

22 November 2010

Hon Dr Nick Smith  
Minister for the Environment  
Private Bag 18888  
Parliament Buildings  
WELLINGTON 6160

Dear Minister

### **POTENTIAL MORATORIUM ON THE WAIAU RIVER AND ITS TRIBUTARIES**

The Canterbury Regional Council is considering placing a moratorium on the Waiau River and its tributaries, affecting resource consent applications made under section 14 of the Resource Management Act 1991 (to take, use, dam or divert water). The power to impose moratoria is set out in section 34 of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 (ECan Act).

Before the Council can impose such a moratorium, it is required to have the prior approval of the Minister for the Environment, under section 34 of the ECan Act. This letter formally seeks your approval.

Section 34 of the ECan Act sets out criteria which the Regional Council and the Minister must have regard to in deciding whether to impose a moratorium. We have considered that criteria and it is our assessment that the Waiau catchment meets these criteria. The Waiau River is at full allocation for 'run of river' takes and there is increasing demand for additional abstraction. There is also the need to manage this water resource in a comprehensive and integrated way with the other water resources in the Hurunui-Waiiau Zone, particularly the Hurunui River, to achieve the vision and principles of the Canterbury Water Management Strategy.

The Waiau Catchment is of a comparable size to the Waimakariri, and is the largest water source in the Hurunui-Waiiau Water Management Zone. While the river is fully allocated for 'run of river' abstraction, there is a significant quantum of reasonably reliable water that could be harvested and stored for irrigation (as a 'B block'). Canterbury Regional Council staff estimates that this quantum of water is sufficient to irrigate all the potentially irrigable land in the Hurunui-Waiiau Water Management Zone, if economically feasible; though an integrated solution using a combination of water from the Waiau and Hurunui catchments, is more likely. Hence this water is a very important option for irrigation in the Hurunui-Waiiau Zone.

This 'B block' water in the Waiau Catchment is the focus of interest for a variety of uses, including hydrogeneration; a smaller-scale irrigation scheme in the lower catchment; and further abstraction by individuals for less reliable 'run of river' takes. Granting resource

**Our Ref: GVNC/MCOM/1**  
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consents for all or any of these uses in the interim will compromise the quantum and reliability of this 'B block' water for an integrated, North Canterbury irrigation solution.

The Council is currently preparing an Environmental Flow and Water Allocation regional plan for the Hurunui-Waiiau Catchment, which will include provision for an integrated irrigation option for the Hurunui-Waiiau Zone. Our assessment is that the major benefit of a moratorium in the Waiiau Catchment would be to protect the quantity and reliability of the 'B block' water as a potential source of water for irrigation in North Canterbury, until such time as the planning framework is in place which determines the preferred irrigation option(s) for the Hurunui-Waiiau Water Management Zone, and thus the preferred use of this resource. The timeframe for notification of the integrated Hurunui-Waiiau Environmental Flow and Water Allocation Regional Plan is September 2011.

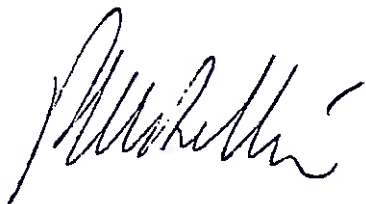
We are considering imposing the moratorium until 01 October 2011, which would coincide with that for the Hurunui Catchment. At that time we will have:

- An outcome on the application for a Water Conservation Order on the Hurunui Catchment;
- A notified review of the Regional Policy Statement;
- A notified regional plan that manages environmental flows and surface and groundwater allocation in both the Hurunui and Waiiau Catchments; and
- A preferred irrigation option for the Hurunui-Waiiau Water Management Zone.

I have enclosed a copy of the Council's briefing paper which outlines the Waiiau Catchment and the issues in more detail.

We look forward to your response.

Yours faithfully



**Hon Prof Peter Skelton, CNZM  
COMMISSIONER**

**For Dame Margaret Bazley, DNZM, Hon DLit  
COMMISSIONER CHAIR**