

## Rakaia water conservation order amended

Anderson Lloyd experts Maree Baker-Galloway and Sarah Eveleigh share some insight on the implications of the finalised amendments to the Rakaia Water Conservation Order (RWCO) to provide for TrustPower's Lake Coleridge Project.

The National Water Conservation (Rakaia River) Amendment Order 2013 was gazetted on February 4, 2013 by the Governor-General.

The RWCO was first approved in 1988 and sets minimum flows in the Rakaia River to protect its outstanding character as a braided river and outstanding wildlife habitat, fisheries, recreational, angling and jet boating values. The RWCO also provides for the continued operation of TrustPower's Lake Coleridge hydro-electric power scheme, which pre-dated the RWCO.

The proposed Lake Coleridge Project involves use of the water stored in Lake Coleridge for both hydro-electricity generation and irrigation. Amendments to the RWCO provide that water stored in Lake Coleridge during certain flow conditions is exempt from the minimum flow restrictions in the RWCO on its subsequent release and use for irrigation. It is intended that the project connect and provide water to other consented irrigation schemes such as Central Plains Water.

Amendments to the RWCO also require operators of the Lake Coleridge Project to contribute to an enhancement fund for the Rakaia River and Selwyn River catchments.

The application to amend the RWCO was considered under the provisions of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010, which removes jurisdiction to appeal recommendations on water conservation orders in Canterbury to the Environment Court. The application was heard in July 2012 by a panel of Independent Commissioners appointed by Environment Canterbury and their recommendation was approved by the Minister for the Environment prior to being gazetted.

The amendments to the RWCO now enable TrustPower to apply for resource consents for construction and operation of the scheme.

Water conservation orders are established to protect nationally outstanding values of rivers and lakes. Amendments to the RWCO demonstrate that water conservation orders can work in an integrated way alongside regional plans to provide a planning framework which protects values of nationally outstanding rivers and lakes while providing opportunities for appropriate irrigation and hydro-generation developments.

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