



Notice of Special Tribunal report on the application for Water Conservation Order on Te Waikoropupū Springs and associated water bodies.

Following an application for a Water Conservation Order over Te Waikoropupū Springs and associated water bodies sought by Ngāti Tama ki Te Waipounamu Trust and Andrew Yuill, a Special Tribunal set up under the Resource Management Act 1991 (RMA) has considered all the submissions and heard evidence in a hearing in Takaka between 17 April and 28 June 2018.

The Special Tribunal has now issued its report and recommendations to the Minister for the Environment for his consideration.

The Special Tribunal recommends that the application for a Water Conservation Order be granted over the Confined and Unconfined Arthur Marble Aquifer and over Te Waikoropupū Springs (which include the Main Spring, Dancing Sands Spring and Fish Creek Springs), which were all found to have outstanding amenity or intrinsic values as waters in their natural state. In addition, the Special Tribunal found that these waters had the following outstanding values that warranted protection through an Order: biodiversity, habitat for indigenous wildlife including for stygofauna (which are any fauna living in groundwater systems or aquifers) and biofilms, natural characteristics, wild and scenic values, habitat for indigenous flora, scientific and ecological values (including exceptional water clarity) and significance in accordance with tikanga Māori.

The draft Order is also recommended to apply to the headwaters of the Takaka River and to its surface water tributaries (including the Waingarō River) due to the contributions of these waters to the values and characteristics of the Arthur Marble Aquifer and Te Waikoropupū Springs.

As a consequence, the draft Order provides controls on water abstraction and discharges so as to protect aquifer pressure and water quality. There are also recommended exemptions, including for some necessary river works and structures, plant pest control, the operation of existing consents, as well as a specific exemption for the continued operation and maintenance of the Cobb Hydro-Electric Power Scheme.

The Tribunal recommends that the Order be declined for the Anatoki River and the Waikoropupū River, as these are not hydraulically connected to Te Waikoropupū Springs.

There are provisions in the Resource Management Act for submissions to be lodged with the Environment Court to challenge all or part of the Special Tribunal's recommendations in its report. If submissions are lodged then the Environment Court will conduct a public inquiry, following which the Environment Court would make a report to the Minister for the Environment recommending that the Special Tribunal's report be rejected or accepted with or without modifications, as the case may be.

A Water Conservation Order is made by an Order in Council on the recommendation of the Minister.

The draft Water Conservation Order and the reasons for the Special Tribunal's conclusions are contained in the Special Tribunal's report on the application, which can be viewed at www.epa.govt.nz/waikoropupu. Hard copies will also be available at the following libraries:

- Takaka Memorial Library: 3 Junction Street, Takaka
- Elma Turner Library: 27 Halifax Street, Nelson



- Collingwood Memorial Library: 9 Tasman Street, Collingwood
- Tasman District Library: 280 Queen Street Richmond
- Motueka Public Library: 12 Pah Street, Motueka

[Section 209](#) of the Resource Management Act 1991 contains the process of making a submission to the Environment Court in respect of the whole or any part of the report of the Special Tribunal.

Submissions must be filed with the registrar of the Environment Court within 15 working days of receipt of this notice. You must complete Form 36 (Notice of Motion – General), which is available on the Environment Court’s website: <https://www.environmentcourt.govt.nz/forms-fees/#environment>. There is a filing fee of \$56.22.

Your submission must be addressed to:

**Environment Court
Christchurch Registry
PO Box 2069
Christchurch**

Within 5 working days of your submission being lodged with the Environment Court, as required by Section 209(3) of the RMA, you must serve a copy of it on the following parties:

The applicant for the proposed water conservation order - address for service:	Maree Baker-Galloway, Anderson Lloyd, PO Box 201, Queenstown 9348 or Email: maree.baker-galloway@al.nz ;
The Minister for the Environment:	Hon David Parker, Private Bag 18041, Parliament Buildings, Wellington 6160
The relevant Iwi Authorities:	Ngati Toa Rangatira Te Atiawa o Te Waka-a-Maui Ngāti Apa ki te Rā Tō Te Runanga o Ngāti Kuia Trust Ngāti Rārua Settlement Trust Te Pātaka o Ngāti Kōata/Ngāti Kōata Trust Ngāti Tama ki Te Waipounamu Trust Te Runanga a Rangitāne o Wairau Trust/Rangitāne o Wairau Settlement Trust
The relevant Territorial Authority:	Tasman District Council Email: info@tasman.govt.nz
Every person who made a submission on the application:	The Environment Protection Authority can provide this service on request. Email: Waikoropupu@epa.govt.nz
Every other person known by the person making the submission to have made a submission to the Environment Court:	The Environment Court can provide these details on request. Email: EnvironmentCourt@justice.govt.nz

Camilla Owen

On behalf of the Special Tribunal, 17 March 2020