

Part 4: Summary of changes recommended by staff to Chapter 7 Wetlands

This summary includes all parts of Chapter 7 covered by Officer Report No.15 Chapter 7 WTL2 – Rules and other matters, as listed under “Matters to be heard” plus other pages throughout NRRP Chapters 4-8 where consequential amendments have been recommended in Officer Report No.15 WTL2.

Note: because of the additional text arising from recommendations, page numbers may no longer match the notified versions of NRRP Chapters 4-8.

Parts of chapter showing changes	Page number in Notified version	Page number in this summary document
Methods New Method WTL1(f) Wetland monitoring agreements	7-17	7-18 & 7-19
7.6 Regional Rules Table WTL2 Index of rules	7-26	7-29 & 7-30
Rule WTL1 Restoration of wetlands (permitted activity)	7-27 & 7-28	7-31 - 7-33
Table WTL3: Critical periods for selected fish spawning	7-29	7-35 & 7-36
Rule WTL2 Reduce area of certain classified wetlands – (permitted activity)	7-30	7-37 - 7-40
Rule WTL3 Up to 0.5 hectare reduction of certain unclassified wetlands (permitted activity)	7-31 & 7-32	7-41 - 7-43
Rule WTL4 Permanent reduction of wetland area (discretionary activity)	7-34	7-45
Rule WTL5 Enhancement, restoration of creation of an offsetting wetland (permitted activity)	7-35 & 7-36	7-46 & 7-47
Rule WTL6 Enhancement, restoration or creation of offsetting wetland (discretionary activity)	7-37	7-48
Rule WTL7 Non-compliance with certain permitted activity conditions (discretionary activity)	7-38	7-49
Rule WTL8 Continue activities beneficial to wetlands (permitted activity)	7-39	7-50
Rule WTL9 Activities to control unwanted organisms (permitted activity)	7-40	7-51 & 7-52
Rule WTL10 Non-compliance with certain rules (prohibited activity)	7-41	7-53
7.7 Assessment matters	7-42 - 7-44	7-54 - 7-56
7.8 Information to be provided with resource consent applications	7-44 - 7-47	7-56 - 7-60
7.9 Principal reasons for methods other than rules	7-47 - 7-50	7-60 - 7-63
7.10 Principal reasons for rules	7-50 & 7-51	7-63 - 7-65
7.11 Environmental results anticipated	7-52	7-66
7.12 Wetlands monitoring	7-53 - 7-56	7-67 - 7-70
7.13 Financial contributions	7-57	7-71

Appendices Appendix WTL1: Wetland assessment methodology	7-58 – 7-76	7-72 & 7-78 & 7-79 & 7- 80 & 7-81 & 7-82 & 7-83 & 7-89 & 7-90
New Appendix WTL2: Drain and Waterway Guidelines Fact Sheet		7-92 – 7-96
Definition of terms Chapters 4-8		
New definitions • Unwanted aquatic organism		Added in alphabetical order



This is a true and correct copy of Chapter 7 Wetlands, part of Variation 1 to the Proposed Canterbury Natural Resources Regional Plan prepared by the Canterbury Regional Council.

The Proposed Canterbury Natural Resources Regional Plan is a statutory regional plan prepared by the Canterbury Regional Council in accordance with the requirements of the Resource Management Act 1991

Variation 1 was adopted at a meeting of the Canterbury Regional Council on 27 May 2004 and publicly notified on 3 July 2004 for submissions.

The Common Seal of the Canterbury Regional Council was affixed in the presence of:

**Richard Johnson QSO
Chairman
CANTERBURY REGIONAL COUNCIL**

**Dr Bryan Jenkins
Chief Executive
CANTERBURY REGIONAL COUNCIL**

Methods

Methods used or to be used to implement Policy WTL1 are:

Method WTL1(a) Wetlands inventory

In consultation with landholders, Ngāi Tahu and a range of community organisations, Environment Canterbury has prepared a methodology and criteria to classify the significance of different wetlands. These are included as Appendix WTL1. Over time they will be used by Environment Canterbury¹⁹ to prepare an inventory of wetlands in the region by visiting and assessing so far as practicable each wetland. The resulting inventory will identify, locate, and describe the principal natural values and hydrology of each wetland. It will also assess levels of hydrological and ecological significance, record any threats, and suggest actions needed to retain existing wetlands and avoid any decline in their present condition.

Method WTL1(b) Sites of significance to Ngāi Tahu

Environment Canterbury will, in conjunction with rūnanga and Te Rūnanga o Ngāi Tahu, identify sites or areas of significance to Ngāi Tahu in or adjacent to water bodies, or in areas where water related activities could cause significant adverse effects on sites or areas of significance. As appropriate, these sites and areas will be brought into the Proposed NRRP by way of RMA Schedule 1 processes.

Method WTL1(c) Regional rules

Regional rules WTL1 to WTL10 inclusive, plus Rule WQL1 from Chapter 4 Water Quality, give effect to Policy WTL1.²⁰

Method WTL1(d) Compliance and enforcement

Environment Canterbury will:

- (a) monitor compliance with conditions for any activity affecting wetland water quantity or quality. To achieve compliance Environment Canterbury may apply for enforcement orders, issue abatement notices, issue infringement notices or use any other enforcement mechanisms available to it;
- (b) maintain a confidential database recording details of any complaints received about activities adversely affecting wetlands; and
- (c) report regularly on the response to complaints, including the results of any investigations and/or subsequent enforcement action.

Method WTL1(e) Resource consents

When considering resource consents for the taking, use, damming or diversion of water, Environment Canterbury will have regard to Policy WTL1.

Method WTL1(f) Wetland monitoring agreements

- (a) Definitions
 - (i) Wetland monitoring agreement means an agreement between the owner or occupier of a property and Environment Canterbury. It identifies the surveillance wetlands on the property and includes a schedule under which officers of Environment Canterbury may monitor the existence and condition of each surveillance wetland at approximately five-yearly intervals.

¹⁹ WTL1.156

²⁰ WTL1.15

- (ii) Surveillance wetland means a wetland that Environment Canterbury believes is likely to be of moderate or higher significance if assessed using the methodology set out in Appendix WTL1.
- (b) Methodology
- (i) The first step in forming a wetland monitoring agreement is an approach by a landholder to Environment Canterbury or Environment Canterbury to a landholder. Neither party is under any obligation to take the matter any further.
- (ii) The next step is for suitably qualified Environment Canterbury officers to visit the property and establish which if any wetlands appear to be of moderate or higher significance. Those that appear to qualify will have their condition recorded as per Part A of Appendix WTL1, but there will be no attempt to complete a Part B significance assessment.
- (iii) In gauging possible significance, an Environment Canterbury officer may have regard to wetlands listed in the relevant district plan or identified by the Department of Conservation.
- (iv) The results of this work will be supplied to the landholder who may challenge any proposed surveillance wetland but only on the grounds that the selection is inconsistent with the significance criteria in Part B of Appendix WTL1. A dispute that cannot be resolved by the parties will be referred to an arbitrator agreed to by both parties, whose decision shall be final.
- (c) Monitoring
- (i) ECan will return to monitor any surveillance wetlands on the property at approximately five-yearly intervals, at which time it will update the condition record referred to in 2.2 above.
- (ii) The landholder will receive a copy of the results of this monitoring, which will not be available to the public other than in an aggregated report covering a number of properties. Every care will be taken to avoid identifying an individual property or the properties in a single locality in such a report.
- (iii) No sites or land on a property (other than surveillance wetlands), whether wetlands within the RMA definition or not, will be monitored under a wetland monitoring agreement.
- (d) Operation of rules
- (i) Where a wetland monitoring agreement is in effect, the rules in this plan apply as if the surveillance wetlands listed in that agreement were wetlands included in Schedule WTL1: Wetlands of moderate or higher significance.
- (ii) Before commencing any taking, use, damming or diversion of water that could reduce the area of a surveillance wetland:
- (1) Resource consent shall be applied for as if Condition 1 of Rule WTL2 is not complied with; or
 - (2) The wetland concerned shall have its significance assessed by Environment Canterbury in accordance with Method WTL1(a) and the methodology set down in Appendix WTL1. If confirmed as being of moderate or higher significance, the wetland shall be subject in all respects to Rule WTL2.²¹

²¹ WTL2.40, WTL2.41, WTL2.56, WTL2.86, WTL2.91

7.6 Regional rules

Table WTL2 Index of rules

Each rule in the index table below applies everywhere in the region landward of the coastal marine area unless the area covered by the rule is specifically limited to the area identified in the left hand column of the Index adjacent to a rule.

Generally the rules in the Index are arranged in order from least restrictive to most restrictive for each type of activity.

The status of an activity is generally determined by reference to conditions. An activity that complies with all the conditions in the rule is permitted. The status of an activity that does not comply with all the conditions depends on which conditions it does not comply with.²⁸

If an activity, for example, take, dam, divert or discharge, fails to comply with one or more conditions in a rule, then the activity will be considered under the most restrictive type of rule activity specified for any of the conditions that cannot be complied with.

Where rule applies	Rule N ^o	Description	Activity status	Page N ^o
<p>1. These rules do not apply in the coastal marine area.</p> <p>2. These rules only have effect in any area <u>subject to a water conservation order to the extent that they are not in contravention of any such order. For example, an activity that is permitted elsewhere may require resource consent in these areas.</u></p> <p>3. They These rules apply everywhere else in the Canterbury Region, except where the activity is already covered by a rule in:</p> <p>(a) the Opihi River Regional Plan; or</p> <p>(b) the Proposed Waimakariri River Regional Plan; or</p> <p>(c) provisions in a water conservation order.</p>	WTL1	Restoration of wetlands <u>Enhance, restore or create wetlands</u>	Permitted	27
	WTL2	Reduce area of certain classified wetlands <u>Reduce the area of wetlands</u>	Permitted	30
	WTL3	<u>Up to 0.5 hectare reduction of area of certain unclassified wetlands</u>	Permitted	31
	WTL4	<u>Permanent reduction of wetland area</u>	Discretionary	34
	WTL5	Enhancement, restoration or creation of an offsetting wetland	Permitted	35
	WTL6	Enhancement, restoration or creation of an offsetting wetland	Discretionary	37
	WTL7	Non-compliance with certain permitted activity conditions	Discretionary	38
	WTL8 3	<u>Continue activities beneficial to wetlands</u>	Permitted	39
	WTL9 4	<u>Activities to control unwanted organisms</u>	Permitted	40
	WTL10	Non-compliance with certain rules	Prohibited	44 ²⁹
<p><u>Scope of taking, use, damming and diversion</u>³⁰</p>				

²⁸ WTL2.2

²⁹ WTL2.2

³⁰ WTL2.15

Activities in the nature of drainage, reclamation, dumping and infilling are considered to be forms of damming and/or diversion of water and are therefore subject to these rules³¹

³¹ WTL2.15

Rule WTL1 Restoration of Enhance, restore or create wetlands (permitted activity)³²

Activity	Conditions	Cross-ref
<p>1. Where the sole purpose is to enhance or restore levels and flows of water in an existing, former or new wetland so as to assist in managing its conservation values, to:</p> <p>1. In relation to enhancing, restoring or creating a wetland, to:</p> <ul style="list-style-type: none"> (a) take, use, dam or divert water from a river; or (b) disturb the river bed; or (c) reclaim any river bed; or (d) discharge excess/overflow water from the wetland onto land or into surface water; <p>is a permitted activity, provided the activity complies with the conditions in this rule.</p> <p>2. Where Condition 1 or Condition 2 is not complied with, the whole activity is a discretionary activity and requires resource consent under Rule WQN9 taking, use, damming or diversion of water is subject to the relevant rule in Chapter 5 Water Quantity.</p> <p>3. Where any other condition is not complied with, the whole activity is a <u>restricted discretionary activity, with discretion restricted to the condition(s) not complied with</u> and requires resource consent under Rule WTL7.³³</p> <p>4. This rule does not authorise the taking, use or diversion of water from within the subject wetland.³⁴</p>	<p>1. The permitted activity is limited to rivers less than two metres in average width. Average width is to be calculated based upon the width of the river over a 100-metre reach upstream, beginning from the point of taking, damming or diversion, when it is at its fullest flow without overtopping the banks.</p> <p>2. The sole purpose of the activity must be to enhance or restore levels or flows of water in an existing, former or new wetland so as to assist in managing its conservation values.</p> <p>3. <u>Where the activity is being carried out in fulfilment of a resource consent condition requiring an offsetting wetland, the wetland shall be managed in accordance with a wetland management plan provided to, and certified by, Environment Canterbury as being sufficient to protect the values of the offsetting wetland:</u></p> <ul style="list-style-type: none"> <u>(a) In particular, the management plan shall deal with the following issues:</u> <u>(i) control of livestock access to and within the wetland; and</u> <u>(ii) if there is to be any grazing of the wetland, details of the grazing regime; and</u> <u>(iii) if control of plant and animal pests is required within the wetland, the standards for that control; and</u> <u>(iv) any other measures for the long-term protection or enhancement of wetland values, for example, riparian or other planting.</u> <p>4. 2. The activity shall not reduce levels or flows of water in any other wetland.</p> <p>5. 3. There shall be no restriction of fish passage.</p> <p>6. 4. No works shall be carried out during the spawning periods <u>of species</u> set out in Table WTL3 <u>if those species are likely to be affected</u>.³⁵</p> <p>7. 5. In the course of diverting or realigning a river, all practical steps shall be taken to minimise disturbance of the original bed, and any riverbed construction or other riverbed works shall:</p> <ul style="list-style-type: none"> (a) be carried out in accordance with the Environment Canterbury fact sheet "Drain and Waterway Guidelines"; (2004 edition) and (b) any riverbed construction shall be similar in standard and character to the original bed. For example, gravel where the former bed was gravel, and replicate as closely as possible the variety of pool, riffle and run habitat, and any meanders of the original riverbed; and (c) the construction methods shall include means of trapping sediment as far as practicable during 	<p>Policy WTL4(e)⁴⁰</p>
<p>Where rule applies:</p> <p>This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.</p>		

³² WTL2.2, WTL2.16

³³ WTL2.20

³⁴ WTL2.2

³⁵ WTL2.118

³⁶ WTL1.15

³⁷ WTL2.29, WTL2.51, WTL2.119

³⁸ WTL2.29, WTL2.51, WTL2.119

	<p>commissioning for later disposal to land.</p> <p>8. 6. On completion of any works, any water discharged into water shall not, outside the Zone of Non-Compliance. On completion of any works, any water discharged into water shall meet the requirements of Rule WQL1:</p> <p>(a) change the colour by more than five Munsell Units; or</p> <p>(b) decrease the clarity by more than 20 percent; or</p> <p>(c) increase the temperature by more than three degrees Celsius.</p> <p>(i) For the purpose of this condition, "Zone of Non-Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance <i>L</i> (length in metres) calculated using the following formula:</p> $L = (\sqrt{W}) \times 25$ <p>(ii) Where <i>W</i> is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury.)³⁶</p> <p>9. 7. To minimise the risk of erosion, any former riverbed not part of the wetland shall either be contoured and planted, or be backfilled using uncontaminated soil, sand, gravels or rock, and planted. In either case, planting shall be undertaken within six 12³⁷ months of the works being completed. Planting shall then be maintained and any failures made good for a period of two years. Part of any taking or use permitted under this rule may be used as required to irrigate any plantings made to comply with this condition.³⁸</p> <p>10. 8. Irrespective of the path it follows in the course of damming or diversion, the flow remaining in the source river where it leaves the nominated area (see Condition 10) shall not be less than 75 percent of the available flow where it enters the nominated area. In this context:</p> <p>(a) where a minimum flow has been set, and/or one or more permits to take water have been granted and have not lapsed, "available flow" means the actual flow minus the sum of any set minimum flow and every take authorised by a water permit; and</p> <p>(b) where (a) does not apply, "available flow " means the actual flow in the river.</p> <p>11. 7. No dam shall exceed one metre in height relative to the average level of the original bed at the base of the dam, and any such dam shall be constructed and maintained so as to avoid any risk of failure.</p> <p>12. 8. All aspects of the activity shall be confined within a nominated area, which may be any convenient area within a single property or may extend over several properties (see Figure WTL2).</p> <p>13. 9. A plan showing the nominated area and a description of the proposal shall be lodged with Environment Canterbury at least 10 working days before any work commences. This plan shall be signed by or on behalf of each owner or occupier of land in the nominated area.³⁹</p>	
<p>Cross reference: This rule contributes to the implementation of Policy WTL1(c).⁴¹</p>		

For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties

³⁹ WTL2.2

⁴⁰ WTL2.2

⁴¹ WTL2.2

for non-compliance.

Information on any minimum flows and authorised takes may be obtained from Environment Canterbury. Environment Canterbury is also able to provide free technical advice in accordance with Method WTL2(e) and (i) to assist landholders when planning wetland creation and enhancement projects and if a resource consent is necessary the fees for that consent may be able to be refunded under Method WTL2(c)(i).⁴²

Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined.

In relation to fish spawning periods, the species likely to be affected may be found by reference to the New Zealand Freshwater Fish Database maintained by the National Institute for Water and Atmospheric Research (NIWA) (<http://www.niwascience.co.nz/services/nzffd/>).⁴³

⁴² WTL2.31

⁴³ WTL2.118

Figure WTL2: Nominated area

A nominated area may be any convenient area. It may lie within a single property or extend over several properties.

