5.127 Region-wide Rules: Take and Use Surface Water

5.123 The taking and use of surface water from a river or lake is a restricted discretionary activity, provided the following conditions are met:	N/A	No consumptive take and use of surface water is proposed.
5.126 The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse that meets the conditions under this rule.	RD	The proposal includes a non-consumptive take of water from a river or artificial watercourse which discharges back to the same watercourse. During installation of culverts, it is proposed to either over-pump or create temporary channels for the waterways which would then discharge back into the same watercourse. Details are provided in the SMP (Appendix 30). It is noted that the diversion of water within the banks of the waterbody for works in the rivers and artificial watercourse is assessed under rule 5.140. Further, the realignment and reclamation of a surface waterbodies is assessed under rule 5.6.
1. Limits have been set for that surface waterbody in Sections 6 to 15 or the lake or river is subject to a Water Conservation Order; and	Infringes	Regarding (1) and (2), there are no limits for the waterways on site, except for Ohoka Tributary which has limits set in Table 8(b) of the LWRP. The proposal does not comply with rule 5.126(1) but it is not anticipated to affect the limits set for the waterbody as the water is to be discharged back to the surface waterbody. Therefore, no limit is considered to be exceeded.
2. The taking of water and subsequent discharge does not result in any exceedance of any limit set for that waterbody in Sections 6 to 15 or flow and allocation regime set out in the Water Conservation Order; and	Complies	As above.
3. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the maximum distance from the point of take to the point of discharge is not more than 250 m; and	Complies	The proposed activity will be setback appropriately to comply.



4. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the take is not from a wetland, hāpua or a high naturalness lake or river that is listed in Sections 6 to 15	Complies	The take is not from a wetland, hapua or high naturalness lake or river.
5.127 The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse that does not meet one or more of the conditions in Rule 5.126 is a non-complying activity.	NC	Consent required.

5.128 - 5.132 Region-wide Rules: Take and Use Groundwater

5.128 The taking and use of groundwater that meets the conditions under this rule.	RD	Because rule 5.130 explicitly relates to a non-consumptive take and use, this rule has been interpreted by ECan as relating to a 'consumptive' take and use. Additionally, the rule is considered to bundle 'take and use' together. A consumptive take and use of groundwater is proposed for the filling of dust carts for dust suppression purposes. It is proposed that for a five hectares area the following would be required: 3 x 20m³ water carts onsite totalling 60m³ capacity. - Peak usage of approximately 60m³/hour for eight hours (three carts per hour) totalling 480m³. The proposed volume of take for dust suppression is 500m³/day.
1. The take is from within a Groundwater Allocation Zone on the Planning Maps; and	Complies	The site is within a Groundwater Allocation Zone.
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, for stream depleting groundwater takes, the take, in addition to all existing consented surface water takes, does not result in any exceedance of any environmental flow and allocation limits set in Sections 6 to 15 for that surface waterbody in accordance with Schedule 9; and	Complies	A groundwater take is proposed for filling dust carts during construction. The proposed take would use the existing irrigation bores. The proposed take is not considered to result stream depletion, and overall, the proposal would see a large reduction in stream depletion compared to the exercise of the existing irrigation consents. Refer to the dewatering assessment for further details.
3. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, the seasonal or annual volume of the groundwater take, in addition to all existing consented takes, as determined by the method in Schedule 13 does not exceed the groundwater allocation limits for the relevant Groundwater Allocation Zone in Sections 6 to 15; and	Complies	The volume of the proposed take would not exceed the groundwater allocation limits. This is based on ECan advice that the groundwater allocation is not fully allocated. The proposed volume of take for dust suppression is only 500m³/day which is a reduction of approximately 8,000m³/day consented under the existing irrigation takes.
4. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any	Complies	An assessment relating to drawdown interference effects is provided in the dewatering assessment and it is considered that any effects are acceptable as determined in accordance with Schedule 12.



groundwater abstraction other than an abstraction by or on behalf of the applicant are acceptable, as determined in accordance with Schedule 12.

