

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

NOR – Cooper Wells for a public work being:

1. “Access” to provide access from Knapdale Road to the area designated “Water Supply and Protection Area”.
2. “Water Supply and Protection Area” being the municipal water supply – Coopers Wells bore field and surrounding land.
3. “Emergency Take Utilities” being the emergency take utilities route from the Mataura River to the bore field.

COMMISSIONERS

Colin Weatherall (Chair)  
David Pullar

DATE

20 March 2014

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## **MINUTE FROM THE COMMISSIONERS**

### **Introduction**

The hearing to consider the above NOR application was heard between 18 December 2013 and 20 December 2013. The hearing was adjourned on 20 December 2013 at the conclusion of the evidence and submissions from all parties to allow the Commissioners to consider all the information presented. The Commissioners have requested further information from Sarah Crooks Three Waters Assets Manager in relation to the operational area of the well field. In addition, a legal opinion was sought from Alastair Logan of Dowling, Ross, Marquet, Griffen on matters of scope and process. The further information has been circulated to the parties and feedback has been received.

The Commissioners are considering changes to D36 as shown on the attached DRAFT site map such that D36 becomes split into D36A and D36B. D36A is drawn to reflect the operational area of the current well field and D36B is a protection area, with land use restrictions necessary for the safe and efficient functioning and operation of the water supply system.

The Commissioners are considering the following restrictions in the proposed areas of D36:

- D36A – is an area of total exclusion as notified in the Notice of Requirement.
- D36B – is an area with land uses restricted to :
  1. The protection of the water supply and the provision of access to D36A.
  2. (a) Grazing between 15 August and 1 May in the following year (conversely, no grazing between 1 May and 15 August in a calendar year).
  - (b) Movement of stock on the stock lane.

- (c) Re-grassing by cultivation, over-sowing or over-drilling excluding the use of non-pasture crops or chemicals except for fertiliser as provided for by the Fertiliser Management Plan.
- (d) Application of fertiliser, excluding nitrogenous fertiliser, in accordance with the approved Fertiliser Management Plan as set out as a Condition.
- (e) The repair and maintenance of fences and farm water supply.
- (f) The operation, maintenance and development of Transpower GOR-ROX A Line.
- (g) The use of vehicles and machinery relating to any of the activities in (a) – (f) above, but excluding the repair, servicing or re-fuelling of those vehicles or machinery.

### Fertiliser Management Plan

The type, amount and timing of any fertiliser application and the monitoring of the effects of any fertiliser application shall be set out in a Fertiliser Management Plan. The purpose of this plan is to minimise any adverse effects from any fertiliser application on the water supply. This plan shall be developed, reviewed, and agreed to by a soil scientist and a hydrologist in consultation with the farm operator and the Gore District Council and be submitted to the Chief Executive Officer of the Gore District Council for final approval prior to any fertiliser application.

This plan shall be reviewed every five years or earlier if requested by either the farm operator or the Gore District Council. Costs relating to the development of this plan shall be shared equally between the farm operator and the Gore District Council. The appointment of the Soil Scientist and/or Hydrologist will be nominated and be mutually by both parties, with the Gore District Council holding the appointment role.

### **Further Comment**

Further submissions are requested in relation to the following matters:

1. The boundaries of D36B.
2. The dates for restriction of grazing on D36B.
3. The process for the development and implementation of a Fertiliser Management Plan including the parties involved in the development and review of the Fertiliser Management Plan.

Further submissions are to be addressed to the Senior Planner, Gore District Council by the above date and can be emailed to [halchin@goredc.govt.nz](mailto:halchin@goredc.govt.nz)

The Commissioners are proposing the following timetable:

- Circulation of the “Minute” to the parties by 20 March 2014.
- Feedback from the parties by 12:00 noon 11 April 2014.

Followed by one of the following options by 17 April 2014:

- 10 day Notification of re-convening of the hearing to be held in the first week of May 2014; or
- Closure of the hearing and issuing of the Decision.

Colin Weatherall  
**Commissioner (Chair)**