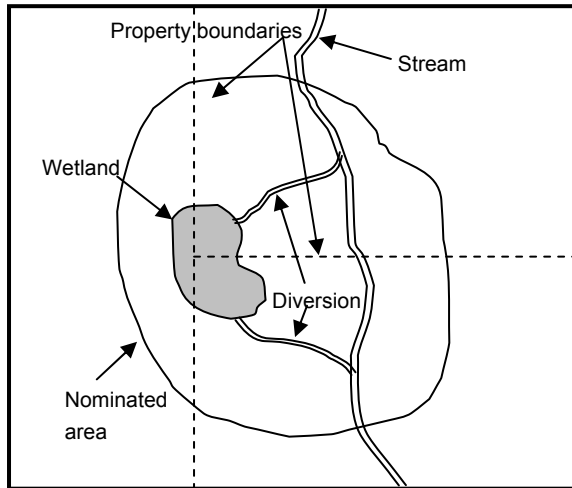
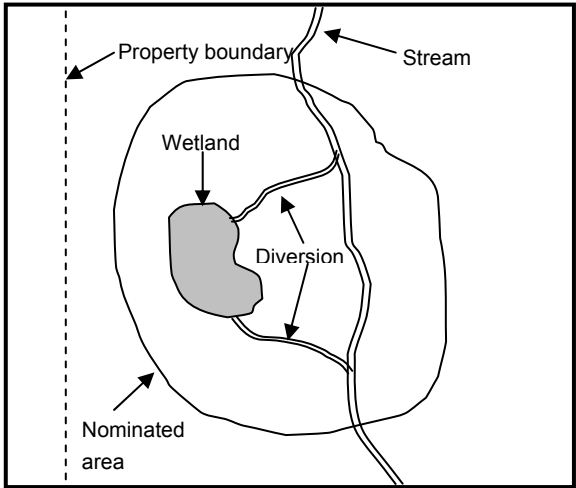


Table WTL3: Critical periods for selected fish spawning

(relates to conditions in Rules WTL1, ~~WTL5~~ and WTL94)⁴⁴

Fish	Spawning habitat	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Quinnat salmon	Gravel riffles												45
Brown and rainbow trout ⁴⁶	Gravel riffles					47							
Rainbow Trout	Gravel riffles ⁴⁸												
Canterbury mudfish <i>If you find any mudfish please advise the Department of Conservation.</i>	Weedy overgrown streams												
Whitebait (includes, inanga, koara, banded and shortjawed kokopu)	For inanga, the base of vegetation mainly grass at the high spring tide mark near the saltwater/freshwater edge ⁴⁹												
Giant kokopu (also a whitebait species) ⁵⁰	Slow moving vegetated streams												
Upland bullies	Slow flowing stony-bedded rivers to weedy streams												
Kanakana/lamprey	Upstream boulder clusters/overhanging banks, soft sediments along stream margins where flows are gentle. ⁵¹												

⁴⁴ WTL2.2

⁴⁵ WTL2.33

⁴⁶ WTL2.33

⁴⁷ WTL2.33

⁴⁸ WTL2.33

⁴⁹ WTL2.33

⁵⁰ WTL2.33

⁵¹ WTL2.33

Least impact on fish in waters connected with but above the tidal influence is from October to April.

Least impact on fish in waters affected by tides is from October to January.

Critical periods for spawning



Rule WTL2 Reduce the area of ~~certain classified wetlands—(permitted activity)~~⁵²

Activity	Conditions	Cross-ref
<p>1. Where it reduces or is likely to reduce the area of a wetland: (a) the taking, use, damming or diversion (including draining) of water; and (b) the discharge of any water onto land or into surface water; is a permitted activity, provided the activity complies with the conditions <u>1 to 10</u> in this rule.</p> <p>2. Where Conditions 1 or 2 are is not complied with, the whole activity is a discretionary activity and requires resource consent under Rule WTL4.</p> <p>3. Where any other condition of Conditions 2 to 10 inclusive are is not complied with, the whole activity is a restricted discretionary activity with discretion restricted to any condition(s) not complied with and requires resource consent under Rule WTL7.⁵³</p> <p>4. Where Condition 11 or 12 is not complied with the whole activity is a prohibited activity.⁵⁴</p>	<p>1. Subject to Condition 2, the activity may only affect wetlands in areas where Environment Canterbury has completed an assessment of wetlands in accordance with Appendix WTL1: Wetland Assessment Methodology.</p> <p><u>1. The activity shall only affect wetlands that are:</u> (a) <u>Not of moderate or higher significance;</u> or (b) <u>Certified not of moderate or higher significance.</u></p> <p>Note: A wetland</p> <p>Definitions for this rule:</p> <p><u>A. Not of moderate or higher significance describes any wetland that has not been included in Schedule WTL1: Wetlands of moderate or higher significance in a locality where Environment Canterbury has completed an assessment of wetlands has been completed. This assessment must be carried out in accordance with the Appendix WTL: Wetland assessment methodology. Such an</u>⁵⁵ <u>assessment is only complete once Environment Canterbury has decided whether or not to include any wetlands from that assessment in Schedule WTL1: Moderate or Higher Significance Wetlands, and if Environment Canterbury has decided to do so, the process laid down in Schedule 1 of the RMA has concluded.</u></p> <p><u>B. Certified not of moderate or higher significance describes any wetland in a locality where Environment Canterbury has not completed an assessment of wetlands as described in Definition A has not been completed, provided a suitably qualified person has certified the wetland is not of moderate or higher significance. The certifier concerned must work in accordance with Appendix WTL1: Wetland Assessment Methodology and certification must be received before any activity under this rule commences.</u>⁵⁶</p> <p><u>C For the purposes of this rule, “suitably qualified person” means a person who has been certified by Environment Canterbury as possessing the necessary qualifications and experience to apply the Appendix WTL1 procedures competently.</u> Note: A list of such suitably qualified people will be maintained by Environment Canterbury, and kept available for public inspection.</p> <p>3. <u>2. Where Condition 1(b) applies, the wetland concerned shall not have had any of its vegetation cleared by burning, spraying or mechanical means during the two years prior to the expert assessment in Condition 1 by a suitably qualified person.</u></p>	<p>Policy WTL1(d)⁵⁹</p>

⁵² WTL2.2

⁵³ WTL2.39, WTL2.110, WTL2.124

⁵⁴ WTL2.2

⁵⁵ WTL2.41

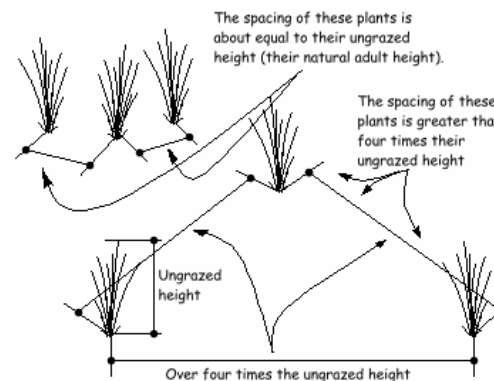
⁵⁶ WTL2.41

⁵⁷ WTL2.73

4- 3. Where Condition 1(b) applies, Irrespective of whether it is reduced in a single step or in stages, the total reduction in the area of any separate wetland (see Figure WTL3) shall be no more than 0.5 hectares.

- (a) The total reduction shall be calculated by comparing:
- the location of the wetland edge prior to the commencement of the activity permitted by this rule (the original wetland edge); to
 - the location of the wetland edge at least five years after the commencement of the most recent part of any activity permitted by this rule (the final wetland edge).
- (b) The original wetland edge and the final wetland edge shall each be taken as that point in the transition from wetland to dryland where the spacing between individual plants of any of the species listed below first exceeds four times the ungrazed height of those plants:
- For coastal estuarine wetlands and brackish lagoons:
 - Apodasmia similes* (oiioi, jointed wire rush)
 - Bolboschoenus caldwellii*
 - ~~*Juncus maritimus*~~ *Juncus kraussii* var. ~~*australiensis*~~ *Juncus kraussii* var. *australiensis*⁵⁷ (sea rush)
 - Plagianthus divaricatus* (saltmarsh ribbonwood)
 - Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)
 - Schoenoplectus pungens* (three square).
 - For freshwater wetlands:
 - Carex secta* (purei)
 - Carex virgata* (purei)⁵⁸
 - Cordyline australis* (ti kouka, cabbage tree)
 - Eleocharis acuta* (spike sedge)
 - Juncus articulatus* (jointed rush)
 - Phormium tenax* (harakeke, NZ flax)

To find the **wetland edge**, multiply the ungrazed height of the predominant wetland species by four. The edge is where those plants have that spacing.



⁵⁸ WTL2.69

⁵⁹ WTL2.2

- (7) *Schoenus pauciflorus* (bog rush)
- (8) *Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)
- (9) *Typha orientalis* (raupo).

~~2. The activity may not affect any wetland identified in Schedule WTL1: Moderate or Higher Significance Wetlands.~~

~~4. No part of the activity shall affect any area shown as a significant salmon or trout spawning site in Schedule WQN14.~~

~~5. Where the activity involves filling or reclamation, only uncontaminated soil, sand, gravels or rock may be used as fill.~~

~~6. The scale of any works shall be kept to a practical minimum.~~

~~7. Any drains shall be constructed in accordance with the Environment Canterbury fact sheet "Drain and Waterway Guidelines" (2004 edition). The construction methods shall include means of trapping sediment as far as practicable during commissioning for later disposal to land. Construction shall be followed within ~~six~~ ⁶⁰ 12 months by planting to stabilise any disturbed soil. Planting shall then be maintained and any failures made good for a period of two years. Part of any taking or use permitted under this rule may be used as required to irrigate any plantings made to comply with this condition.⁶¹~~

~~8. Any water discharged onto land shall be managed so as not to flow onto or pond on any neighbouring property without the express written agreement of that landholder.~~

~~9. On completion of any works, any water discharged into water shall not, outside the Zone of Non-Compliance. On completion of any works, any water discharged into water shall meet the requirements of Rule WQL1:~~

- (a) ~~change the colour by more than five Munsell Units; or~~
- (b) ~~decrease the clarity by more than 20 percent; or~~
- (c) ~~increase the temperature by more than three degrees Celsius.~~
 - (i) ~~For the purpose of this condition, "Zone of Non-Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance L (length in metres) calculated using the following formula:~~

$$L = (\sqrt{W}) \times 25$$

- (ii) ~~Where W is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury.)~~⁶²

~~10. At least 10 working days before commencing any work, written notice shall be sent to Environment Canterbury including a sketch plan of the site and a description of what is intended. Where a wetland straddles one or more property boundaries this notice shall be signed by or on behalf of each affected owner or occupier.~~

⁶⁰ WTL2.51, WTL2.119

⁶¹ WTL2.51, WTL2.119

⁶² WTL1.15

<p>Where rule applies:</p> <p>This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.</p>	<p>11. Where an activity is classed as a discretionary activity under this rule, <u>Any reduction or loss of moderate or higher significance</u>⁶³ wetland area shall be offset by the applicant:</p> <ul style="list-style-type: none"> (a) enhancing an existing wetland, and in doing so, increasing the area of the existing wetland by an area at least as large as the area of wetland which is being reduced or lost under this Rule; or (b) restoring a former wetland of an area at least as large as the area of wetland which is being reduced or lost under this Rule; or (c) creating a wetland of an area at least as large as the area of wetland which is being reduced or lost under this Rule; or (d) making a financial contribution in accordance with 7.13 Financial Contributions. <p>12. If the offsetting area of wetland referred to in Conditions 1(a), (b), or (c) of this rule is located wholly or partially on land which is not owned by the person seeking to carry out the activity under this rule, there must be an enforceable covenant (or other equivalent instrument) registered over the land so owned by other persons, binding those other persons and their successors in title to allow the offsetting wetland to be enhanced, restored or created on their land.⁶⁴</p>
<p><u>Cross references:</u></p> <p>Activities 1 and 3 of this rule implement Policy WTL1(d).</p> <p>Activity 2 of this rule, together with 7.7 Assessment Matters and Activity 4, implement Policy WTL1(b).⁶⁵</p>	
<p>For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that the conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.</p> <p><u>Information on any minimum flows and authorised takes may be obtained from Environment Canterbury. Environment Canterbury is also able to provide free technical advice in accordance with Method WTL2(e) and (i) to assist landholders when planning wetland creation and enhancement projects and if a resource consent is necessary the fees for that consent may be able to be refunded under Method WTL2(c)(i).</u>⁶⁶</p> <p>Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined.</p> <p><u>Related aspects of an activity that complies with this rule may require land use consent from the relevant city or district council.</u>⁶⁷</p>	

⁶³ WTL2.37, WTL2.86, WTL2.91

⁶⁴ WTL2.2

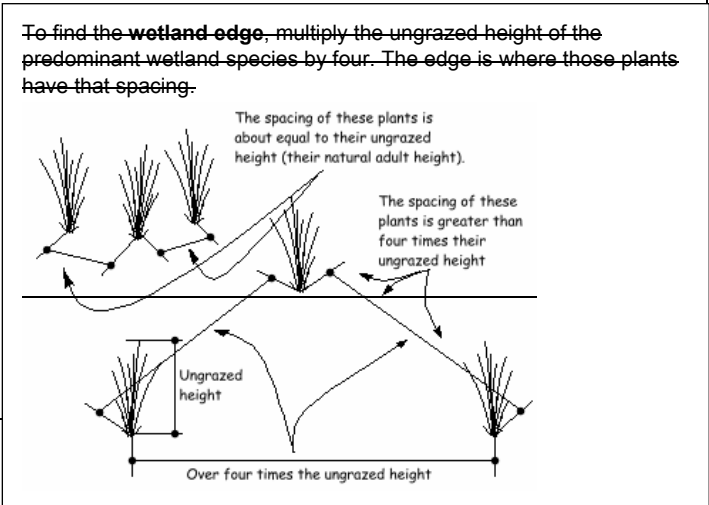
⁶⁵ WTL2.2

⁶⁶ WTL2.31

⁶⁷ WTL2.15

Rule WTL3 Up to 0.5 hectare reduction of certain unclassified wetlands (permitted activity)⁶⁸

Activity	Conditions	Cross-ref
<p>1. Where it reduces or is likely to reduce the area of a wetland:</p> <p>(a) the taking, use, damming or diversion (including draining) of water; and</p> <p>(b) the discharge of any water onto land or into surface water; is a permitted activity, provided the activity complies with the conditions in this rule.</p> <p>2. Where Condition 1 is not complied with, the whole activity is a discretionary activity and requires resource consent under Rule WTL4.</p> <p>3. Where any other condition is not complied with, the whole activity is a discretionary activity and requires resource consent under Rule WTL7.</p>	<p>1. Prior to commencement of the activity, the affected wetland shall have been assessed as not being of moderate or higher significance by a suitably qualified person working in accordance with <i>Appendix WTL1: Wetland Assessment Methodology</i>.</p> <p>(a) For the purposes of this rule, "suitably qualified person" means a person who has been certified by Environment Canterbury as possessing the necessary qualifications and experience to apply the Appendix WTL1 procedures competently.</p> <p>Note: A list of such suitably qualified people will be maintained by Environment Canterbury, and kept available for public inspection.</p> <p>2. No part of the activity shall affect any area shown as a significant salmon or trout spawning site in Schedule WQN14.</p> <p>3. The wetland concerned shall not have had any of its vegetation cleared by burning, spraying or mechanical means during the two years prior to the expert assessment in Condition 1.</p> <p>4. Irrespective of whether it is reduced in a single step or in stages, the total reduction in the area of any separate wetland (see Figure WTL3) shall be no more than 0.5 hectares.</p> <p>(a) The total reduction shall be calculated by comparing:</p> <p>(i) the location of the wetland edge prior to the commencement of the activity permitted by this rule (the original wetland edge); to</p> <p>(ii) the location of the wetland edge at least five years after the commencement of the most recent part of any activity permitted by this rule (the final wetland edge).</p>	
	<p>(b) The original wetland edge and the final wetland edge shall each be taken as that point in the transition from wetland to dryland where the spacing between individual plants of any of the species listed below first exceeds four times the ungrazed height of those plants:</p> <p>(i) For coastal estuarine wetlands and brackish lagoons:</p> <ol style="list-style-type: none"> (1) <i>Apodasmia similis</i> (oioi, jointed wire-rush) (2) <i>Bolboschoenus caldwellii</i> (3) <i>Juncus maritimus</i> var. <i>australiensis</i> (sea-rush) (4) <i>Plagianthus divaricatus</i> (saltmarsh ribbonwood) (5) <i>Schoenoplectus tabernaemontani</i> (kapungawha, lake clubrush) (6) <i>Schoenoplectus pungens</i> (three square). 	



⁶⁸ WTL2.2

	<p>(ii) For freshwater wetlands:</p> <ol style="list-style-type: none"> (1) <i>Carex secta</i> (purei) (2) <i>Cordyline australis</i> (ti kouka, cabbage tree) (3) <i>Eleocharis acuta</i> (spike sedge) (4) <i>Juncus articulatus</i> (jointed rush) (5) <i>Phormium tenax</i> (harakeke, NZ flax) (6) <i>Schoenus pauciflorus</i> (bog rush) (7) <i>Schoenoplectus tabernaemontani</i> (kapungawha, lake clubrush) (8) <i>Typha orientalis</i> (raupo). <p>5. Any riverbed disturbance associated with the activity shall be kept to a practical minimum.</p> <p>6. Where the activity involves filling or reclamation, only uncontaminated soil, sand, gravels or rock shall be used as fill.</p> <p>7. The scale of any works shall be kept to a practical minimum.</p> <p>8. Any drains shall be constructed in accordance with the Environment Canterbury fact sheet "Drain and Waterway Guidelines" (2004 edition). The construction method shall include means of trapping sediment as far as practicable during commissioning for later disposal to land. Construction shall be followed within six months by planting to stabilise any disturbed soil. Planting shall then be maintained and any failures made good for a period of two years.</p> <p>9. Any water discharged onto land shall be managed so as not to flow onto or pond on any neighbouring property without the express written agreement of that landholder.</p> <p>10. On completion of any works, any water discharged into water shall not, outside the Zone of Non Compliance <u>On completion of any works, any water discharged into water shall meet the requirements of Rule WQL1:</u></p> <ol style="list-style-type: none"> (a) change the colour by more than five Munsell Units; or (b) decrease the clarity by more than 20 percent; or (c) increase the temperature by more than three degrees Celsius. <ol style="list-style-type: none"> (i) For the purpose of this condition, "Zone of Non Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance L (length in metres) calculated using the following formula: $L = (\sqrt{W}) \times 25$ (ii) Where W is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury).⁶⁹ <p>11. At least 10 working days before commencing any work, written notice shall be sent to Environment Canterbury giving a plan of the site and a description of what is intended. The plan shall be drawn accurately to scale and show the wetland boundary before and after, with distances in relation to suitable fixed reference points adjacent to the site. Where a wetland straddles one or more property boundaries this notice shall be signed by or on behalf of each affected owner or occupier.⁷⁰</p>	<p>Policy WTL1(d)⁷¹</p>
<p>Where rule applies:</p>		

⁶⁹ WTL1.15

This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies. ⁷²		
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For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that the conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.