5.131 The non-consumptive taking and using of groundwater, including for heating or cooling purposes, and the associated discharge to groundwater, that meets the conditions under this rule.

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Consent is sought for sub-soil drains which would take groundwater from under kerbs in roads to ensure the integrity of the road pavement at time when groundwater levels are elevated, and discharge groundwater to the SMAs where it would discharge back to ground and groundwater.

Note:

The proposal would also result in groundwater intercepted within the SMA basins and wetlands, which would be discharged back to ground. In some instances, there may be incidental interception of groundwater that mixes with stormwater and overflows from the SMAs. However, given the outlets for the SMAs are positioned above the highest groundwater level, it is anticipated there would be no net loss of groundwater from the system.

It is noted that ECan's default approach is to assess such activities under rules 5.128–5.130 (typically applying to consumptive takes and use) or under the Waimakariri sub-regional rules 8.5.12-14. Given that there is no net loss anticipated it is considered that consent is not required.

The groundwater is not considered to have been 'consumed' and is returning to groundwater. The passive groundwater interception within SMAs is not considered to require consent.

1. The discharge of the groundwater is to the same aquifer or groundwater source as the abstraction, and the discharge is within 50 m of the abstraction point; and

Infringes

The sub-soil drainage abstraction point may be more than 50 metres from the discharge point.

2. The use of the water is for domestic purposes; and

Infringes

The use of water is not for domestic purposes.

3. No contaminants, other than water of the same or different temperature, enter the groundwater.

Infringes

The proposal may not comply. Minor contaminants may potentially discharge due to the potential for elevated dissolved metals in the discharge water. However, the contaminants would generally bind with soils within the SMA basin, and the groundwater take is the same quality as the groundwater to be discharged.

5.132 The non-consumptive taking and use of ground water and associated discharge to groundwater that does not meet one or more of the conditions in Rule 5.131.

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Consent is required due to non-compliance with the conditions in rule 5.131.

5.133 - 5.134 Region-wide Rules: Transfer of Water Permits

5.133 The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of the water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater, that meets the conditions under this rule.

N/A

It is intended that the existing water permits be surrendered upon completion of the subdivision. It is not proposed to transfer the permits. It is not permitted to 'transfer' water permits for a different use.



5.135 - 5.141B Region-wide Rules: Structures

5.135 The placement, alteration, reconstruction, or removal of pipes, ducts, cables or wires over the bed of a lake or river, whether attached to a structure or not, and associated support structures that meet the conditions under this rule.

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It is proposed that pipes, ducts, cables or wires that cross waterways would be attached to culvert structures. New outfall pipes would be installed at discharge points from the SMAs to waterways on site.

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| 1. The pipes, ducts, cables or wires and associated support structures do not prevent access to or over the bed or to lawfully established structures or defences against water; and | Complies | This would be designed to comply. |
| 2. The activity is not undertaken in, on, or over the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15, unless the pipes, ducts, cables or wires are attached to an existing structure; and | Complies | Works would not occur within any waterbody classified as a high naturalness waterbody. |
| 3. The pipes, ducts, cables or wires and associated support structures do not obstruct or alter navigation of the lake or river or reduce the flood carrying capacity of the waterway | Complies | Any pipes, ducts, cables or wires that cross waterways would be attached to culvert structures and would be designed not to obstruct or alter navigation of the river or reduce the flood carrying capacity.
Outfall pipes from the SMAs would also be designed to ensure that they do not obstruct or reduce the flood carrying capacity of the waterway. |

5.136 The installation, or removal of pipes, ducts, cables or wires, including the associated drilling, tunnelling, or disturbance in or under the bed of a lake or river that meet the conditions under this rule.

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It is proposed to remove culverts from waterways and other pipes may be found within the site which would require removing from waterways. New outfall pipes from the SMAs would be installed.

