



WATER MANAGEMENT POLICY

Water Restrictions Non-Augmented Tributary Irrigators

The Water Restrictions – Non-Augmented Tributary Irrigators Policy sets out Opuha Water Limited’s approach to company-imposed irrigation restrictions for non-augmented tributary irrigators during dry seasons.

Approved by the Board of Directors, 30 November 2023

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This document sets out Opuha Water Ltd's approach to company-imposed irrigation restrictions for non-augmented tributary irrigators during dry season

Introduction

Opuha Water Ltd's resource consent CRC155950 was granted under the ORRP and prescribes the operating 'rules' for the Opuha Dam in relation to the flows to be maintained downstream in the Opihi River at Saleyards Bridge. The minimum flow requirements are different for each month of the year. Included in the rules are provisions for the minimum river flows to be reduced if the storage level of the Opuha Dam reaches critically low levels. Under CRC155950, OEFRAG are mandated to make recommendations to Environment Canterbury (ECan) on variations to the minimum flow regime. While this mandate was originally aimed mainly at the transition of monthly flows and for flushing flow releases, OEFRAG has established a wider mandate that includes recommendations for management of dry seasonal/drought conditions. The recommendations of OEFRAG are typically implemented by ECan through the issue of a Water Shortage Direction (WSD) that will prescribe a modified minimum flow requirement to be maintained by releases from the Opuha Dam and may or may not prescribe restrictions to the consented water takes affiliated to OWL and for other water users including the Timaru District Council.

Water restrictions recommended by OEFRAG for OWL irrigators had historically been made on a blanket basis with the same restrictions applying to all OWL shareholders. On the basis of experience gained by the OEFRAG members through the dry seasons of 2014/15 and 2015/16 different restriction regimes were sometimes recommended by OWL for non-augmented tributary irrigators as compared with those below the dam. As well as this differentiation by OEFRAG, OWL has also sought to self-manage the restriction regime across all its shareholders to achieve required water savings rather than having the restrictions prescribed within a WSD which then becomes mandatory for all consent holders and shareholders.

All OWL irrigators operate under consents that are subject to constraints based on Dam storage levels and minimum flows in the Opihi River at Saleyards Bridge. In addition to these constraints, the non-augmented tributary irrigators' consents have additional constraints based on the minimum flows of their specific river/stream that are not augmented by dam releases. Historically these minimum flow constraints on the non-augmented rivers and streams have resulted in restrictions for these irrigators in most seasons. The historical reliability of irrigation water supply to the non-augmented irrigators is therefore less than that of the augmented irrigators.

It is the view of the OWL Board, that this inherent discrepancy in reliability experienced by non-augmented tributary irrigators and the inability of these irrigators to get direct benefit from the dam storage and from any water savings during dry seasons, should be recognised when water restrictions are imposed.

Purpose

This policy describes the policy for company-imposed restrictions on use of water for irrigation during dry seasons when catchment and lake storage conditions are, or are anticipated to be, critically low.

The purpose of the policy is to ensure that different water availability conditions experienced by those shareholders who do not benefit from augmentation directly from the dam are recognised when water restriction regimes are implemented.

This policy is intended to provide some balance and fairness across all Opuha Water Ltd (OWL) shareholders.

Definitions

Non-augmented tributary irrigators	Those OWL shareholder irrigators whose water takes are not directly augmented by releases of stored water from the Opuha Dam. This covers the groups of irrigators who take water from: <ul style="list-style-type: none"> • The inflowing tributaries of the Opuha Dam of which the main water sources are the South Opuha and North Opuha Rivers and the Ribbonwood and Station Streams. • The Opihi River and its tributary creeks and streams above the confluence with the Opuha River at Raincliff. • The Te Ana Wai River.
OEFRAG	The Opuha Environmental Flow Release Advisory Group. The entity established under the ORRP to provide advice and recommendations to ECan on temporary variations to consented minimum flow and irrigation restriction requirements. The composition of OEFRAG includes representatives of Timaru/MacKenzie District Councils, Arowhenua Runanga, DoC/Fish & Game, farmers and OWL.
ORRP	The Opihi River Regional Plan (2000). The planning document for the Opihi River catchment prior to Plan Change 7 to the Canterbury Land and Water Regional Plan.
WSD	Water Shortage Direction. The mechanism under s329 of the Resource Management Act (RMA) by which ECan can enable water users to temporarily operate outside of the conditions prescribed in their resource consents. A WSD is issued by ECan for a maximum of two weeks and specifies the revised conditions that are applicable during this period. Typically the WSD specifies revised minimum river flows and may or may not contain restrictions on water takes.

Scope

This policy applies to OWL shareholders and irrigators whose water takes are not directly augmented by release from the Opuha Dam. These groups of shareholders are generally referred to as non-augmented tributary irrigators.

This policy is intended to be consistent with OWL's **Constitution, Terms and Provisions for Supply of Water** that applies to all OWL shareholders.

Policy Review

The OWL Board may in its sole discretion (subject to the Constitution and the Companies Act 1993) review, update, amend or replace this policy at any time.

Policy Requirements

General

1. The policy will remain subject to the discretion of the OWL Board to vary its application.
2. If OWL before or during the season, reasonably considers that water availability throughout the season may be constrained, whether by forecasted dry conditions or other factors, OWL will seek to impose the restrictions in Table 1:

Table 1 proposed restriction regime for water short periods

Month	Restriction - Non-Augmented Trib	Restriction - Augmented
September	25% (75% allocation)	50% (50% allocation)
October	25% (75% allocation)	50% (50% allocation)
November	0% (100% allocation)	25% (75% allocation)
December	0% (100% allocation)	25% (75% allocation)
January-May	Equivalent for augmented and non-Augmented irrigators	

3. The restrictions in Table 1 will be subject to endorsement by OEFRAG and ECan of the overall (total across all shareholders) restriction imposed by OWL and the WSD to vary consented river flows.
4. In the event that greater restrictions above those in Table 1 are required in order to achieve an overall restriction acceptable to OEFRAG and ECan, these further restrictions will be calculated and applied across both augmented and non-augmented shareholders.
5. As per clause 1, OWL management, in liaison with the Water Committee of the OWL Board, may impose greater restriction on all shareholders or specific groups of shareholders where in their opinion, the conditions within a season require such restrictions to be applied to provide a reasonable fairness of water use for all shareholders. In this context, OWL management may apply different restriction regimes across the three different groups within the non-augmented tributary irrigators.
6. Communication - OWL management will arrange a meeting of non-augmented tributary shareholders each year in advance of the season and/or before first restrictions are proposed.

Consents and Regional Plans

1. Non-augmented tributary irrigators will always be subject to the conditions of their resource consents.
2. OWL will advocate on behalf of non-augmented tributary irrigators and in relation to their inherent reduced reliability, during any review of existing consents or regional plans and in the development of any new regional water management plans.