~~Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined.~~⁷³

⁷⁰ WTL2.2

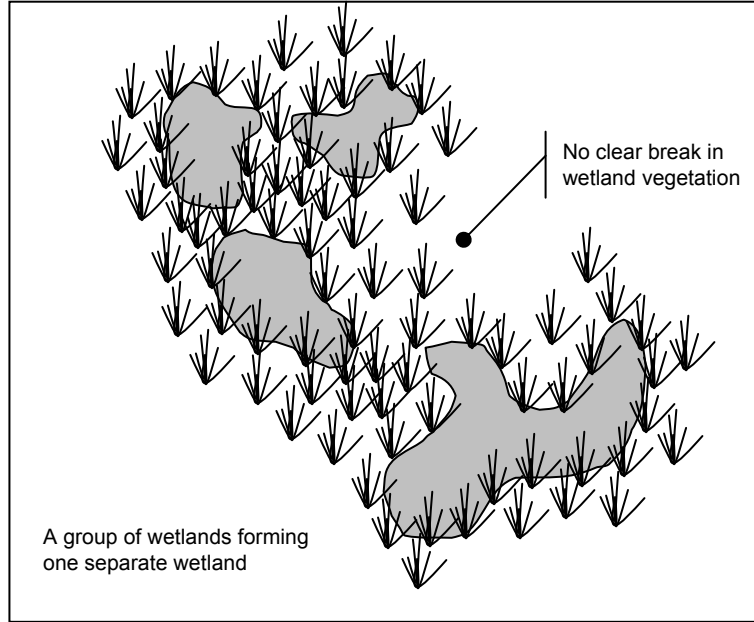
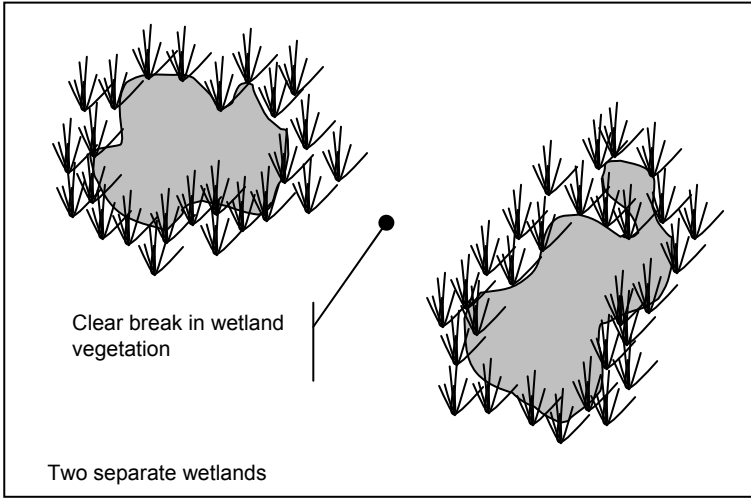
⁷¹ WTL2.2

⁷² WTL2.2

⁷³ WTL2.2

Figure WTL3: Separate wetland

The meaning of the term “separate wetland”.



Rule WTL4 Permanent reduction of wetland area (discretionary activity)⁷⁴

Activity	Conditions	Matters for discretion	Cross-ref
<p>Except where permitted under Rules WTL2 or WTL3, any taking, use, damming or diversion of water that permanently reduces or is likely to permanently reduce the area of any wetland; is</p> <p>(a) a discretionary activity if the activity complies with all of the conditions of this rule;</p> <p>(b) a prohibited activity (under Rule WTL10) if the activity does not comply with any one or more of the conditions of this rule.</p> <p>Where rule applies: This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.</p> <p>Consent information: Any application for resource consent under this rule must meet the information requirements set out in <i>Chapter 7.8 Information to be Provided with Resource Consent Applications</i>.⁷⁸</p>	<p>1. Any reduction or loss of wetland area shall be offset by the applicant:</p> <p>(a) enhancing an existing wetland, and in doing so, increasing the area of the existing wetland by an area at least as large as the area of wetland which is being reduced or lost under this Rule; or</p> <p>(b) restoring a former wetland of an area at least as large as the area of wetland which is being reduced or lost under this Rule; or</p> <p>(c) creating a wetland of an area at least as large as the area of wetland which is being reduced or lost under this Rule; or</p> <p>(d) making a financial contribution in accordance with 7.13 Financial Contributions.</p> <p>2. If the offsetting area of wetland referred to in Conditions 1(a), (b), or (c) of this rule is located wholly or partially on land which is not owned by the person seeking to carry out the activity under this rule, there must be an enforceable covenant (or other equivalent instrument) registered over the land so owned by other persons, binding those other persons and their successors in title to allow the offsetting wetland to be enhanced, restored or created on their land.⁷⁵</p>	<p>Unlimited.⁷⁶</p>	<p>Policy WTL1(b) 7.7 Assessment Matters⁷⁷</p>

⁷⁴ WTL2.2

⁷⁵ WTL2.2

⁷⁶ WTL2.2

⁷⁷ WTL2.2

⁷⁸ WTL2.2

Rule WTL5 Enhancement, restoration or creation of an offsetting wetland (permitted activity)⁷⁹

Activity	Conditions	Cross-ref
<p>To do any of the following activities:</p> <ul style="list-style-type: none"> (a) take, use, dam or divert water from a river; or (b) disturb the river bed; or (c) reclaim any river bed; or (d) discharge excess/overflow water from the wetland onto land or into surface water; <p>for the purpose of enhancing, restoring, or creating an offsetting wetland as referred to in Rule WTL4; is</p> <ul style="list-style-type: none"> 1. a permitted activity if the activity complies with all of the conditions in this rule; 2. a discretionary activity if the activity does not comply with Condition 1 or Condition 2 of this rule, in which case a resource consent under Rule WTL6 is required; 3. a discretionary activity if the activity does not comply with any one or more of Conditions 3 – 12 (inclusive) of this rule, in which case a resource consent under Rule WTL7 is required. <p>Where rule applies:</p> <p>This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.⁸³</p>	<ul style="list-style-type: none"> 1. The wetland shall be managed in accordance with a wetland management plan provided to, and certified by, Environment Canterbury, as being sufficient to protect the values of the offsetting wetland: <ul style="list-style-type: none"> (a) In particular, the management plan shall deal with the following issues: <ul style="list-style-type: none"> (i) control of livestock access to and within the wetland; and (ii) if there is to be any grazing of the wetland, details of the grazing regime; and (iii) if control of plant and animal pests is required within the wetland, the standards for that control; and (iv) any other measures for the long term protection or enhancement of wetland values, for example, riparian or other planting. 2. Any taking, use, damming or diversion where a river is involved, is limited to rivers less than two metres in average width. Average width is to be calculated based upon the width of the river over a 100 metre reach upstream, beginning from the point of diversion, when it is at its fullest flow without overtopping the banks. 3. The activity shall not reduce levels or flows of water in any other wetland. 4. There shall be no restriction of fish passage. 5. In the course of diverting or realigning a river, all practical steps shall be taken to minimise disturbance of the original bed, and any riverbed construction or other riverbed works shall: <ul style="list-style-type: none"> (a) be carried out in accordance with the Environment Canterbury fact sheet "Drain and Waterway Guidelines" (2004 edition); and (b) any riverbed construction shall be similar in standard and character to the original bed. For example, gravel where the former bed was gravel, and replicate as closely as possible the variety of pool, riffle and run habitat, and any meanders of the original riverbed; and (c) the construction methods shall include means of trapping sediment as far as practicable during commissioning for later disposal to land. 6. No works shall be carried out during the spawning periods set out in Table WTL3. 7. To minimise the risk of erosion, any former river bed not part of the wetland shall either be contoured and planted, or be backfilled using uncontaminated soil, sand, gravels or rock, and planted. In either case, planting shall be undertaken within six months of the works being completed. Planting shall then be maintained and any failures made good for a period of two years. 8. On completion of any works, any water discharged into water shall not, outside the Zone of Non Compliance On completion of any works, any water discharged into water shall meet the requirements of Rule WQL4 	<p>13. Policy WTL1(b) 82</p>

⁷⁹ WTL2.2

⁸⁰ WTL1.15

⁸¹ WTL2.2

⁸² WTL2.2

	<p>(a) change the colour by more than five Munsell Units; or</p> <p>(b) decrease the clarity by more than 20 percent; or</p> <p>(c) increase the temperature by more than three degrees Celsius.</p> <p>(i) For the purpose of this condition, "Zone of Non-Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance L (length in metres) calculated using the following formula:</p> $L = (\sqrt{W}) \times 25$ <p>(ii) Where W is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury.) ⁸⁰</p> <p>9. Irrespective of the path it follows in the course of damming or diversion, the flow remaining in the source river where it leaves the nominated area (see Condition 11 below) shall not be less than 75 percent of the available flow where it enters the nominated area. In this context:</p> <p>(a) where a minimum flow has been set, and/or one or more permits to take water have been granted and have not lapsed, "available flow" means the actual flow minus the sum of any set minimum flow and every take authorised by a water permit.</p> <p>(b) where (a) does not apply, "available flow" means the actual flow in the river.</p> <p>10. No dam shall exceed one metre in height relative to the average level of the original bed at the base of the dam, and any such dam shall be constructed and maintained so as to avoid any risk of failure.</p> <p>11. All aspects of the activity shall be confined within a nominated area, which may be any convenient area within a single property or may extend over several properties (see Figure WTL2).</p> <p>12. A plan showing the nominated area and a description of the proposal shall be lodged with Environment Canterbury at least 10 working days before any work commences. This plan shall be signed by or on behalf of each owner or occupier of land in the nominated area. ⁸¹</p>	
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For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.

Information on any minimum flows and authorised takes may be obtained from Environment Canterbury.

Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined. ⁸⁴

⁸³ WTL2.2

⁸⁴ WTL2.2

Rule WTL6 Enhancement, restoration or creation of offsetting wetland (discretionary activity)⁸⁵

Activity	Matters for discretion	Cross-ref
<p>To do any of the following activities:</p> <ul style="list-style-type: none"> (a) take, use, dam or divert water; or (b) disturb the bed of any river; or (c) reclaim any riverbed; or (d) discharge water into water or onto land; <p>for the purpose of enhancing, restoring, or creating an offsetting wetland as referred to in Rule WTL4, and in a way that does not comply with Condition 1 or Condition 2 of Rule WTL5, is a discretionary activity and requires resource consent.</p> <p>Where rule applies: This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.</p> <p>Consent information: Any application for resource consent under this rule must meet the information requirements set out in <i>Chapter 7.8 Information to be Provided with Resource Consent Applications</i>.⁸⁸</p>	<p>Unlimited.⁸⁶</p>	<p>Policy WTL1(b) 7.7 Assessment matters⁸⁷</p>

⁸⁵ WTL2.2

⁸⁶ WTL2.2

⁸⁷ WTL2.2

⁸⁸ WTL2.2

Rule WTL7 Non-compliance with certain permitted activity conditions (discretionary activity)⁸⁹

Activity	Conditions	Restrictions	Cross-ref
<p>Where any condition relating to an activity described in:</p> <ul style="list-style-type: none"> (a) Rule WTL1, except Condition 1; or (b) Rule WTL2, except Condition 1 or 2; or (c) Rule WTL3, except Condition 1; or (d) Rule WTL5, except Condition 1 or 2; or (e) Rule WTL8; or (f) Rule WTL9; <p>is not complied with, the activity is a discretionary activity and requires resource consent.</p> <p>Consent information: Any application for resource consent under this rule must meet the information requirements set out in <i>Chapter 7.8 Information to be Provided with Resource Consent Applications</i>.⁹²</p>		<p>Unlimited.⁹⁰</p>	<p>Policy WTL4.⁹¹</p>

⁸⁹ WTL2.2

⁹⁰ WTL2.2

⁹¹ WTL2.2

⁹² WTL2.2, WTL2.128

Rule WTL83 Continue activities beneficial to wetlands (~~permitted activity~~)⁹³

Activity	Conditions	Cross-ref
<p>1. To:</p> <p>(a) dam a river and/or take, use or divert water for the benefit of a wetland; or</p> <p>(b) discharge excess/overflow water from a wetland onto land or into surface water;</p> <p>is a permitted activity, provided the activity complies with all of the conditions in this rule.</p> <p>2. Where any condition is not complied with, resource consent may be required as if for a new activity.</p>	<p>1. The activity is a lawfully established existing activity that has not been discontinued for any period exceeding six months, and any effects are the same or similar in character, and no greater in intensity or scale than those that existed when the activity was lawfully established.</p> <p>2. If subject to a management plan under Rule WTL42 when it was established, the wetland shall be managed in accordance with that plan.</p> <p>3. Values previously identified as making the wetland suitable as an offsetting wetland under Rule WTL42⁹⁴ shall not be damaged or destroyed.</p> <p>4. An effective means of controlling livestock access within the whole of the wetland shall be maintained at all times, and no livestock shall be allowed within the wetland except in accordance with any management plan referred to in Condition 2.</p> <p>5. Plant or animal pests within the wetland shall be managed in accordance with any management plan referred to in Condition 2.</p> <p>6. The activity shall not reduce levels or flows of water in any other wetland.</p> <p>7. There shall be no restriction of fish passage.</p> <p>8. Any water discharged into water shall not, outside the Zone of Non-Compliance. On completion of any works, any water discharged into water shall meet the requirements of Rule WQL1:</p> <p>(a) change the colour by more than five Munsell Units; or</p> <p>(b) decrease the clarity by more than 20 percent; or</p> <p>(c) increase the temperature by more than three degrees Celsius.</p> <p>(i) For the purpose of this condition, "Zone of Non-Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance L (length in metres) calculated using the following formula:</p> $L = (\sqrt{W}) \times 25$ <p>(ii) Where W is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury.) 95</p>	<p>Policy WTL1(b)⁹⁶</p>

For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that the conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.

Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined.

⁹³ WTL2.2

⁹⁴ WTL2.2

⁹⁵ WTL1.15

⁹⁶ WTL2.2

Rule WTL94 Activities to control unwanted organisms (permitted activity)⁹⁷

Activity	Conditions	Cross-ref
<p>1. Where the sole purpose is to control unwanted aquatic organisms in an existing wetland; to (a) take, use, dam or divert the water; or (b) disturb any associated riverbed; or (c) discharge water from the wetland onto land or into surface water; is a permitted activity provided the activity complies with the conditions in this rule.</p> <p>2. Where any condition is not complied with, the whole activity is a <u>restricted discretionary activity, with discretion restricted to the condition(s) not complied with and requires resource consent under Rule WTL7.</u>⁹⁸</p>	<p>1. The activity shall not exist for more than three months irrespective of whether it occurs continuously.</p> <p>2. If necessary, the activity may be repeated the following year, but after that there shall be no further activity of any kind authorised by this rule and affecting the same area of wetland within the next five years.</p> <p>3. No works shall be carried out during the spawning periods <u>of species set out in Table WTL3 if those species are likely to be affected.</u>⁹⁹</p> <p>4. Any temporary diversion shall be constructed in accordance with the Environment Canterbury fact sheet “Drain and Waterway Guidelines” (2004 edition). The construction method shall include means of trapping sediment as far as practicable during commissioning for later disposal to land.</p> <p>5. All practical steps shall be taken to minimise damage to any area of significant indigenous vegetation or any significant habitat of indigenous fauna. (a) For this purpose: (i) information Environment Canterbury has gathered from assessments carried out in accordance with</p>	<p>Policy ¹⁰¹ WTL4</p>

⁹⁷ WTL2.2

⁹⁸ WTL2.20

⁹⁹ WTL2.153

¹⁰⁰ WTL1.15

¹⁰¹ WTL2.2

<p>Where rule applies:</p> <p>This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies.</p>	<p>Appendix WTL1 may be relied on; or, alternatively</p> <p>(ii) an assessment by a suitably qualified person working in accordance with Appendix WTL1.</p> <p>(b) Any mitigation measures suggested by either of these sources shall be put into effect at the appropriate stage in the activity. (For the purposes of this rule, "suitably qualified person" has the same meaning as in Rule WTL3.)</p> <p>6. Any water discharged into water shall not, outside the Zone of Non-Compliance <u>On completion of any works, any water discharged into water shall meet the requirements of Rule WQL1:</u></p> <p>(a) change the colour by more than five Munsell Units; or</p> <p>(b) decrease the clarity by more than 20 percent; or</p> <p>(c) increase the temperature by more than three degrees Celsius.</p> <p>(i) For the purpose of this condition, "Zone of Non-Compliance" means the receiving water in a reach of a river or watercourse measured from the point of discharge for a distance <i>L</i> (length in metres) calculated using the following formula:</p> $L = (\sqrt{W}) \times 25$ <p>(ii) Where <i>W</i> is the width of the flow measured in metres and tenths of a metre at the point of discharge. (Advice on assessing these changes is available from Environment Canterbury.)¹⁰⁰</p> <p>7. No dam shall exceed one metre in height relative to the average level of the original bed at the base of the dam.</p> <p>8. Any water discharged onto land shall be managed so as not to flow onto or pond on any neighbouring property without the express written agreement of that landholder.</p> <p>9. The activity shall be confined within a nominated area, which may be any convenient area within a single property or may extend over several properties (see Figure WTL2).</p> <p>10. A plan showing the nominated area and a description of the proposal shall be lodged with Environment Canterbury before the activity commences. This plan shall be signed by or on behalf of each owner or occupier of land in the nominated area.</p>	
<p><u>Cross reference: This rule contributes to the implementation of Policy WTL1.</u>¹⁰²</p>		

For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that the conditions to be met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.