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| 1. The activity is not undertaken in, on, or under the bed of a lake listed as a high naturalness lake in Sections 6 to 15 or in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any Critical Habitat; and | Complies | The works would not occur in a listed category. An aquatic ecology report included with the application does not identify these species. |
| 2. The activity does not involve the deposition of any substance, other than bed material, on the bed of a lake or river; and | Complies | Substances would not be deposited on the bed of a river. Outfall pipe structures would not require deposition on the bed of the river. |
| 3. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and | Complies | The activity would be undertaken concurrently with bridges/culvert installations and network utilities being installed, along with the removal of existing culverts or pipes. |
| 4. Within 30 days of the completion of the activity the bed of the lake or river is returned to its original contour; and | Complies | The activity itself would be undertaken quickly and is not anticipated to alter the contour of the bed of the river. |
| 5. Marker posts are erected for the lifetime of the pipes, ducts, cables or wires; and | Complies | Marker posts would be erected if required. |
| 6. The works do not occur in flowing water. | Complies | Works would not occur within flowing water. Works would either occur when waterbodies are dry, or water would be over pumped (non-consumptive take |



		and discharge), or diverted within the waterway channel or diverted into a temporary channel. A consent to divert the water (outside of the bed) is sought as part of this application.
5.137 The installation, alteration, extension, or removal of bridges and culverts, including the associated excavation, disturbance and deposition of substances on, in or under the bed of a lake or river, and, in the case of culverts, the associated take, discharge or diversion of water that meet the conditions under this rule.	P	It is proposed to remove existing instream structures, including a bridge and culverts from within waterways classified as rivers. New culverts and bridges are proposed. This rule includes the associated take and discharge of water associated with the culvert removal and installation. It also includes the diversion of water. The ECan interpretation of diversion, is that diversion requires the water to stay within the stream channel.
1. Any material deposited in, on, under or over the bed of a lake or river in order to construct or maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment and does not contain or is not coated with any hazardous substance; and	Complies	The culverts would be concrete (inert material), virgin aggregate would be installed under the base of the culverts. The materials would blend with the natural environment. The proposed bridges would be timber.
2. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and	Complies	The culverts and bridges would be undertaken more than 10 metres from the listed infrastructure on site, and more than 150 metres from a water level recorder and 50 metres from a defence against water.
3. The works do not occur in flowing water; and	Complies	It is anticipated that works would not occur in flowing in water, as it is proposed that works would occur either: - when the waterbodies are dry, with the water diverted into a temporary channel (non-consumptive take and discharge); or - water would be over pumped (non-consumptive take and discharge) and discharged to the surface water body downstream of the works area.
4. The activity is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any Critical Habitat; and	Complies	The site does not contain salmon spawning or inanga spawning habitat and is not a Critical Habitat.
5. Upon completion of the activity:		
(a) any area of the bed of a lake or river which has been disturbed is returned to as near as practicable to its original state; and	Complies	The works would be completed to return the disturbed bed of the river to its original state, as near as practicable.
(b) any excavated areas are left with battered slopes not steeper than 3:1 slope angle (3 horizontal to 1 vertical) and any flow channels disturbed during the activity are reinstated; and	Complies	The excavated areas would be left with battered slopes not steeper than 3:1 slope angle and flow reinstated.
6. For any permanent culvert at the time of its installation:		



