

**Rangitata River
Water Conservation Order Application**

Report by the Special Tribunal

October 2002

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21 October 2002

Hon. Marian Hobbs
Minister for the Environment
Parliament Buildings
Wellington

Dear Minister

Rangitata River Water Conservation Order Application

Pusuant to s208(1) and (2) Resource Management Act 1991, a copy of the report and recommendation of the special tribunal appointed to hear the Rangitata River water conservation order application is annexed to this notice. The report includes the reasons for our recommendation, as well as our recommended Draft Water Conservation Order (Rangitata River) 2002.

The special tribunal received over 1,100 written submissions and heard 27 days of evidence. Our report sets out the process and results of our deliberations. We have concluded that different sections of the Rangitata River have outstanding features and qualities including:

- Amenity and intrinsic values afforded by waters in their natural state
- Aquatic bird habitat
- Salmon fishery (salmon habitat and salmon fishing)
- Wild & scenic, and other natural characteristics
- Scientific and ecological values for braided river characteristics, indigenous riverbed plant communities and aquatic macro-invertebrates
- Water-based recreation
- Spiritual, cultural and historical values
- Significance for Tikanga Māori
- Amenity and intrinsic values

We also had regard to the needs of industry and the community, as well as the relevant policies and plans. As a result of taking all these matters into account we recommend to you that, in order to preserve or protect the outstanding features and qualities of the Rangitata River, a water conservation order is made. The draft order that we have prepared includes restrictions and prohibitions to achieve the following:

- Preserve the headwaters (the Clyde and Havelock Rivers and their tributaries), as far as possible, in their natural state
- Maintain the main stem of the Rangitata River as a free-flowing river
- Retain freshes and floods
- Maintain a flow hydrograph that is as close as practical to the natural regime

- Set minimum flows below which no abstractions are permitted
- Maintain high water quality
- Minimise disturbances in the bed of the river
- Protect salmon spawning waters and access to them
- Maintain the waters of the upper Rangitata and the gorge, as far as is practical, in their present highly natural state by minimising abstraction and discharges.
- Maintain the mitigating ecological effects achieved by a large continuous abstraction


We also recognise the needs of industry and the community to use water, as long as the outstanding features can be protected, so our draft water conservation order proposes a river management regime consisting of:

- A minimum flow of 20 m³/s in summer and 15 m³/s in winter;
- Changes between summer and winter minimum flows on 15 September and 15 May;
- A 1:1 sharing of a maximum of 33 m³/s abstraction according to a workable schedule;
- Additional abstraction of up to 20 m³/s in two steps when the flow in the river is above 110 m³/s;
- At least 28 m³/s being allocated to one continuous abstraction;
- No damming of the main stem of the Rangitata River;
- Restriction on the number of points where water may be abstracted from the main stem to three locations (not specified), all below the gorge;
- Abstractions may be permitted from tributaries, subject to appropriate conditions;
- Water quality standards to protect salmon, salmon spawning, recreation, and macro-invertebrates including requirements relating to temperature.

Please also note that the special tribunal adjourned its hearing on 20 December 2001. Subsequently the special tribunal has determined that there is no need to reconvene and therefore the hearing is formally closed.

While it has taken us some time to come to our conclusions regarding this application, we wish to note that the issues are complex, and we were presented with a large amount of high quality evidence on many topics. We have endeavoured to fully understand all the material that was presented to us. We appreciate the huge amount of effort that many people went to, in both their written and oral presentations, to ensure that we had the opportunity to make a sound recommendation.

Yours sincerely



Dr Janet Ward
Chairperson