Permitted activity rules do not take effect until any submissions in opposition have been withdrawn or decided and any appeals withdrawn or determined.

In relation to fish spawning periods, the species likely to be affected may be found by reference to the New Zealand Freshwater Fish Database maintained by the National Institute for Water and Atmospheric Research (NIWA) (<http://www.niwascience.co.nz/services/nzffd/>).¹⁰³

¹⁰² WTL2.2

¹⁰³ WTL2.153

Rule WTL10 Non-compliance with certain rules (prohibited activity)¹⁰⁴

Activity	Cross-ref
Any taking, use, damming or diversion of water that permanently reduces or is likely to permanently reduce the area of any wetland, except: <ul style="list-style-type: none"> (a) where such use is permitted under Rule WTL2 or Rule WTL3; and (b) where such use is a discretionary activity by reason of compliance with all the conditions of Rule WTL4; is a prohibited activity for which no resource consent may be granted.	Policy WTL1(b) ¹⁰⁵
Where rule applies: This rule applies in some, but not all areas/situations in the Canterbury Region; see Table WTL2 Index of Rules for the areas/situations in which the rule applies. ¹⁰⁶	

¹⁰⁴ WTL2.2

¹⁰⁵ WTL2.2

¹⁰⁶ WTL2.2

7.7 Assessment matters

- (a) The matters contained in sections 104 and 105 and Part II of the RMA apply to the consideration of resource consents for activities.
- (b) In addition to these matters, Environment Canterbury shall, when considering whether or not to grant consent or to impose conditions under Rule WTL4 or Rule WTL6, also have regard to the specific assessment matters set out below.

7.7.1 Water quality and quantity

Effects on the quality, quantity, level or flow of water in any affected wetland or other related water body, including effects on water capture, water storage, groundwater recharge, flow attenuation, and sedimentation shall be assessed as follows:

- (a) Water quality shall be assessed against the relevant objectives, policies, schedules, and conditions in Chapter 4 Water Quality.
- (b) Water quantity, levels and flows shall be assessed against the constraints (1)(a) to (1)(d) in Objective WTL1 and the relevant objectives, policies, schedules, and conditions in Chapter 5 Water Quantity.

7.7.2 Overall area of wetlands

Effects on the overall area, ecological integrity and functioning of wetlands in the region shall be assessed:

- (a) On the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions)~~¹⁰⁷, would address or fail to address:
 - (i) the overall loss of wetland area generally, and under-represented wetland types in particular; and
 - (ii) the maintenance of the ecological integrity and functioning of wetlands in the region.
- (b) Taking into account:
 - (i) the degree of risk that where an offsetting wetland is to be enhanced, restored or created after consent is granted, the necessary measures will not be implemented or not be sufficiently successful; and
 - (ii) the degree to which future management of any offsetting wetland is likely to maintain and where possible enhance the values required of it to offset wetland values lost if the consent is granted.

7.7.3 Natural character

Effects on the natural character of wetlands and their margins shall be assessed on the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions,~~¹⁰⁸ would address or fail to address effects on natural character, and ensure that any overall reduction in the natural character of wetlands and their margins is avoided, remedied or mitigated.

7.7.4 Ngāi Tahu values

Effects on the relationship of Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga shall be assessed on the degree to which

¹⁰⁷ WTL2.161, WTL2.165

¹⁰⁸ WTL2.167

any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions),¹⁰⁹~~ would address or fail to address the diminution or loss of any values established as being of significance to Ngāi Tahu.

7.7.5 Indigenous flora and fauna

Effects on flora and fauna (and in particular areas of significant indigenous vegetation and the significant habitats of indigenous fauna) shall be assessed:

- (a) On the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions),¹¹⁰~~ would protect or fail to protect values identified as significant:
- (i) by reference to the Wetland Assessment Methodology in Appendix WTL1; or
 - (ii) by reference to the significant natural area (or equivalent) provisions of the relevant district plan.

7.7.6 Landscape values

Effects on landscape values shall be assessed:

- (a) On the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions),¹¹¹~~ would protect or fail to protect values identified:
- (i) by reference to the paragraph headed “Assessments of effects should be made by considering:” in Policy 3, Chapter 8 of the CRPS; and
 - (ii) by reference to the landscape provisions of the relevant district plan.

7.7.7 Cultural, heritage and recreational values

Effects on cultural, heritage, amenity and recreational values shall be assessed on the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contributions required in terms of Chapter 7.13 Financial Contributions),¹¹²~~ would address or fail to address values identified by reference to Policy 5, Chapter 8 of the CRPS.

7.7.8 Salmon and trout habitat

Effects on salmon and trout habitat shall be assessed on the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions),¹¹³~~ would protect or fail to protect any significant habitat of trout and salmon identified by reference to the relevant regional office of Fish & Game NZ.

7.7.9 Undesirable plants and animals

Effects related to undesirable plants and animals shall be assessed on the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13~~

¹⁰⁹ WTL2.168

¹¹⁰ WTL2.169

¹¹¹ WTL2.170

¹¹² WTL2.171

¹¹³ WTL2.172

Financial Contributions¹¹⁴, would improve or fail to improve control of undesirable plants and animals.

7.7.10 Adjacent land uses

Effects related to adjacent land uses shall be assessed on the degree to which any ~~financial contribution required in terms of Chapter 7.13 Financial Contributions, or any other condition (including any financial contribution required in terms of Chapter 7.13 Financial Contributions)~~¹¹⁵, would protect or fail to protect a wetland from any adverse effects of adjacent land uses.

7.7.11 Adequacy of the offsetting wetland

The adequacy of an offsetting wetland shall be assessed on the degree to which, so far as is reasonably practicable, it is equivalent in area, type, general location, ecological integrity and functioning, and condition to the original area.

7.7.12 Conditions to protect the offsetting wetland

- (a) Any need for conditions to protect the offsetting wetland shall be assessed on the likelihood that values making the wetland suitable as an offset could be destroyed or compromised through the applicant's future action or failure to take action. Matters that may need to be addressed through conditions include alterations to the inflow or outflow of water, water quality, the removal of vegetation, the control of livestock access and/or the control of undesirable plants and animals.
- (b) Any need for conditions to exclude livestock altogether or to specify an appropriate grazing regime, should be assessed on the likely types and numbers of livestock and their likely impacts, expressly considering the following adverse effects:
 - (i) Soil compaction;
 - (ii) Effects of grazing and trampling on important wetland vegetation;
 - (iii) Effects of animal excrement on water quality; and
 - (iv) Effects of nutrient changes on wetland ecology.

7.7.13 Management plan

Any need for a management plan shall be assessed on the need to specify the future management of an offsetting wetland. For example, the need for any of the following to be specified:

- (a) A regime of controlled grazing to control certain types of vegetation.
- (b) A regime and targets for control of undesirable plants and animals.
- (c) Measures for the long-term protection or enhancement of any key wetland values, for example, riparian or other planting.
- (d) Monitoring of any important trends in wetland state or condition.

7.8 Information to be provided with resource consent applications

7.8.1 Form of application

Application for a resource consent under any rule in the Proposed Canterbury Natural Resources Regional Plan should be made in accordance with the procedures and forms provided for in the RMA. Such applications should be made in accordance with section 88 and the Schedule 4 of the RMA. Section 88 specifies the information that must be provided with a consent application. In particular, an assessment of any effects the activity may have

¹¹⁴ **WTL2.173**

¹¹⁵ **WTL2.174**

on the environment is required. Schedule 4 sets out the matters that should be included in such an assessment of effects.

The level of detail in an assessment of effects shall correspond with the scale and significance of the actual and potential effects the activity may have on the environment. If the environmental effects are likely to be minor, less detail will be required than if the effects could be significant or their extent is not known.

Environment Canterbury has prepared application forms and information booklets to assist applicants when preparing a consent application. Resource Consent Information Series Booklet 1: *Applying for a Resource Consent*, describes how the application will be processed by Environment Canterbury. Other information booklets provide more specific guidance regarding information required for specific types of consent applications, such as sewage disposal in unsewered parts of the Canterbury region, discharges of animal effluent, construction of bores, groundwater takes, etc.

The application forms, information booklets and fee schedules are available from your nearest Environment Canterbury office or from the Customer Services section by phoning 0800 EC INFO (0800 324 636). A list of consultants who may be able to help prepare an assessment of the effects of the activity is also available.

7.8.2 Information to be provided for all activities

- (1) Full name, postal address, home and business telephone numbers of the person or organisation to whom the consent is to be issued.
- (2) Name, address and telephone number of the person or consultant who is fully conversant with all aspects of the consent application.
- (3) Name and address for service of documents (if different from above).
- (4) A description of the activity, its nature, purpose and duration.
- (5) The location of the activity together with a site plan, legal description, and map references (Topomap 260 1:50,000).
- (6) A description of possible alternative locations or methods and the reasons for making the proposed choice.
- (7) The scale of the activity, including the size of the area required for the activity in hectares or square metres.
- (8) An assessment of any actual or potential effects of the activity on the environment.
- (9) A description of the measures to be undertaken to avoid, remedy or mitigate any effects on the environment.
- (10) A list of names and addresses of property owners or occupiers likely to be directly affected by the activity.
- (11) Details of any consultation undertaken with persons affected, the views of those persons and any response to those views. The extent of consultation required will depend on the type of activity proposed, its scale and location. In addition to people likely to be directly affected, others who may need to be consulted include:
 - (a) local runanga;
 - (b) Te Rūnanga o Ngāi Tahu;
 - (c) Department of Conservation;
 - (d) territorial authorities;
 - (e) Fish & Game NZ;
 - (f) commercial user groups;
 - (g) New Zealand Historic Places Trust;

- (h) recreation user groups; and
 - (i) the community in general.
- (12) A statement of all other resource consents or approvals that the applicant may require from Environment Canterbury or any other consent or approval authority to undertake this and every other activity associated with the proposal, and whether or not the applicant has applied for, or obtained, such consents or approval. Note that where other resource consents will be required, Environment Canterbury or any other consent or approval authority may require applications for those consents to be proceeded with at the same time.
- (13) Where an application for resource consent has arisen because one or more conditions for a permitted activity cannot be met, the application must identify those particular conditions. It must also include an undertaking to meet every other condition of the permitted activity.

7.8.3 Specific information requirements

In addition to the general information requirements, the following particular information is required for certain activities.

7.8.3.1 *The taking, use, damming or diversion of water*

In addition to the information required for all activities, applications to take, use, dam or divert water resulting in a reduction in the area of a wetland shall include:

- (1) A definition of the present wetland boundary based on the density of wetland plant species, and using the following method:
 - (a) For coastal estuarine wetlands and brackish lagoons, characteristic species useful in defining the wetland boundary will include:
 - (i) *Apodasmia similis* (oioi, jointed wire rush)
 - (ii) *Bolboschoenus caldwellii*
 - (iii) ~~*Juncus maritimus* var. *australiensis*~~ *Juncus kraussii* var. *australiensis* (sea rush)¹¹⁶
 - (iv) *Plagianthus divaricatus* (saltmarsh ribbonwood)
 - (v) *Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)
 - (vi) *Schoenoplectus pungens* (three square)
 - (b) For freshwater wetlands, characteristic species useful in defining the wetland boundary will include:
 - (i) *Carex secta* (*purei*)
 - (ii) *Carex virgata* (*purei*)¹¹⁷
 - (iii) *Cordyline australis* (ti kouka, cabbage tree)
 - (iv) *Eleocharis acuta* (spike sedge)
 - (v) *Juncus articulatus* (jointed rush)
 - (vi) *Phormium tenax* (harakeke, NZ flax)
 - (vii) *Schoenus pauciflorus* (bog rush)
 - (viii) *Schoenoplectus tabernaemontani* (kapungawha, lake clubrush)

¹¹⁶ WTL2.73

¹¹⁷ WTL2.69

- (ix) Typha orientalis (raupo)
- (2) The wetland boundary shall be taken as the point in the transition from wetland to dryland at which plants from any of these species occur four times their ungrazed height apart.
 - (3) Details of the likely reduction of wetland area, including whether any part of the wetland will remain.
 - (4) An assessment of the ecological character of the wetland, including:
 - (a) The wetland type.
 - (b) The principal class of wetland plant community and principal species present within that community.
 - (c) The principal fish and other aquatic species present.
 - (d) The principal wildlife species present, including migratory species found during any period of a normal year.
 - (e) The principal invertebrate species normally present.
 - (5) An assessment of the hydrological character, including:
 - (a) The principal sources of water.
 - (b) The usual range of water levels.
 - (c) The principal hydraulic linkages to surface or groundwater, and water flows generally within the catchment.
 - (6) A general assessment of water quality.
 - (7) An assessment of the natural character of the wetland, including:
 - (a) The degree of modification to the original natural elements and character of the wetland. (These elements include the flora and fauna, the water, the landform, any other naturally occurring element, and their original form and structure.)
 - (b) A list of any structures or other evidence of engineering of any kind (including earthworks, dams, bridges, roading, etc).
 - (8) A description of the surrounding landscape and an assessment of the effects of the proposed activity on that landscape, visually or in any other way.
 - (9) An assessment of any actual or potential effects the activity may have on other aspects of the environment, including:
 - (a) Cultural and spiritual values.
 - (b) Heritage values.
 - (c) Human use values.
 - (10) Details in relation to Rule WTL4 of how it is proposed to offset any loss of wetland, including how it is proposed to ensure that any offsetting wetland will have as close as possible the same values as the existing wetland.

7.8.4 Further information to be provided

Environment Canterbury may ask applicants for further information in accordance with section 92 of the RMA, which states:

- (1) A consent authority may, at any reasonable time before the hearing of an application for a resource consent or before the decision to grant or refuse the application (if there is no hearing), by written notice, require the applicant for the consent to provide further information relating to the application.

- (2) A consent authority may commission a report from any person on any matters raised in relation to the application, including a review of any information provided in an application under section 88 or under this section if,—
 - (a) in the opinion of the consent authority, the activity for which the resource consent is sought may have a significant adverse environmental effect; and
 - (b) the applicant is notified before the report is commissioned.
- (3) Any further information requested or a report commissioned under this section must be available at the office of the consent authority no later than 10 working days before the hearing of an application.
- (4) This section does not apply to reports prepared under section 42A.
- (5) Sections 357 and 358 apply to subsections (1) and (2).

7.9 Principal reasons for methods other than rules

7.9.1 Wetlands inventory

This method provides an opportunity for wetlands in the region to be visited, assessed and ranked.

~~This method reinforces Environment Canterbury's existing commitment under Method 1(b) in Chapter 8 of the CRPS to identify the region's wetlands. When this chapter of the Proposed NRRP was being prepared a desktop review had been completed but no field surveys had begun. Completing this work as a method in this chapter of the Proposed NRRP will meet needs additional to those foreseen when the CRPS was prepared.~~

This will particularly benefit landholders because it will clarify their legal obligations with respect to wetlands.

In the simplest terms, the inventory will interpret the RMA wetland definition site by site and classify areas as meeting or not meeting that definition. This will provide certainty to those with an interest in the region's wetlands, including occupiers of the surrounding land, Environment Canterbury and others.

A wetland inventory will also allow the overall (or gross) area of wetlands to be defined and monitored, and will facilitate a simplified and more certain permitted wetland drainage rule.

~~Any criteria used to identify wetlands must be consistent with the RMA wetland definition. Subject to that, Environment Canterbury will consult with landholders, iwi, community organisations and others over the actual criteria to be used to identify and assess the significance of wetlands and the methods to protect them. These parties will also be consulted on protocols for the conduct of the surveys, the release of information and similar related matters.~~¹¹⁸

Among other things, the rights of landholders to challenge facts and interpretations will be specified, as well as the means of resolving any disputes.

7.9.2 Compliance and enforcement

Environment Canterbury must ensure that activities, whether permitted or authorised by resource consent, comply with any conditions. To this end, Environment Canterbury may monitor both specific sites and the environment generally, and must maintain a procedure for dealing with complaints received.

Provisions of the Proposed NRRP or the RMA may be enforced to prevent a recurrence of any breach, and/or to ensure remediation or mitigation of any adverse effects.

¹¹⁸ **WTL2.182**

7.9.3 Wetland monitoring agreements

This method is intended to provide another option for landholders who prefer less formality compared with participation in the Method WTL1(a) wetland inventory process. Because it is a little less certain than Method WTL1(a), it is designed to err on the side of caution. It does, however avoid the need to place details of sites into the public domain (unless there is a subsequent resource consent application).¹¹⁹

7.9.4 Wetlands on public land

A local authority or community group that overcomes wetland management problems leads by example, and at the same time secures valuable additions to the stock of wetlands.