(a)	the maximum length is 25 m; and	Infringes	The maximum length of any culverts used would be less than 25m for the majority of culverts, with the following exceptions: - Whites Rd culvert 01 approximately 27m in length. - Mill Rd culvert 01 (artificial watercourse) – 36m.
(b)	the maximum width of the river bed at the point of the crossing is 5 m; and	Infringes	The maximum width of the riverbed at the point of crossing for some culvert installation exceeds 5m.
(c)	the culvert is installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river or lake or is covered with water at the estimated 7DMALF; and	Complies	Culverts would be designed to comply.
(d)	the culvert provides a 5% Annual Exceedance Probability flood flow capacity without increasing upstream water levels; and	Complies	Culverts would be designed to comply.
(e)	the location is not within any urban area or settlement; and	Complies	The site is currently zoned rural. The culvert would be located within a new settlement which would become an urban area.
7.	For any bridge:		
(a)	there are no piers within the bed; and	Complies	The bridges would span the bed of the river. No piers would be constructed within the bed.
(b)	the bridge and the approaches are designed so that a 5% Annual Exceedance Probability flood event does not cause any increase in upstream water levels; and	Complies	The bridges would be designed to comply.
(c)	the soffit (underside) of any bridge is higher than the top of the river bank, and at least 500 mm above the 5% AEP flood level; and	Complies	The bridges would be designed to comply.
(d)	the bridge abutments are constructed parallel to the flow; and	Complies	The bridges would be designed to comply.
9.	The works or structures do not prevent any existing fish passage.	Complies	Fish salvage would occur in accordance with conditions of consent during the works period. The proposed structures would be designed to provide ongoing fish passage.
5.139	The use and maintenance of structures, excluding dams, on, in or under the bed of a lake or river that meet the conditions under this rule.	P	The proposal includes new culverts and bridges to be installed. Under this rule it is considered that the use and maintenance would be a permitted activity (once they are constructed).
1.	The structures have been lawfully established; and	Complies	The structures would be lawfully established based on consent being granted.
2.	Any material deposited in, on, under or over the bed in order to maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment, is not contaminated with any hazardous substance; and	Complies	Would be designed to comply.
4.	Except for bridges, culverts, pipes, ducts, cables and wires and their associated support structures the maintenance of that part	Complies	Maintenance can be undertaken in accordance with the requirements of this rule or specific consent sought for maintenance.



of the structure within the bed of a lake or river is not undertaken within a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any Critical Habitat.		
5.140 Unless addressed by another rule in this Plan, the installation, alteration, extension, or removal of temporary structures and diversions associated with undertaking activities in Rules 5.135 to 5.139, military training activities, or artificial watercourses that meet the conditions under this rule.	P	As part of the works associated with removing and installing culverts and constructing bridges temporary measures would be in place for the diversion of water to enable works to occur in both rivers and artificial watercourses.
1. The activity is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any Critical Habitat; and	Complies	The activity would not occur in a salmon spawning site, Critical Habitat or inanga spawning habitat during spawning season.
2. The temporary structure and diversion is in place for not more than 4 weeks in any 12 month period; and	Infringes	The temporary structures/diversions (i.e. sandbags and over pumping) would likely be in place for less than four weeks in a 12-month period for each culvert installation. As works would occur at different stages it is likely that take and discharge when accumulated would occur for more than four weeks. Therefore, consent is sought for the total cumulative diversions to occur for longer periods.
3. The activity does not prevent any existing fish passage or result in the stranding of fish; and	Complies	The activity would not prevent fish passage or result in standing fish salvage would occur prior to the diversion (temporary channel) or over pumping occurs..
4. Any diversion of water out of a river channel does not reduce the wetted width of that existing channel by more than 25% at any point; and	Infringes	The diversion of water out of the river channel would reduce the wetted width by more than 25%. It is proposed to divert water out of the channel when necessary via over pumping or a temporary channel.
5. For any temporary culvert in a river: a. The maximum length of the culvert is 14m; and b. The culvert is and open bottom culvert, or the base of the culvert is embedded below bed level by 25% to 50% of the culvert height and is covered with water at the estimated 7DMALF; and c. The maximum width of the river bed at the point of the crossing is 5 m; and	N/A	No temporary culverts are proposed.
6. The activity is not in a river, lake or artificial watercourse managed for flood control or drainage purposes unless written permission has been obtained from the authority responsible for maintaining the flood and drainage carrying capacity of that water body or watercourse.	Complies	The works are not in a river managed for flood control or drainage purposes.
5.141 Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.135 to 5.140A or in relation to artificial watercourses that meet the conditions under this rule.	P	During construction works, temporary discharge to water or land may be required. This is anticipated to be very minor given that water would be diverted/over pumped. However, there is still the potential for the discharge of sediment laden water that may enter water..



1. The discharge is only of sediment, organic material and water originating from within the bed of the lake, river, or artificial watercourse; and	Complies	The sediment and water that may discharge would only originate from the bed of the river or artificial water course.
2. The discharge is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any Critical Habitat; and	Complies	The discharge would not occur in a salmon spawning site, Critical Habitat or inanga spawning habitat during spawning season.
3. The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month, and except within the first 4 hours of discharge, does not exceed the Schedule 5 visual clarity standards.	Infringes	Given the works proposed for the site are to occur within multiple waterbodies over multiple stages, the discharge may exceed 40 hours in a calendar month.
5.141A The placement, installation, erection, reconstruction, alteration or removal of any structure, excluding dams, on, in or under the bed of a lake or river, and including any associated excavation, disturbance, diversion and discharge in the bed of a lake or river, or any diversion or discharge in an artificial watercourse, that does not comply with Rules 5.135 to 5.141.	D	The proposal does not comply with 5.137 (6)(a), (b), 5.140 (2) and (4), and 5.141 (3).
5.141B Where not classified by any other Rule in this plan, the diversion or discharge of water and contaminants as a result of the excavation and disturbance of a river or lake bed, or the establishment of a structure or defence against water, is a discretionary activity.	N/A	N/A

5.159 - 5.162 Region-wide Rules: Wetlands

5.159 The enhancing, restoring or creating of a wetland, including the associated taking, use, damming or diversion of water from groundwater or surface water, and discharge of excess or overflow water from the wetland into surface water that meet the conditions under this rule.	P	The proposal includes the enhancement of some wetlands on site (through appropriate riparian planting), and the creation of stormwater treatment wetlands. Under the LWRP, artificial stormwater wetlands are excluded from the definition of wetland.
1. The taking, use, damming or diversion of water is at a maximum rate of 5 L/s and 100 m ³ per day; and	N/A	No change to the natural water take is proposed as part of the enhancement. No abstraction of water is proposed for the enhancement of existing wetlands to be restored or for the benched fresh plains.
2. The taking of water is non-consumptive, is discharged back into the same waterbody and complies with any limits in Sections 6 to 15 of this Plan or any other Regional Plan for the relevant waterbody; and	N/A	Any interception/take of groundwater that already occurs naturally (i.e. within an existing wetland to be enhanced) is to be discharged back into the same waterbody.
3. The taking of water does not prevent water being taken by any domestic or stock water supply.	Complies	
5.162 Reducing the area of a wetland by the taking, use, damming or diversion (including draining) of water or other means, including vegetation clearance, cultivation, burning or earthworks, except as provided for in Rule 5.161.	NC	The proposal includes the removal of 3.5ha of wetlands. This involves filling in wetlands (earthworks) and vegetation clearance.



5.163 - 5.166 Region-wide Rules: Vegetation in Lake and River Beds

5.163 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water and that meet the conditions under this rule.	P	As part of the reclamation of the streams and works within waterways existing vegetation may be removed and disturbed. New planting is proposed within riparian margins.
1. The activity does not prevent access to lawfully established structures, including flood protection works, or to flood control vegetation; and	Complies	The proposed vegetation removal would not prevent access specified under this rule.
3. No woody vegetation is disposed of in, on, over or under the bed of a lake or river other than for in situ decomposition of sprayed weeds that were growing in, on, over or under the bed; and	Complies	No woody vegetation would be disposed in the bed of the river.
4. Introduction or planting of vegetation in, on, or under the bed of any lake or river is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Regional Pest Management Plan; and	Complies	No introduced plants (listed biosecurity species) would be planted in, on or under the bed of any lake.
6. Vegetation clearance in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Section 6 to 15 is only of: a. non-indigenous species; or b. indigenous species that form the understorey of plantation forest that is being harvested and a minimum 5 m set back from the river or lake is provided upon replanting (if replanting occurs); and	N/A	None of the waterways are classified as a high naturalness waterbody.
7. Vegetation clearance does not occur in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in any Critical Habitat; and	Complies	The vegetation clearance would not occur in these listed sites.
10. Except in relation to recovery activities, or the establishment, maintenance, repair or upgrading of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed: a. 50g/m ³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m ³ in which case the Schedule 5 visual clarity standards shall apply; or b. 100g/m ³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m ³ in which case the Schedule 5 visual clarity standards shall apply	Complies	Discharge would be managed to meet the water clarity standards through ESCP measures. Refer to the site management plan included with the application.