7.9.5 Enhancement funding

This method is not specific to wetlands. It is already an established Environment Canterbury programme with other benefits that will also contribute significantly to achieving the aims of the Proposed NRRP. Making it an integral method in this chapter will ensure the programme includes a wetlands emphasis.

7.9.6 Wetland assistance grants

This method provides grants to reimburse some of the costs of obtaining resource consents needed for wetland enhancement or restoration projects. It also enables grants equivalent to the amount of Environment Canterbury general rates estimated to have been levied on land that has been set aside for wetland management. Compared with waiving consent charges and rates relief, these grants are more readily budgeted for and avoid some of the technical difficulties of giving rates relief.

These grants recognise in a tangible way the public good component of wetland protection, enhancement or restoration. Grants are not available where the subject wetland is one of the attractions of a commercial tourist venture because the land is then in productive use.

This measure has potential to increase landholder goodwill and encourage desired outcomes well in excess of its relatively low cost.

7.9.7 Territorial authorities

Rules in district plans in the region generally complement the aims of the Proposed NRRP by controlling the effects of land-use activities such as earthworks and vegetation clearance. In addition to these controls, many district plans also give effect to section 6 of the RMA through a range of non-regulatory methods. Territorial authorities making a greater commitment to these methods would increase the possibility of any particular one joining Environment Canterbury and other councils in partnerships or other joint non-regulatory initiatives.

7.9.8 Information/awareness programme

A small but growing segment of the population already values wetlands, understands their importance in the natural scheme of things and is motivated to do whatever it can to manage wetlands better. For voluntary wetland protection and enhancement to be relied upon to the extent proposed in this chapter, the number of people who value wetlands must be increased markedly. To do that will require an intensive stream of information on a whole range of wetland-related topics.

It is also a key part of the wetland chapter's strategy to widen understanding that the most depleted types of wetlands have higher relative importance.

Much wetland loss has been due to poor appreciation of the role of wetlands as integral parts, along with other water bodies, of a hydrological system. Greater awareness of this is

¹¹⁹ **WTL2.40**

likely to contribute to more people voluntarily retaining and perhaps restoring wetlands, bearing in mind that on private land there is very limited power to compel wetland enhancement, restoration or creation.

In implementing this method, information may be obtained from Environment Canterbury's own research, the National Institute for Water and Atmospheric Research, Landcare Research and others, and may include work funded by the Public Good Science Fund.

7.9.9 Field days

Australian expert Carl Binning says that people pick up 80 percent of their ideas from other people¹²⁰. Field days are one way of providing opportunities for people to learn from others, who, after adopting and practising the ideas, often become effective teachers themselves.

7.9.10 Partnerships and co-ordination

Commenting on what it calls "the gap of frustration" between the desired goal and what is affordable, *Biodiversity and Private Land*¹²¹ notes: "the emphasis ... should be on doing as much as we can". Elsewhere the same report goes on to say that the gap between top-down and bottom-up approaches to managing biodiversity can only be bridged "by forming *partnerships* between public agencies and community groups and individuals." The comment continues, "By partnerships we mean working arrangements where each party contributes something towards a common goal."

There are obvious opportunities for informal partnerships to achieve more with the same amount of resources if each agency works together rather than separately. Examples include programmes to inform, raise awareness, encourage certain actions, or provide certain kinds of incentives. The basic cost of preparing such programmes is often little different whether it covers one district or the whole region. Combining to prepare one programme that meets several territorial authorities' needs and Environment Canterbury's will save on first costs and should also provide an opportunity to harmonise the message and thus make it more effective.

Protecting, let alone enhancing, the region's stock of wetlands is a very large undertaking. This is particularly so when compared with the available resources, whether those of individuals, community groups, local authorities or central government. By working together more should be achieved than by each party working independently.

7.9.11 Co-operation

Given the very limited resources within the wider community for improving wetland management, it is important to make the most efficient use of what resources there are. This can be achieved in part by working together. It is consistent with integrated management to foster co-operation and partnership, provide leadership and generally advocate for common approaches to common goals in all sectors of the community.

7.9.12 Technical advice

Expertise within Environment Canterbury particularly equips it to provide the kinds of advice set out in this method. By doing so, Environment Canterbury will advance the general aims of the wetland chapter at a more reasonable cost.

¹²⁰ Based on *Reimbursing the Future: An evaluation of motivational, voluntary, price-based, property-right, and regulatory incentives for the conservation of biodiversity*, CSIRO Division of Wildlife and Ecology (http://chm.environment.gov.au/publications/biodivser_9/index.html).

¹²¹ The final report of the Ministerial Advisory Committee on Biodiversity on Private Land, MfE, August 2000.

7.9.13 Regional pest management strategies

While neither of the regional pest management strategies is specific to wetlands, they will each contribute significantly to improving wetland biodiversity. It will be valuable to have these strategies complementing this chapter's other efforts.

7.9.14 Aquatic pest education programme

Given the limited range of practical methods to reduce the risk of undesirable aquatic species being spread, publicity and warning signs are an appropriate choice.

7.9.15 Wetland access liaison

Both Ngāi Tahu and a range of individuals and groups in the community would like greater access to wetlands on private land. In many cases these parties are able to negotiate their own arrangements with landholders. However many do not know who to approach or there can be other difficulties. Environment Canterbury can play a small part in overcoming any such difficulties by acting as a go-between.

7.10 Principal reasons for rules

7.10.1 ~~Rule WTL1: Enhance, restore or create Restoration of wetlands (permitted activity)~~¹²²

Often voluntary efforts to restore or enhance wetlands involve the taking, use, damming or diversion of water, and possibly stream bed disturbance, and thus require resource consent. With adequate conditions to protect the environment, making small-scale hydrological adjustments and associated activities carried out in the course of wetland restoration a permitted activity removes an important disincentive to wetland restoration.

Conditions in this rule ensure that any possible adverse effects are avoided, remedied or mitigated. It is important that the scale of any adverse effects is kept within predictable limits, and restricting the size of stream and the amount of flow that may be taken and not returned does this.¹²³

This (and other permitted activity rules) require written notice to be sent to Environment Canterbury 10 days prior to commencing the activity. This creates a record for monitoring purposes. It does not imply that Environment Canterbury is able to exercise any kind of discretion over the activity.

7.10.2 ~~Rule WTL2: Reduce area of certain classified wetlands (permitted activity) and Rule WTL3 Up to 0.5 hectare reduction of certain unclassified wetlands (permitted activity)~~

Without Rule WTL42 any taking, use, damming or diversion of water that affects a wetland would require resource consent under section 14 of the RMA

~~The essential purpose of Rules WTL2 and WTL3 is~~ One of the rule's purposes is to permit drainage of areas many people would regard as wet pasture, but which have very basic remnant or exotic wetland vegetation. In these areas, provided conditions to avoid, remedy or mitigate any adverse effects are met, the need for a resource consent process can be avoided. Limiting the scale of the permitted activity in ~~Rule WTL3 Condition 1(b)~~ to 0.5 hectares of any separate wetland area, takes account of the lesser reliability of one-off assessments of wetland significance, and the absence of a Schedule 1 consultation process.

Wetland plant density is a useful indicator of wetland boundaries for the purposes of Condition 1(b). The range of plants to be used in this role is wide enough to ensure that at least one listed species will be present at the boundary of most wetlands.

¹²² **WTL2.2**

¹²³ **WTL2.2**

The condition that requires an offsetting wetland is necessary to ensure the objective of no overall loss of wetlands is achieved. Activities in the nature of drainage, reclamation, dumping and infilling are considered to be damming or diversion of water, and are subject to this rule.

It is important to note that the qualities and biological complexity acquired over many years by natural wetlands can seldom be fully offset. It is therefore preferable to avoid wetland loss wherever possible. Where that cannot be achieved the loss must be offset to the greatest possible degree.

The rule provides a wide choice of means to offset the loss of wetlands, from wetland enhancement, restoration or creation on the same property, to similar actions on some other property, to making a financial contribution to Environment Canterbury's wetland enhancement programme. In some circumstances, the offsetting wetland will itself require resource consent, and any such application should normally be considered at the same time as the application under this rule.

Under this rule activities that do not meet the requirements of Rule WTL2 become prohibited activities, meaning that resource consent cannot be applied for or granted. This removes doubt in situations where conditions in Rule WTL2 are not met.

7.10.3 ~~Rule WTL4: Permanent reduction of wetland area (discretionary activity)~~

~~Without Rule WTL4 any taking, use, damming or diversion of water that affects a wetland, other than where permitted by Rules WTL2 or WTL3, would require resource consent under section 14 of the RMA. The condition that requires an offsetting wetland is necessary to ensure the objective of no overall loss of wetlands is achieved. Activities in the nature of drainage, reclamation, dumping and infilling are considered to be damming or diversion of water, and are subject to this rule.~~

~~It is important to note that the qualities and biological complexity acquired over many years by natural wetlands can seldom be fully offset. It is therefore preferable to avoid wetland loss wherever possible. Where that cannot be achieved the loss must be offset to the greatest possible degree.~~

~~The rule provides a wide choice of means to offset the loss of wetlands, from wetland enhancement, restoration or creation on the same property, to similar actions on some other property, to making a financial contribution to Environment Canterbury's wetland enhancement programme. In some circumstances, the offsetting wetland will itself require resource consent, and any such application should normally be considered at the same time as the application under this rule.~~

7.10.4 ~~Rule WTL5: Enhancement, restoration or creation of an offsetting wetland (permitted activity)~~

~~Conditions in this permitted activity rule ensure that any possible adverse effects associated with wetland enhancement, restoration or creation are avoided, remedied or mitigated. Although the activity permitted will generally help to achieve the plan's objectives, it is important that the scale of any adverse effects is kept within predictable limits. Restricting the size of stream and the amount of flow that may be taken and not returned does this.~~

7.10.5 ~~Rule WTL6: Enhancement, restoration or creation of an offsetting wetland (discretionary activity)~~

~~This discretionary activity rule applies where the conditions for a permitted activity under Rule WTL5 are not met. The focus on matters that could be particularly important in assessing the effects of measures necessary to enhance, restore or create an offsetting wetland does not mean that other matters cannot be considered.~~

7.10.6 ~~Rule WTL7: Non-compliance with certain permitted activity conditions (discretionary activity)~~

~~Where an activity is permitted subject to conditions but those conditions are not all met, some other provision must be made for dealing with the intended activity. Certain conditions are of key importance and if not complied with must be assessed through a resource consent process tailored to that specific issue. Under this rule, the question of non-compliance can be looked at in a more general way. The information requirements for this rule ensure that the permitted baseline remains well defined.~~

7.10.7 ~~Rule WTL83: Continue activities beneficial to wetlands (permitted activity)~~

Maintaining enhanced and restored wetlands assists in achieving this chapter's objectives, but having to replace the resource consents periodically is an important disincentive. This rule removes that disincentive. There are conditions to prevent any increase in adverse effects and ensure that relevant conditions of the original consent still apply.

7.10.8 ~~Rule WTL94: Activities to control unwanted organisms (permitted activity)~~

This rule permits temporary alterations to wetland hydrology (mainly drainage) in order to assist in controlling unwanted plants or animals. The conditions in the rule provide adequate mitigation of any possible adverse effects, ~~making resource consent unnecessary.~~

7.10.9 ~~Rule WTL10: Non-compliance with certain rules (prohibited activity)~~

~~Under this rule activities that do not meet the requirements of Rule WTL4 become prohibited activities, meaning that resource consent cannot be applied for or granted. This removes doubt in situations where conditions in Rule WTL4 are not met.~~¹²⁴

¹²⁴ **WTL2.2**

7.11 Environmental results anticipated

Within ten years of this plan becoming operative:

Environmental result anticipated WTL1

Fifty percent of landholders on properties where the wetlands have been assessed will be implementing management plans to protect and enhance their moderate and higher significance wetlands.

Environmental result anticipated WTL2

Some general improvement will have occurred in the ecological integrity and functioning of wetlands in the region.

Environmental result anticipated WTL3

Ngāi Tahu will be enjoying greater access to some traditional wetlands on private land where mahinga kai and other cultural values are important.

Environmental result anticipated WTL4

Recreationists and other members of the general public will have greater access to wetlands on private land where recreation and other amenity values are important.

Environmental result anticipated WTL5

The range and diversity of wetlands in the region will have begun to increase, with particular improvement in the proportion representing coastal, lowland and inland basin wetland types.

7.12 Wetlands monitoring

Introduction

A regional plan is required by sections 35(2)(b) and 67(1)(i) to state the procedures to be used to monitor the efficiency and effectiveness of policies, rules, or other methods. A regional plan has to be reviewed not more than ten years after it has been made operative. For a review to be successful it is necessary to know how efficient and effective the policies and methods have been in contributing to achieving the plan's objectives and environmental results anticipated. In particular it is necessary to know whether each individual policy, and the methods to implement it, are contributing positively, neutrally or negatively.

Linked to this is the need to monitor the state of the environment, understand the causes of any changes, and the extent to which provisions in this chapter may have brought about those changes.

Chapter 1.3 of the Proposed NRRP outlines the general procedures to be used to monitor the overall effectiveness of the Proposed NRRP. Section 7.12 of this chapter is additional to that. This section sets out the general procedures to be used in Chapter 7 to monitor the:

- (a) achievement of the anticipated environmental results; and
- (b) the efficiency and effectiveness of the chapter's policies and methods.

It also identifies some other areas of environmental monitoring that Environment Canterbury intends to undertake. From time to time Environment Canterbury may need to deviate from the specific programmes listed if it is shown that the monitoring identified is no longer appropriate, or there is a more effective way of undertaking the monitoring.

7.12.1 Monitoring procedure

The procedures to monitor the effectiveness and efficiency of the wetlands chapter of the Proposed Canterbury Natural Resources Regional Plan are outlined below. Environment Canterbury will monitor:

- (a) progress towards achieving the environmental results specified;
- (b) the effectiveness and efficiency of this chapter; and
- (c) compliance with resource consents, permitted activities and the other obligations or duties of resource users to ensure that the requirements of the Resource Management Act and this chapter are being given effect to.

7.12.2 Monitoring environmental results anticipated

Environment Canterbury will base its monitoring of progress towards achieving the environmental results anticipated on the observation factors and pressure indicators set out in the following table:

Environmental result anticipated	Observation factor	Pressure indicator	Location of monitoring	Method of monitoring	Frequency of monitoring	Method of reporting
Fifty percent of landholders on properties where the wetlands have been assessed will be implementing management plans to protect and enhance their moderate and higher significance wetlands.	Percentage of landholders implementing management plans	Wetland area and condition	Whole region	Random sample of moderate or higher significance wetlands on private land	five-yearly	Next annual report
Some general improvement will have occurred in the ecological integrity and functioning of wetlands in the region.	Condition of sites randomly selected from wetland inventory	Ecosystem health –hydrology –biotic health index –habitat health index Factors listed under <u>A.1.2 in Appendix WTL1</u> ¹²⁵	Whole region	Random sampling	five-yearly	Next annual report
Ngāi Tahu will be enjoying greater access to some traditional wetlands on private land where mahinga kai and other cultural values are important.	Feedback from Ngāi Tahu	Satisfaction with access	Whole region	Records of communication about wetland access	Ongoing	As necessary
Recreationists and other members of the general public will have greater access to wetlands on private land where recreation and other amenity values are important.	Feedback from recreationists and others	Satisfaction with access	Whole region	Records of communication about wetland access	Ongoing	As necessary
The range and diversity of wetlands in the region will have begun to increase, with particular improvement in the proportion representing coastal, lowland and inland basin wetland types.	Extent of enhanced, restored and created wetlands	Amount and quality of any increase	Coastal, lowland and inland basin areas	Study	five-yearly	Next annual report

¹²⁵ WTL2.197

7.12.3 Monitoring effectiveness and efficiency

Environment Canterbury will base its monitoring of the effectiveness and efficiency of this chapter on pressure/state monitoring as set out in the following table:

Pressure	State indicator	Location of monitoring	Method of monitoring	Frequency of monitoring	Method of reporting
Drainage affecting any wetland	New wetland drains	Whole region	On-site/remote sensing	Three-yearly	Three-yearly review of trends
Cultivation/earthworks affecting any wetland	New wetland disturbance	Whole region	On-site/remote sensing	Three-yearly	Three-yearly review of trends
Induced hydrological change (existing and new) affecting moderate or higher significance wetlands	Water table/related stream flows, wetland species composition/condition	Whole region	Randomly selected sites	Three-yearly	Three-yearly review of trends
Grazing affecting moderate or higher significance wetlands	Condition/composition of vegetation—endemics, threatened species	Whole region	On-site/remote sensing	Three-yearly	Three-yearly report
Undesirable plants affecting moderate or higher significance wetlands	Species and density	Whole region	Monitor sites/remote sensing	Three-yearly	Three-yearly report
Undesirable animals affecting moderate or higher significance wetlands	Species and density	Whole region	Randomly selected areas	Three-yearly	Three-yearly report
Motor vehicles affecting moderate or higher significance wetlands	Damage due to motor vehicles	Whole region	Regular assessment of problem sites	Continuous record keeping	Annual report

7.12.4 Compliance monitoring

Environment Canterbury will carry out compliance monitoring on the basis set out in the following table:

Type of authorisation	Method of monitoring	Frequency of monitoring	Reporting
Permitted activities	Inspection of randomly selected sites Inspection in response to complaints	Ongoing	Annually in Environment Canterbury Annual Compliance Monitoring report
Discretionary activities	Site inspections. Inspections in response to complaints	On the basis of: Potential extent and severity of adverse effects Imminence of threats History of compliance Extent and type of self-monitoring Number, frequency and type of complaints	

For more information on monitoring of compliance with resource consents, refer to the **Resource Consent Information Series Booklet No. 9**, obtainable from your nearest Environment Canterbury office or the Customers Services section by phoning 0800 EC INFO (0800 32 4636).