5.167 - 5.169 Region-wide Rules: Earthworks and Vegetation Clearance in Riparian Areas

5.167 The use of land for vegetation clearance outside the bed of a river or lake or adjacent to a wetland boundary but within: (a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land	P	Vegetation clearance would occur adjacent to rivers and wetlands (within five metres).
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shown as High Soil Erosion Risk on the Planning Maps; or
(b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country on the Planning Maps; and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided it meets the conditions under this rule.

1. Except in relation to recovery activities, the area of bare ground resulting from vegetation clearance: (a) does not exceed 10% of the area within the relevant riparian margin at any time; or (b) is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or (c) for plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; and	Infringes	Vegetation clearance may exceed 10% of the area within the relevant riparian margin – mainly in relation to vegetation clearance near wetlands and adjacent to streams. Vegetation clearance of existing trees is detailed in the landscape assessment.
2. Except in relation to recovery activities, the vegetation clearance is not on land above 900 m above sea level; and	Complies	The land is not 900m above sea level.
3. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed (a) 50g/m3 where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m3 in which case the Schedule 5 visual clarity standards shall apply; or (b) 100g/m3 where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m3 in which case the Schedule 5 visual clarity standards shall apply; and	Complies	Discharge would be managed to meet the water clarity standards through ESCP measures. Refer to the Site Management Plan.
4. The felling of trees, or any part of a tree, is away from any lake, river or wetland, except where it is not practicable to do so to ensure human safety, and no logs or tree trunks are dragged through or across the bed of a lake or a permanently flowing river, or a wetland; and	Complies	Trees would be felled close to the rivers, however it is considered that this requirement can be complied with (except where not practicable to ensure human safety).
5. The vegetation clearance does not occur adjacent to a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in any Critical Habitat; and	Complies	Vegetation clearance would not occur adjacent to salmon spawning or inanga spawning habitat or any Critical Habitat.
6. The vegetation is not flood or erosion control vegetation; and	Complies	The vegetation is not flood or erosion control vegetation.
5.168 The use of land for earthworks outside the bed of a river or lake or adjacent to a wetland boundary but within:	P	Earthworks would occur adjacent to the bed of the rivers and the wetlands. It is proposed to bench the banks of the rivers to provide benched fresh plains



(a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps; or (b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country; and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided it meets the conditions under this rule.		which would be planted to improve the ecological function of the streams and provide habitat for aquatic species.
1. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the extent of earthworks within the riparian margin: (a) does not at any time exceed: (i) an area of 500 m², or 10% of the area, whichever is the lesser; or (ii) a volume of 10m³ on land shown as High Soil Erosion Risk on the Planning Maps; or	Infringes	Earthworks would occur over the whole site and therefore would exceed the 500m² area. While works are proposed to be staged, over 500m² of works may occur within each stage that are within five metres of rivers and wetlands.
2. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed: (a) 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or (b) 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply;	Complies	Discharge would be managed to meet the water clarity standards through ESCP measures. Refer to the site management plan included with the application.
3. The activity does not occur adjacent to a salmon spawning area listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in any Critical Habitat; and	Complies	The works will not occur in the listed habitat areas.
5.169 Vegetation clearance and earthworks outside the bed of a river or lake or adjacent to a wetland boundary but within: (a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land and land shown as High Soil Erosion Risk on the Planning Maps; or (b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country; and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water that does not comply with one or more of the conditions in Rules 5.167 or 5.168.	RD	Consent is required due to infringements of rules 5.167(1)(a) and 5.168 (1)(a)(ii).