7.13 Financial contributions

- (a) Any resource consent granted in accordance with rules in this chapter may include a condition requiring a financial contribution. Such a contribution may be in the form of money, land or a combination of money and land (see section 108(9) RMA).
- (b) The purpose of such financial contributions is to offset the actual or potential loss of wetland area and other wetland values through the exercise of resource consents.
- (c) Every offsetting wetland shall, as far as possible, have the same or superior ecological and cultural values, and be of equal or greater area than the area of wetland being offset.
- (d) Subject to (c), the amount of any financial contribution shall be determined on the following basis:
 - (i) Where the contribution is money alone, the contribution shall be equivalent to the sum required to meet the cost of suitable land together with all reasonable costs of measures required to enhance, restore or create an area of wetland up to 1.5 times the original area.
 - (ii) Where the contribution is wetland, the contribution shall be of an area of wetland up to 1.5 times the original area.
 - (iii) Where the contribution includes land other than wetland, the contribution shall also include money sufficient to meet all reasonable costs of measures required to enhance, restore or create on that land an area of wetland up to 1.5 times the original area.
- (e) Any contribution in excess of the original area shall reflect the degree of shortfall in offsetting the loss of the original natural and cultural values, together with any risk factors. Risk factors to be considered include the likelihood of failure to fully establish or maintain the offsetting wetland values.
- (f) All ~~financial~~ contributions of money¹²⁶ under this provision shall be paid into Environment Canterbury's Wetland Protection Fund, the objects of which are to protect, restore and create wetlands in Canterbury.
- (g) In deciding whether or not to require a financial contribution Environment Canterbury will have regard to any financial contribution required by any other statutory authority with respect to the actual or potential loss of wetland area and other wetland values in connection with the same activity.¹²⁷

¹²⁶ WTL2.201

¹²⁷ WTL2.201

Appendix WTL1: Wetland assessment methodology

This procedure was developed by Environment Canterbury with assistance from outside experts. As at 4 February 2004 it had been trialled on a limited number of sites and generally found to be satisfactory. Other trials were to continue in conjunction with a working party convened by Environment Canterbury to advise on any need for the procedure to be amended.

Introduction

Wetland surveys carried out in accordance with this plan, and any resulting schedule of moderate or higher significance wetlands, will focus on:

- (a) palustrine ecosystems (dominated by shallow or sub-surface fresh water with attached root vegetation, and including wetlands in the margins of rivers and lakes); and
- (b) estuarine ecosystems (coastal wetlands semi-enclosed by land and dominated by effects of saline water).

These surveys must only be carried out by suitably qualified and experienced people, and¹²⁸ have two purposes, to document the nature and extent of wetlands in the region and provide a basic assessment of their ecological and hydrological significance. Practical limitations mean that no more than a rapid assessment of any one site, focused largely on vegetation and the generalised hydrology, is possible. The information compiled in this way will be sufficient to define the significance thresholds relied on by provisions in the plan, and to facilitate ongoing trend monitoring. However, depending on the circumstances, applicants for resource consent for activities affecting wetlands may need to furnish information beyond the scope of this type of survey (see *Chapter 7.8 Information to be provided with resource consent applications*).

The Ministry for the Environment (MfE) has developed a national standard process for the classification and assessment of estuarine and palustrine wetlands (Clarkson *et al* 2002). In classifying wetlands, and assessing their condition and pressure indicators, ecological field surveys of wetlands carried out for the purpose of this plan will follow the MfE methodology.

Mapping wetland extent during field surveys, assisted as appropriate by photography,¹²⁹ will provide for baseline monitoring of this indicator, necessary for wetlands inventory at both the regional and national level. Monitoring wetland extent at a regional level can be used to test the effectiveness of policies aimed at reducing wetland loss, achieving no net loss, or increasing the area and number of wetlands (Ward and Lambie 1999).

Generally, the presence of certain indicator plant species provides the most practical method for delineating the edge of a wetland (Anderson 2001). Indicator species will vary depending on locality (i.e., coastal, lowland, high country). The dryland-wetland edge will typically be defined where one or more of these wetland indicator species are spaced less than four times their ungrazed height apart. Alternatively, analysis of soils can be used to help determine wetland-dryland boundaries.

Following field survey of a wetland site, an assessment will be made of its significance from both a hydrological and ecological viewpoint. The ecological assessment process will interpret the site information collected on wetland type and condition in the light of the following criteria: representativeness, rarity/distinctiveness, and ecological context and viability (after¹³⁰ Norton and Roper-Lindsay 1999). Each wetland will be assessed as having low, moderate or high ecological significance using these criteria.

¹²⁸ **WTL2.37, WTL2.86, WTL2.91**

¹²⁹ **WTL2.229**

¹³⁰ **WTL2.240**

Each wetland will also be assessed as having high, moderate or low significance in relation to its hydrology. The aspects to be considered in making hydrological assessments are listed in Part D of this appendix.

The overall significance of any wetland is the higher of its ecological or hydrological significance.

It is important to realise that wetlands assessed as having low hydrological and/or ecological significance may still have considerable restoration potential. Any such restoration is, however, entirely voluntary.

Part A: The MfE method for wetland classification and recording condition and pressure indicators

The *Handbook for Monitoring Wetland Condition* (Clarkson *et al* 2002) provides a framework for classification of wetlands (Figure WTL4) and a standardised wetland field record sheet (Figure WTL5). (Those not familiar with this handbook should refer to it before embarking on a wetland survey.) The information on the field record sheet, together with a map showing wetland extent and main vegetation types, will help inform subsequent assessment of the wetland's ecological significance. The scores of the various state- and pressure-indicators can also form a baseline for subsequent monitoring of the general condition of a wetland site.

(a) Wetland classification

The first box on the wetland field record sheet deals with wetland classification. Each surveyed wetland is classified based, in descending order, on:

- (a) The wetland system (i.e., estuarine or palustrine);
- (b) Wetland subsystem, based on water flow regime (e.g., intertidal, non-tidal, permanent, ephemeral);
- (c) Wetland class, based on substrate and site chemistry (e.g., saltmarsh, mudflat, swamp, bog, flush);
- (d) Wetland form, based on landform (e.g., estuary, lagoon, shore, slope, channel, basin).

The main vegetation types (indicated on an accompanying map) would also be recorded on the field sheet, together with notes on native fauna and other general comments.

A.1.1 Recording wetland condition

In the second box on the field record sheet, wetland condition at the time of survey is assessed and scored on the basis of five state indicators and six pressure indicators. The state indicators are:

- (a) Change in hydrology.
- (b) Change in physico-chemical parameters (e.g., fire damage, sedimentation, erosion, nutrient enrichment).
- (c) Change in ecosystem intactness (i.e., loss in area of original wetland, fragmentation).
- (d) Change in browsing, predation and harvesting regimes (i.e., effects of introduced herbivores, predators and humans).
- (e) Change in dominance of native plants (i.e., proportion of introduced species in canopy and understorey).

Each state indicator is scored on a 0-5 scale where a low score indicates a high degree of modification, giving a total wetland condition index / 25. The higher the score, the better the wetland condition.

Hydrology is probably the single most important determinant of the establishment and maintenance of wetlands and wetland processes. In the absence of existing monitoring or historical information on hydrological regime, the presence of man-made structures (e.g., drains, stopbanks) that influence hydrology can be used as simple indicators of modification.

Sedimentation, nutrient enrichment and fire are the physiochemical parameters most commonly affecting wetlands. Runoff of suspended sediment into wetlands can smother vegetation and reduce light penetration into standing water. Sediment input is often associated with nutrient enrichment, but wetland nutrient enrichment may also result from groundwater loading and surface run-off. Sedimentation and nutrient enrichment lead to changes in the vegetation (often with increases in exotic plant species) and cause the habitat to become more anaerobic, with negative effects on invertebrate, fish and bird populations. Fires may occur naturally, but most often are of human origin. Fires disrupt wetland nutrient cycles, destroy wildlife habitat, and provide opportunities for weed invasion.

A large, intact wetland ecosystem is better able to maintain its viability and resist human effects. Wetlands that have been reduced in extent or fragmented are more vulnerable to disturbance, and can no longer offer habitat for species with low dispersal capability. The original extent of wetlands can be estimated using historical information and soil maps.

Domestic stock can cause severe damage to soil and plants from trampling and browsing; the extent of which is usually obvious. Feral animals also damage wetland flora and fauna, but are less visible than domestic stock and are much harder to control.

The change in abundance of native plants indicator is assessed by determining the extent to which native plants have been displaced by introduced plants, as introduced plants are one of the major threats to wetland condition.

A.1.2 Recording wetland pressure indicators

Pressure indicators, also scored on a 0-5 scale, with 0 being no pressure and 5 very high pressure, are:

- (a) Modifications to catchment hydrology
- (b) Catchment water quality
- (c) Animal access (livestock or other introduced mammals)
- (d) Key undesirable species (weeds or pests)
- (e) Proportion of the catchment in introduced vegetation
- (f) Other pressures (as specified).

The total wetland pressure index will thus be scored out of 30, with a high score indicating a greater degree of pressure on the site.

In the state (or condition) indicators, the section on change in hydrological integrity focused on modifications within wetlands. In addition, an important risk to wetlands is from changes in the catchment hydrology that can lead to lowered regional groundwater tables or reduced surface water inputs. Features affecting this score include drains and other structures that divert water from or into the catchment, clearance of vegetation within the catchment, and extraction of groundwater from shallow bores.

Deteriorating upstream water quality is an indication of future deterioration in wetland condition. Surface water and groundwater quality data from upstream of the wetland can be used, as well as other indices such as the stream health monitoring assessment kit.

Assessing the animal access indicator can be based on direct observations during the site visit or can be deduced from the nature of the catchment and the size of the wetland itself. Some background knowledge of factors such as predator control operations in the vicinity may be required to score this feature accurately.

Once key undesirable species have invaded and become established in wetlands, control and eradication can be difficult and expensive. As most undesirable species that enter wetlands usually do so only after being present in the catchment for some time, identification of these species before invasion is an important pressure indicator. The relevant species are those plants and animals that are known to be damaging to wetlands—the most common examples are willows which are able to survive and out-compete native species in most wetland habitats.

For the proportion of the catchment in introduced vegetation feature, the score is based on quantification from 0 = 0% to 5 = 100%. The reason for its inclusion is that the risk of new weed arrivals is much greater if the catchment has introduced vegetation, and that predominantly introduced catchments are less likely to allow migration of desirable animal species. For restored and created wetlands, a predominantly native catchment provides a greater likelihood of desirable plant and animal species re-introducing themselves.

Other pressures that might be scored in the final category of the pressure indicator box are residential development, mining, dairy conversions, deer conversions, off-road vehicle use, logging activity and other land-use change. Surrounding gardens may also be an important threat, as many wetland weeds are garden escapes.

Figure WTL4: Classification framework for palustrine and estuarine wetlands

Level I Hydrosystem	Level IA Sub-System	Level II Wetland Class	Level IIA Wetland Form	Level III Structural Class [examples]	Level IV Dominant Cover [examples]	
Estuarine (<i>Alternating saline and fresh water</i>)	Intertidal	Saltmarsh	Estuary	[e.g. herbfield]	[e.g. <i>Zostera</i>]	
	Subtidal	Seagrass meadows	Lagoon	[e.g. (wire) rushland]	[e.g. <i>Leptocarpus/Juncus</i>]	
Palustrine <i>Vegetation emergent over fresh water, not including floating plants</i>)	Non-tidal	Algalflat	Dune slack	[e.g. forest]	[e.g. <i>Avicennia</i>]	
	Inter-dunal	Mudflat		[e.g. wormfield]	[e.g. <i>Polychaetel</i>]	
		Cobbleflat		[e.g. cocklebed]	[e.g. <i>Austrovenus</i>]	
			Rocky reef		[e.g. gravelfield]	[e.g. <i>Diatomfelt</i>]
			Sandflat		[e.g. musselreef]	[e.g.-: <i>Perna</i>]
					[e.g. sand]	[e.g. <i>Muehlenbeckia</i>]
Permanent	Ephemeral	Marsh	Shore	[e.g. reedland]	[e.g. <i>Typha</i>]	
		Swamp	Artificial	[e.g. algalbed]	[e.g. <i>Enteromorpha</i>]	
		Fen	Slope	[e.g. macrophyte bed]	[e.g. <i>Ruppia</i>]	
		Bog	Channel	[e.g. sedgeland]	[e.g. <i>Carex</i>]	
		Flush	Flat	[e.g. cushionfield]	[e.g. <i>Leptospermum/ Cordyline</i>]	
		Seep	Basin	[e.g. rushland]	[e.g. <i>Donatia</i>]	
			Pool	[e.g. rockfield]	[e.g. <i>Schoenus</i>]	
					[e.g. <i>Nostoc</i>]	
					[e.g. <i>Spirogyra</i>]	
Basis of discrimination: Hydrological setting, Salinity	Flow Regime	Substrate, pH, Chemistry	Land Form	Biotic Structure	Dominant species	

Source: Clarkson *et al*, Handbook for monitoring wetland condition, Ministry for the Environment

Figure WTL5: Wetland Record Sheet

Wetland name:	Date:
Region:	GPS/Grid Ref:
Altitude:	No. of plots sampled:

Classification: I System	IA Subsystem	II Wetland Class	IIA Wetland Form

Field team:

Indicator	Indicator components	Specify and Comment	Score 5 ¹³¹	0-	Mean score
Change in hydrological integrity	Impact of manmade structures				
	Water table depth				
	Dryland plant invasion				
Change in physico-chemical parameters	Fire damage				
	Degree of sedimentation/erosion				
	Nutrient levels				
	von Post index				
Change in ecosystem intactness	Loss in area of original wetland				
	Connectivity barriers				
Change in browsing, predation and harvesting regimes	Damage by domestic or feral animals				
	Introduced predator impacts on wildlife				
	Harvesting levels				
Change in dominance of native plants	Introduced plant canopy cover				
	Introduced plant understorey cover				
Total wetland condition index /25					

Main vegetation types:

Native fauna:

Other comments:

Pressure	Rating ¹³²	Specify and Comment
Modifications to catchment hydrology		
Water quality within the catchment		
Animal access		
Key undesirable species		
% catchment in introduced vegetation		
Other pressures		
Total wetland pressure index /30		

Source: Clarkson *et al*, Handbook for monitoring wetland condition, Ministry for the Environment, August 2002.

¹³¹ Assign degree of modification thus: 5=v. low/ none, 4=low, 3=medium, 2=high, 1=v. high, 0=extreme

¹³² Assign pressure scores as follows: 5=very high, 4=high, 3=medium, 2=low, 1=very low, 0=none

Part B: Assessing ecological significance

To assess ecological significance, site information contained on the wetland record sheet will be evaluated in terms of the criteria described below. Note that the bald scores for wetland condition and pressure as given on the wetland record sheet cannot be directly translated into an assessment of ecological or hydrological significance. However, the scores and comments on the field sheet will assist in assessing the relative significance of similar types of wetlands (e.g., comparing several high country lake-edge wetlands from within the same ecological district).

B.1.1 Criteria for assessing ecological significance of wetlands

Various criteria and methodologies used for assessing ecological significance under section 6(c) of the Resource Management Act have been developed to assist territorial authorities in the identification of significant natural areas (SNAs) for their district plans. A similar but slightly different approach can be applied to assess the ecological significance of wetlands surveyed for a regional plan. The SNA approach is not fully transferable, because both the context of the assessment and the present pattern of wetland distribution in the wider landscape are different and necessitate some changes to method. The hydrological component, so important to an overall assessment of a wetland's significance is another point of difference. Thus, for example, it is quite possible that wetlands considered of only low or moderate ecological significance under an SNA process may rank more highly in this exercise.

The criteria and methods used for assessing ecological significance under the RMA described by Norton and Roper-Lindsay (1999) have been widely used by a number of local authorities, and will be used, in modified form, to assess the ecological significance of wetlands for this plan. Under this approach, the four main criteria for assessing ecological significance are:

- (a) Representativeness
- (b) Rarity/distinctiveness
- (c) Ecological context
- ~~(d) Viability¹³³~~

B.1.1.1 Representativeness

Representativeness compares elements of natural diversity (usually ecosystem diversity) in the present landscape with the same patch of landscape as it existed at some time in the past. Ideally the only changes should be those that would have occurred naturally (that is, without human intervention).

Since wetlands can seldom be regarded as climax ecosystems, with ongoing change being more typical, the most fundamental question to be answered is: which time in the past? Wetland change was much more marked following European settlement, and a baseline can be established with greater certainty for this than for any earlier period.

Ideally, then, the plan would be aiming to identify a range and distribution of wetlands in the region that is representative of the immediate pre-European period, but there is a problem. With the passing of more than 150 years, irrespective of European settlement, wetlands would have continued to change naturally. It is not simply a matter of establishing what a particular landscape was once like and trying to represent that, there have to be some adjustments.

In making these adjustments, two of three possible kinds of change are relevant:

- (a) Natural evolutionary changes in response to variations in the natural background, including, changes to climate, changes to adjacent ecosystems, and natural hydrological changes.

¹³³ **WTL2.240**

- (b) Induced evolutionary changes in response to bush and forest clearance, land drainage, rivers trained to single courses, and naturalisation of a whole range of exotic plant and animal species.

The third kind of wetland change includes deliberate wetland destruction and wetland loss as the direct result of land development. This is not taken into account when deciding representativeness, since it is not a natural process.

Any assessment of representativeness also needs a spatial scale to define the landscape patch being represented. Ecological districts provide a well-established and suitable frame of reference for this purpose.