5.175 - 5.178 Region-wide Rules: Earthworks over Aquifers

5.175 The use of land to excavate material that meet the conditions under this rule.

P

2. Over an unconfined or semi-confined aquifer:

(a) the volume of material excavated is less than 100 m³; or

N/A

The volume of excavated material exceeds 100m³ therefore 5.175(2)(b) applies.

(b) the volume of material excavated is more than 100 m³ and:

(i) there is more than 1 m of undisturbed material between the deepest part of the excavation and the highest groundwater level; and

Infringes

The volume to be excavated is more than 100m³. The deepest part of the excavation would not maintain one metre of undisturbed material between the excavation and highest groundwater level.

(ii) the excavation does not occur within 50 m of any surface waterbody.

Infringes

The excavation occurs within 50 metres of surface waterbodies.

5.176 The use of land to excavate material that does not comply with one or more of the conditions of Rule 5.175.

RD

Consent is required due to infringement of rule 5.175(2)(b)

5.185 - 5.188 Region-wide Rules: Contaminated Land

5.185 The use of land for a site investigation to assess concentrations of hazardous substances that may be present in the soil that meet the conditions under this rule.

P

1. The site investigation is be undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (Ministry for the Environment, 2011) and reported on in accordance with the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, (Ministry for the Environment, 2011); and

Complies

A DSI has been undertaken for the site.

2. The person or organisation initiating the site investigation provides a copy of the report of the site investigation to the CRC within two months of the completion of the investigation.

Complies

The DSI and an associated addendum is included with the application and has been provided to ECan (**Appendix 13**).

Section 8 – Waimakariri Sub-regional Rules

8.5.12 The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:

RD

A consumptive take and use of groundwater is proposed for the filling of dust carts for dust suppression purposes. It is proposed that for a five hectare area the following would be required:

- 3 x 20 m³ water carts onsite totalling 60m³ capacity.
- Peak usage of approximately 60m³/hour for eight hours (three carts per hour) totalling 480m³.

The proposed volume of take for dust suppression is 500m³/day.
The groundwater is to be abstracted from the existing irrigation bore on site M35/0367.



		Further details and assessment are provided in the Dewatering and Dust Suppression Assessment prepared by PDP (Appendix 32)
1. For stream depleting groundwater takes, the take, in addition to all existing consented surface water takes, does not result in an exceedance of any minimum flow in Table 8c and 8d; and	Complies	It has been determined that the groundwater take is not stream depleting, and therefore this condition is not relevant.
2. The take: (a) will replace a lawfully established take affected by the provisions of Section 124- 124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the relevant allocation limits in Tables 8c, 8d, and 8e; or (b) will not replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the allocation limits in Tables 8c, 8d, and 8e; and	Complies	Condition 2(a) is not relevant as it is not replacing a take. In relation to Condition 2(b), based on the information provided by ECan for the Eyre Groundwater Allocation Zone, there is still groundwater allocation available within the zone. Currently the zone is at 95.95% allocation. The proposed groundwater take will not result in exceed the allocation limits.
3. The take and use of groundwater does not have a direct, high or moderate stream depletion effect on any surface water body within the Kairaki / McIntosh Surface Water Allocation Zone; and	Complies	The proposal is not located within the listed allocation zone.
4. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any groundwater abstraction other than an abstraction by or on behalf of the applicant are acceptable, as determined in accordance with Schedule 12.	Complies	The drawdown assessment provided in the PDP report (Appendix 17) concludes that the drawdown effects are acceptable as determined in accordance with Schedule 12.