Assessing wetland representativeness begins, then, with developing an understanding of the types and extent of wetlands in each ecological district immediately before European settlement. This baseline must then be adjusted for changes that would have occurred since, either entirely naturally or induced by environmental changes.

For example, it is generally unrealistic to expect to adequately represent plains swamp forest now that almost all the plains have become pasture. Often the best that can be hoped for is to represent the sort of wetland such a swamp forest would probably have evolved into given the changes that have occurred, and excluding any deliberate damage.

In adjusting the baseline to the present day, sources of information may include early survey maps, soil maps, the Land Cover Database, and Land Environments New Zealand, together with relevant studies of wetland ecology and ecological change.

While soil mapping provides little insight into ecosystem character, it affords a particularly useful and easily accessible baseline for determining wetland loss within an ecological district.

This is valuable information because the greater the wetland loss, the more significant what is left becomes. Given similar condition, wetlands in an ecological district that has only two or three percent of its original wetlands are more significant than where a much higher percentage still remains.

Land Environments are also helpful. They identify climatic and landform factors likely to influence the distribution of species. Land Environments can predict the likely natural occurrence of wetlands in an area, allowing what actually exists to be assessed not only in terms of potential extent but also ecological character.

It is generally to be expected that:

- (1) Lowland wetlands that retain even a small proportion of their original character will be of *very high* representative significance because their previous extent has been so vastly reduced.
- (2) Coastal wetlands will generally be of high representative significance as they have likewise been substantially reduced from their previous extent and are likely to have retained a higher proportion of their original character.
- (3) Hill and high country wetlands having retained more of their original extent and character will tend to be distinguished to a greater degree by ecological functioning and health rather than by mere existence. These wetlands may well present a wider array of representative significance levels.

B.1.1.2 Rarity/distinctiveness

The rarity part of t¹³⁴his criterion looks at the presence of particular indigenous species or groups of species within a site. It recognises that it is not only the common and typical features of our environment that contribute to ecosystem functioning and health.

¹³⁴ **WTL2.244**

A significant habitat need not be predominantly indigenous provided there is rarity or distinctiveness in the indigenous species found there. Rarity in this context need not mean nationally rare, but rare at a local or regional level. Species rarity is assessed on knowledge of the species taxonomy and distribution.

Classification systems for rarity are still evolving and being developed to overcome problems such as the need to distinguish between species that are naturally rare and species that are rare because of human influences. In assessing rarity, the best authorities currently available should be used.

Distinctiveness refers to unusual species, communities or habitats. Distinctive species may or may not be rare nationally. They can be common nationally and rare locally. The assessment of distinctiveness must be based on a good understanding of species and habitat distributions. Factors to consider include:

- (a) The presence of a species or habitat at a national distributional limit.
- (b) The presence of a species or habitat that only occurs in that area (i.e., an endemic species).
- (c) The presence of a species or habitat that although common elsewhere is particularly uncommon in that ecological district.

Distinctiveness can also encompass the seasonal presence of migratory species in the area. In assessing rarity/distinctiveness, particular attention is drawn to the possibility of the area being habitat for a threatened species, such as for example Canterbury mudfish (*Neochanna burrowsius*) habitat. In this connection, reference should be made to the most up-to-date authorities such as the Department of Conservation and the New Zealand Freshwater Fish Database maintained by the National Institute for Water and Atmospheric Research.¹³⁵

B.1.1.3 Ecological context

Wetlands do not occur in isolation, but as part of a wider landscape in which ecosystems interact and connect in a variety of ways. In the lowlands, hill country and inter-montane basins of Canterbury, the ecological landscape is typically patches and corridors of remnant indigenous or semi-indigenous ecosystems within a matrix dominated by agricultural, urban and plantation systems. Both the matrix and the patches/corridors can contain a mixture of native and exotic elements. There are cases where a corridor or patch of great value to native fauna is made up of exotic plant species.

Ecological context is most important to animals able to make use of corridors to move between patches. Context can also be important in assessing waterways and wetlands that depend for so many of their characteristics on the wider catchment. Examples of wetlands that could be ecologically significant on the basis of context alone include:

- (a) Wetland remnants that provide stepping stones for birds between larger wetland areas.
- (b) A wetland within an area of native shrubland or mixed gorse and native shrubland where each ecosystem provides connectivity between the other.
- (c) Wetlands where adjacent vegetation provides vital buffering from grazing animals or other pressures.
- (d) A wetland connected to a river will be more valuable to native fish habitat than another wetland that might have more native plant species but no river connection.
- (e) A site that might have low botanical significance but provides seasonal food for native birds.

Ecological context is assessed on the actual or potential role of a site in:

- (1) Enhancing connectivity between patches.

¹³⁵ **WTL2.244**

- (2) Buffering or otherwise influencing a specific site.
- (3) Providing seasonal habitat for particular indigenous species.

B.1.1.4 Viability

~~The viability criterion does not consider the significance of sites *per se*, but is an assessment of priority for protection management and the type of management needed.~~

~~Viability relates to the likely future condition of a wetland site. Such places need not only to be significant now, but also have potential to be significant in the future. Factors that should be considered include:~~

- ~~(a) The type of ecosystems, habitats or species present and how well their ecological requirements are met.~~
- ~~(b) The presence of disturbance—plant or animal pests, land uses, extent of fencing, water takes or discharges.~~
- ~~(c) The size of the area.~~
- ~~(d) The shape of the area.~~
- ~~(e) Ecological context—the distance to other areas and habitats.~~
- ~~(f) Conservation management needed to achieve self-sustainability, and the feasibility of that.~~¹³⁶

¹³⁶ WTL2.240

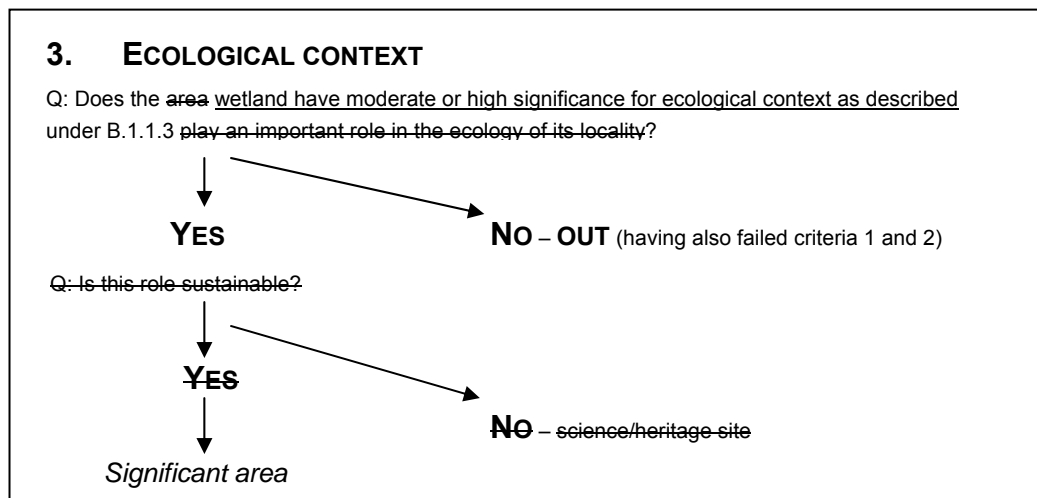
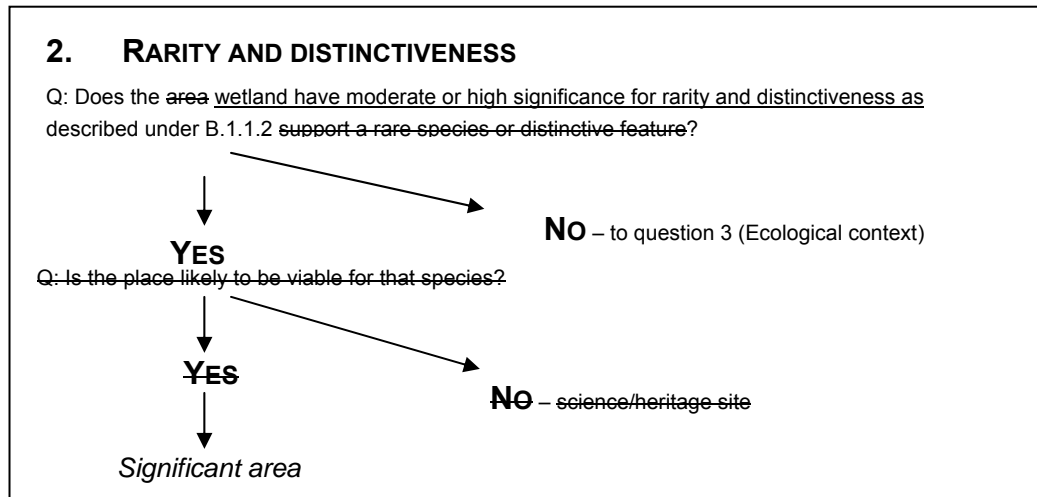
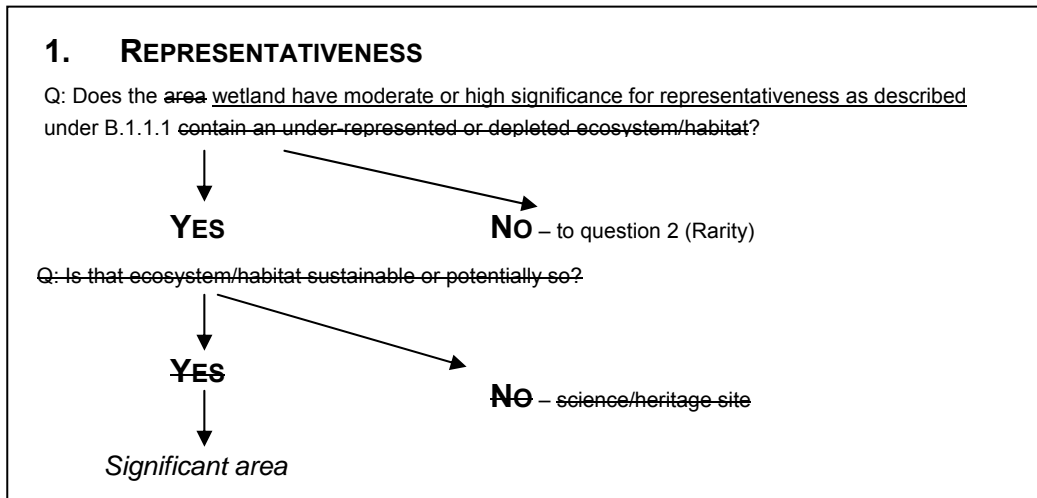
B.1.2 Applying the criteria

This flow chart shows application of the criteria used in assessing ecological significance. Each site is evaluated sequentially for the three main criteria—representativeness, rarity/distinctiveness and ecological context. ~~The viability factor is evaluated as a sub-criterion for each of the three main criteria, and must be satisfied in each case.~~¹³⁷

¹³⁷ **WTL2.240**

Figure WTL6: Ecological significance flow chart

138



¹³⁸ WTL2.240, WTL2.249, WTL2.253

Part C: Recording hydrological factors

C.1.1 Hydrological information for wetland and catchment

The form reproduced below as Figure WTL7 provides a standardised field record of information relevant to the quantity and quality of water in the wetland and its catchment. This information, together with the ecological field records will inform subsequent assessment of the wetland's significance.

Figure WTL7: Wetland water quantity and quality summary sheet

Purpose:

- (a) To provide input into assessments of the sensitivity of the subject wetland to changes in upstream water quantity and quality.
- (b) To provide input into assessments of the significance of the wetland in maintaining water quantity in its downstream catchment.
- (c) To provide input into assessments of the significance of the wetland in maintaining and improving water quality in its downstream catchment.

Owner/occupier:

Wetland name:

Location:

Area of wetland (hectares):

Record hydrological information for wetland and catchment	
Landscape setting	
Geomorphology of wetland	
Geology of catchment surface	
Dominant water source	
Other significant water sources	
Location of water source (e.g., seepage from terrace, aquifer discharge, natural dam, coastal beach barrier, oxbow cut-off, rainfall ponding, etc)	
Flow direction	
Periodicity of flow	
Dominant wetland vegetation	
Fertility (vegetation indicators)	
Presence of peat soils	
Groundwater level records	
Rainfall records	
Stream flow records	
Catchment vegetation: past/present/likely future	
Instream features of the stream draining the wetland:	
Bed material (e.g., cobble, fine gravel, sand, silt)	
Signs of algal or macrophyte growth	
Quality of water in relation to fish habitat, use for livestock, domestic or public supply	
Assess hydrological relationship of wetland to downstream catchment	
Flood attenuation	
Groundwater recharge	
Sediment retention	
Nutrient transformation	
Contaminant retention	

Continued on next page

Estimate sensitivity of wetland to change	
Interception of inflows/drainage of the wetland	
Stock access to the wetland	
Impact of plant or animal pests on the wetland	
Abstraction of water from the wetland's catchment	
Changed wetland water quality	

Part D: Assessing hydrological significance

The hydrological significance of a wetland includes both its water flows and its associated role in maintaining or improving downstream water quality.

In evaluating hydrological significance, field information gathered from each site will be integrated with existing catchment data to provide an assessment from two perspectives:

- (a) The significance of the current hydrological regime to the wetland itself.
- (b) The significance, hydrologically, of the wetland to water quantity and quality within the catchment.

In addition to the location and size of the wetland, notes will generally be made of the surface geology of the catchment, the nature of the main and any other sources of water. Some factors likely to indicate the degree of any vulnerability to changes will also be recorded.

Among these will be an estimate of any direct or indirect hydrological effects of changes in the vegetation cover of the contributing catchment. Particular note will be taken of alterations to the hydrological regime such as occur when water is intercepted before reaching the wetland or is drained from the wetland or the immediate vicinity.

The field record will include a general description of the past, present and likely future vegetation of the wetland itself, noting in this connection any effects of grazing animals. The notes will include an estimate from a water quantity and quality perspective of the effects of any changes to the wetland vegetation.

In making the hydrological significance assessment, attention will typically be paid to effects on the present ecology of the wetland and on the quantity and quality of water in hydraulically linked water bodies. Particular note will be taken of the significance of the wetland to instream values and any other purposes for which a linked water body is managed.

D.1.1 Significance of water quantity to the wetland

- (a) Wetland hydrology is of high significance if the wetland has moderate or higher ecological significance and the present hydrological regime cannot be altered without being likely to impact permanently on the ecology of the wetland.
- (b) Wetland hydrology is of moderate significance if the wetland has moderate or higher ecological significance and minor alterations to the present hydrological regime are unlikely to impact permanently on the ecology of the wetland.
- (c) Wetland hydrology is not significant if no foreseeable alterations to the current hydrological regime would impact permanently on the ecology of the wetland, whatever its ecological significance.

D.1.2 Significance of wetland water quantity and quality within the catchment

- (a) A wetland is significant within its catchment if any alteration to the present hydrological regime would be likely to have a significant adverse effect. Examples of significant adverse effects include:
 - (i) Reducing the flow from a wetland that contributes most of the low flow to a stream or other water body.
 - (ii) Reducing the flow from a moderate sized wetland (greater than two hectares) that contributes significant low flow to a stream or other water body.
 - (iii) Reducing water storage and/or flood attenuation over a wide area (high significance) or a localised area (moderate significance).
 - (iv) Reducing groundwater recharge from a wetland greater than two hectares.
 - (v) Reducing the effectiveness of water quality improving processes such as sediment filtration and retention, nutrient transformation and contaminant retention.

- (b) A wetland is not significant with regard to water quantity or quality in the downstream catchment if altering the present outflow regime would have little or no significant adverse effects. Examples of adverse effects that would not be significant in this respect include:
- (i) Reducing the flow from a wetland that makes a negligible contribution to any other water body.
 - (ii) Reducing water storage and/or flood attenuation within the boundaries of the property or properties on which the wetland is located.
 - (iii) Reducing groundwater recharge from a wetland of two hectares or less.
 - (iv) Increasing the outflow from a wetland while maintaining or improving the water quality of that outflow.

Part E: Recording wetland management factors

E.1.1 Historical information

The form reproduced below as Figure WTL8 provides a standardised field record of information relevant to the past, present and future progression of the site, including its relationship to ongoing management of the adjoining land. This provides a perspective beyond the wetland itself and may often provide an insight into its future outlook. ~~This information is only relevant to determining a wetland's significance insofar as there is any need to consider its future viability.~~¹³⁹

¹³⁹ **WTL2.240**

Figure WTL8: Wetland management factors

Purpose:

(a) To provide historical background and guidance on the likely future management of the wetland and its surroundings.

(b) Where either of these factors is relevant, to assist assessment of the wetland's future viability.¹⁴⁰

Owner/occupier:

Wetland name:

Location:

Area of wetland (hectares):

Record historical information for wetland and catchment	
Historical drainage/diversion of water	
Historical abstraction of water	
Historical vegetation clearance within the wetland	
Historical vegetation clearance outside the wetland	
Historical changes in water clarity	
Historical changes in nutrient status	
History of plant and animal pest invasion	
Historical protection measures:	
- Fencing from stock	
- Grazing restrictions/types/intensity of grazing	
- Plant and animal pest management	
Historical introduction of native plants and/or fauna	
Historical introduction of exotic plants and/or fauna	

Record current environmental factors	
Current adjoining land use(s)	
Current pastoral management role if any:	
- summer grazing/type/intensity/duration	
- grazing at other periods/type/intensity/when	
- emergency grazing/type/intensity/duration/when	
- emergency water storage	
- stock shelter	
- other	
Current stock access: stock excluded /restricted*/unrestricted	
Established plant and animal pests	
Incipient plant and animal pests	

*Note type of restrictions

Continued on next page

¹⁴⁰ **WTL2.240**

Record projected future management	
Projected adjoining land use(s)	
Projected pastoral management role if any:	
- summer grazing/type/intensity/duration	
- grazing at other periods/type/intensity/when	
- emergency grazing/type/intensity/duration/what circumstances	
- emergency water storage	
- stock shelter	
- other	
Projected stock access: stock excluded/restricted*/unrestricted	
Projected plant and animal pest problems	
Projected introduction of plants and/or fish or wildlife	
Projected voluntary restoration to more natural state	

*Note type of restrictions

Appendix WTL2: Drain and Waterway Guidelines Fact Sheet

A guide for those planning to construct or upgrade a small waterway

Small waterways—drains, water races and small stream diversions—are commonplace in rural Canterbury. While this fact sheet is primarily intended to guide new additions to this family of water bodies, applying the same principles will also make existing waterways more sustainable. Waterways that meet these guidelines are better natural environments and take less time and effort to maintain.

Several regional rules expressly permit you to create or modify small waterways, but in other situations you may need resource consent to divert water, discharge contaminants, or do earthworks. Some rules in district plans may also apply. If in doubt on this point, please contact Environment Canterbury Customer Services 03 365 3828, and for district plan rules, your local council.

Some permitted activity rules require you to follow these guidelines. Whether or not that is the case, you and the environment will both benefit from taking this approach.

Guideline No.1: Have a plan

Everything is likely to work out better if you:

- Begin by thinking about what you want to achieve.
- Consider details of the site, the water, the land contours, direction of slope, sun aspect, soil type, original vegetation, etc.
- After looking at the other guidelines below, sketch on paper what you intend to do to achieve your goals.
- Work out a budget and if necessary revisit your plan.
- Put your plan on a timeline (remembering the limited periods for doing works in fish spawning areas, sowing seed and putting in plants).



A plan helps you to know where you are going. This one is a good example, but it doesn't have to be professionally drawn.

Guideline No.2: Give your waterway the appropriate natural character

Try to mimic similar natural (unmodified) waterways in your vicinity. This will probably mean basing what you do on one of the following Canterbury stream types:

▪ **Lowland plains**

Lowland plains streams are mostly spring fed, which gives them a steady year round flow. In their natural state they tend to have low banks, a clean gravel-bed bottom, and a riparian margin of trees or shrubs, flaxes and tussocky grasses that minimise bank erosion.

▪ **Inland basin**

Similar in many ways to lowland plains streams, inland basin streams have colder water. The poorer soils and harsher climate mean slower growing, shorter vegetation with less plant variety.

- **U-shaped valley**

Found meandering across flat-bottomed valleys in areas such as Banks Peninsula, South Canterbury and other downlands, U-shaped valley streams often have a relatively steep bed slope and high flows during heavy rain. In their natural state they tend to have 1 to 2 metre-high banks, a low normal flow carried within a narrow gravel-bed channel, and a riparian margin of tussocky grasses, shrubs and small trees that stabilise the wider bed and banks.



A U-shaped valley stream.

Guideline No.3: Use good timing

Time your project for least impact on existing water bodies and to favour new plantings.

- Refer to relevant fish spawning information, and avoid interfering with existing spawning areas during those months. (See the table at the end of this fact sheet for spawning periods or contact your local Fish & Game office or Environment Canterbury.)
- For most of Canterbury, the best time to plant is August/September. Wait a little later in spring for frost-tender plants. Plants that will be fully or partly submerged most of the time are usually best planted when water has receded from the site (often late summer), but conditions must still be moist.

Guideline No.4: Set your waterway up to be a healthy habitat

- Allow your waterway to wander rather than follow a long straight line. Meanders, whether in the central channel or the watercourse itself, help form backwaters that enhance the natural habitat.
- Remember the benefit to fish and insects from riffles and areas of sediment-free gravel bed.
- Establish as much vegetation as possible before commissioning a new waterway.
- Just as the banks and bed should mimic the less modified streams in your area, so should the vegetation. Stabilise banks with native plants sourced from your local area as much as possible. They are best adapted to growing in your local



This small lowland plains stream has a healthy riparian margin. Meanders create backwaters that suit a variety of stream life.

conditions.

- Allow a wide ungrazed buffer of grass and other vegetation to intercept nutrients and sediment, improving water quality and reducing weed growth.
- Especially where flow is slower, include tall shading vegetation on the north bank. This will mean cooler water for fish, and limit weed growth.
- As soon as possible, sow grass seed or take other steps to reduce the sediment and erosion risk from exposed soil.



Putting in riffles improves habitat values, and in this case will also act as a weir to raise the water level.

- Remove earthworks spoil or spread it well away over land. This will avoid releasing unwanted nutrients and sediment into your waterway.
- Use a reliable means of trapping and disposing of the initial burst of sediment upon commissioning.
- Keep an eye on things, especially for the first few months and years, and re-sow or replace any plants that die.



An ungrazed buffer, even when it includes gorse, holds the banks and filters runoff.

Guideline No.5: Build in low maintenance

Maintenance represents work and cost, and also impacts on natural habitat values.

- Stock access generally means more maintenance, particularly with heavier stock such as cattle and deer.
- A bank slope of 1:2 or shallower (1 vertical to 2 horizontal) produces less sediment, and a V channel within the bed concentrates water flow, helping to keep it clear of weed.
- Shading from tall plants, such as flax, tall sedges (*Carex secta*), or toe toe will reduce weed growth.
- Hit weeds early. They are usually easier to control before they get well established.
- If you anticipate having to do maintenance by mechanical means in future, remember to leave access for the equipment.
- Whatever maintenance may become necessary later, either to control pest plants or improve water flow, the Environment Canterbury fact sheet, *Drain and Waterway Cleaning Guidelines: Minimising the Impacts*, will prove helpful when the time comes.




Fencing waterways reduces maintenance.

You can get other useful information from the Environment Canterbury riparian management booklet series, *A Guide to Managing Waterways on Canterbury Farms*, available from Environment Canterbury.

Table 1: Critical periods for selected fish spawning

(relates to conditions in Rules WTL1, ~~WTL5~~ and WTL94)¹⁴¹

<u>Fish</u>	<u>Spawning habitat</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>
<u>Quinnat salmon</u>	<u>Gravel riffles</u>												142
<u>Brown and rainbow trout</u>	<u>Gravel riffles</u>					143							
<u>Canterbury mudfish</u> <i>If you find any mudfish please advise the Department of Conservation.</i>	<u>Weedy overgrown streams</u>												
<u>Giant kokopu</u>	<u>Slow moving vegetated streams</u>												
<u>Upland bullies</u>	<u>Slow flowing stony-bedded rivers to weedy streams</u>												
<u>Least impact on fish in waters connected with but above the tidal influence is from October to April.</u>													
<u>Least impact on fish in waters affected by tides is from October to January.</u>													

Critical periods for spawning 

¹⁴⁴

¹⁴¹ WTL2.2

¹⁴² WTL2.33

¹⁴³ WTL2.33

¹⁴⁴ WTL2.27, WTL2.49, WTL2.77, WTL2.117, WTL2.214

Chapter 4: Water Quality

Rule WQL3 Discharge of pool water or filter backwash water containing contaminants into a river or artificial water course, or pool water containing contaminants onto or into land- permitted activity

Activity	Conditions	Cross reference .								
<p>The discharge of:</p> <ul style="list-style-type: none"> (a) swimming pool or spa pool water, containing contaminants into a river or an artificial water course; or (b) swimming pool, spa pool water, or pool filter backwash water, containing contaminants onto or into land; <p>is -</p> <ol style="list-style-type: none"> 1. a permitted activity if the discharge is: <ul style="list-style-type: none"> (a) swimming pool or spa pool water into a river or an artificial water course, and the discharge complies with Conditions 1 to 8 of this Rule; or (b) pool filter backwash water onto or into land and the discharge complies with Condition 9 of this Rule; or (c) swimming pool or spa pool water onto land and the discharge complies with Condition 10 of this Rule. 2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, in which case a resource consent under either Rules WQL 56 or WQL 57 is required. 	<ol style="list-style-type: none"> 1. For areas other than those identified in Condition (8), the discharge of pool water into a river, or an artificial watercourse, outside of the Zone of Non-Compliance, shall not: <ul style="list-style-type: none"> (i) change the colour by more than five Munsell Units; (ii) decrease the clarity by more than 20 percent; (iii) increase the temperature by more than three degrees Celsius; <p>For the purposes of this Condition, the Zone of Non-Compliance means the receiving water in a reach of a river or an artificial water course measured from the point of discharge for a distance <i>L</i> (length in metres) calculated using the following formula:</p> $L = (\sqrt{W}) \times 25$ <p>Where <i>W</i> is the width of the flow measured in metres at the point of discharge.</p> 2. The temperature of the discharge shall not exceed the temperature of the receiving water by more than ten degrees Celsius. 3. The rate of flow in the receiving water shall be at least five times the rate of discharge; 4. There shall be no copper sulphate or other copper salts, or aluminium sulphate or other aluminium salts or other flocculants in the discharge. 5. The discharge shall be through an outlet with a diameter not larger than 50 millimetres and the rate of discharge shall not exceed 2.7 litres per second. 6. The concentrations of the following chemicals in the discharge shall not exceed the following values: <table border="1" data-bbox="913 1129 1489 1279"> <thead> <tr> <th>Chemical</th> <th>Concentration (grams per cubic metre)</th> </tr> </thead> <tbody> <tr> <td>Residual (free-available) chlorine</td> <td>0.5</td> </tr> <tr> <td>Residual bromine</td> <td>0.5</td> </tr> <tr> <td>Baquaci™</td> <td>10.0</td> </tr> </tbody> </table> 	Chemical	Concentration (grams per cubic metre)	Residual (free-available) chlorine	0.5	Residual bromine	0.5	Baquaci™	10.0	<p>Policies</p> <p>WQL3 WQL7 WQL8 WQL12</p>
Chemical	Concentration (grams per cubic metre)									
Residual (free-available) chlorine	0.5									
Residual bromine	0.5									
Baquaci™	10.0									

²⁹¹ WQL2.106

²⁹² WTL2.2

	<p>Isocyanurates 30.0 Sodium Chloride 3500.0</p>	
<p>Where rule applies This rule does not apply to all areas/ situations in the Canterbury region – see Table WQL 7: Index of rules</p>	<p>7. There shall be no discharge of swimming pool or spa pool water within 14 days of a pool being dosed with a proprietary pool sanitizing agent containing chlorine, bromine, or Baquacil™.</p>	
	<p>8. Where the discharge of pool water is to a river within any of the following areas: (a) within one kilometre upstream on a river, from an intake for a community drinking water supply listed in Schedule WQL2; or (b) a river identified in Table WQN17 of Schedule WQN 5; or (c) a significant spawning reach for salmon listed in Schedule WQN14;²⁹¹ the discharge shall meet the water quality standards for the receiving water as set out in Schedule WQL1 at the point of discharge and there shall be no Zone of Non-Compliance.</p> <p>9. The discharge of pool filter backwash water onto or into land shall not occur where: (a) a connection to a sewerage network is available. For the purpose of this condition, “available” means the property where the pool is located: (i) is connected to a sewerage network; or (ii) within 30 metres of a sewerage pipeline network and the network operator will accept the discharge; (b) the point of discharge is within 20 metres of any surface water body or drinking water supply bore; (c) the discharge may enter any surface water body, including via a stormwater network system; or (d) the land is located over in an unconfined or semi-confined aquifer, where the highest groundwater level, which can reasonably be expected at the point of discharge based upon relevant and available groundwater data, is deeper than 30 metres from the ground surface.</p> <p>10. The discharge of swimming or spa pool water onto land shall not occur where it may; (a) flow into; (i) any wetland listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3²⁹²; or (b) flow or percolate onto any other property, except with the written permission of the current owner of that property.</p>	

Rule WQL6 Discharge of stormwater containing contaminants into a river, lake or artificial watercourse - permitted activity

Activity	Conditions	Cross reference
<p>The discharge of stormwater containing contaminants into:</p> <ul style="list-style-type: none"> (a) a river, lake or artificial watercourse; or (b) onto land where it may enter a river, lake or artificial watercourse; <p>is –</p> <ol style="list-style-type: none"> 1. a permitted activity if the discharge complies with all of the conditions of this Rule; 2. a controlled activity if the discharge does not comply with Condition 3 of this Rule, in which case a resource consent under Rule WQL 7 is required; 3. a discretionary activity if the discharge does not comply with any one or more of Conditions 1, 2, or 4 to 10 of this Rule, in which case a resource consent under Rule WQL 56 is required; 4. a non-complying activity if the discharge does not comply with Condition 11 of this Rule, in which case a resource consent under Rule WQL 60 is required. <p>For the purposes of this rule:</p> <ul style="list-style-type: none"> (i) “stormwater management area” means: <ol style="list-style-type: none"> (1) a settlement; or (2) a watershed catchment of a river named on New Zealand Map Series 260 1:50,000 scale, or a tributary of that river upstream of the confluence of the tributary and any other river where 30 percent or more of the catchment is identified in a district plan for residential, commercial or industrial activities, or any combination of these activities; (ii) “settlement” means an existing or proposed collection of 	<ol style="list-style-type: none"> 1. There is no pipeline network available for the collection of the stormwater. For the purpose of this condition, “available” means: <ul style="list-style-type: none"> (a) a stormwater network system passes within 30 metres of the property boundary; and (b) the stormwater can flow into the network under gravity; and (c) the network operator will accept the discharge. 2. The discharge shall not be from a site where an activity listed in Schedule WQL3 is occurring. 3. The discharge shall not be from a site in a stormwater management area or from a network servicing a stormwater management area after the date Regional Rule WQL 7 becomes operative. 4. There shall be no discharge into: <ul style="list-style-type: none"> (a) a water race, as defined in Section 5 of the Local Government Act 2002; or (b) a wetland; <ul style="list-style-type: none"> (i) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (ii) a wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3.²⁹⁴ 5. The discharge shall be via a treatment system that removes at least 75 percent of total suspended solids where the discharge is from: <ul style="list-style-type: none"> (a) a new or proposed stormwater collection system with a collection area of between 500 square metres and two hectares in Zone BP in Map Volume – Part 1 Planning Maps; or (b) an area disturbed for construction activities and the bare ground is not revegetated or protected from soil erosion within three months from commencement of the works exceeding: <ul style="list-style-type: none"> (i) 1000 square metres located in Zone BP in Map Volume – Part 1 Planning Maps; or (ii) 5,000 square metres elsewhere in the region; or (c) a new or proposed stormwater collection system with a collection area of between two and four hectares in all other areas of the region. 6. The treatment system for any discharge authorised under Condition (5), shall be certified by a person suitably qualified and competent in treatment systems, that the system is capable of meeting the treatment standard specified in Condition (5), and a copy of the certificate forwarded to Environment Canterbury within thirty working days following the installation of the treatment system. 	<p>Policies WQL3 WQL12</p>

²⁹⁴ WTL2.2

²⁹⁵ WQL2.106

Rule WQL8 Discharge of contaminants onto or into land from an individual on-site sewage and wastewater treatment and land application system - permitted activity

Activity	Conditions	Cross reference
<p>The discharge of contaminants onto or into land from an individual on-site sewage and wastewater treatment and land application system including effluent from a commercial dog kennel or cattery:</p> <ul style="list-style-type: none"> (a) which exists at the date of notification of this rule, or (b) for which consent under the Building Act 1991 has been issued or an application has been accepted; or (c) for which consent under the Building Act 1991 is applied for and issued after the date of notification of this rule; <p>is –</p> <ul style="list-style-type: none"> 1. a permitted activity if the discharge: <ul style="list-style-type: none"> (a) exists at the date of notification of this rule and the discharge complies with Conditions 1 to 8 of this Rule, or (b) for which consent under the Building Act 1991 has been issued or an application has been accepted and the discharge complies with Conditions 1 to 8 of this Rule; or (c) is from a building for which consent under the Building Act 1991 is applied for and issued after the date of notification of this rule and the discharge complies with all of the conditions of this rule. 2. a restricted discretionary activity if the discharge does not comply with any one or more of Conditions 2, 3, 6, 7, 14 to 21, or 23 of this Rule, in which case a resource consent under Rule WQL 9 is required; 3. a discretionary activity if the discharge does not comply with any one or more of Conditions 1, 5, and 9 to 12 of this Rule, in which case a resource consent under Rule WQL 	<ul style="list-style-type: none"> 1. The discharge shall only comprise: <ul style="list-style-type: none"> (a) domestic sewage effluent; or (b) animal effluent or washdown water from a commercial dog kennel or a cattery. 2. The maximum volume of the discharge from an individual system shall not exceed two cubic metres per day. 3. The sum of all the discharges on a property shall not exceed: <ul style="list-style-type: none"> (a) three cubic metres per day on a property of up to eight hectares; or (b) four cubic metres per day on a property of between eight and forty hectares; or (c) six cubic metres per day on a property of between forty and 200 hectares; or (d) ten cubic metres per day on a property of more than 200 hectares. 4. The discharge shall not result in effluent or washdown water flowing, seeping, or ponding on the surface of the ground. 5. There is no sewerage pipeline network available to collect the discharge. A connection shall be made to a sewerage pipeline network within six months of a network becoming available. For the purpose of this condition, "available" means: <ul style="list-style-type: none"> (a) a sewerage pipeline network system passes within 30 metres of the property boundary; and (b) the network operator will accept the discharge. 6. A discharge that existed prior to notification of this rule is authorised under this rule provided an effluent filter shall be fitted in accordance with Condition 16 by the third anniversary of the date this rule becomes operative. 7. When there is a change to the nature or volume of the discharge, or any modification to the system, as a result of: <ul style="list-style-type: none"> (a) an alteration of a building that requires authorisation under the Building Act 1991; or (b) the connection to the system of a new or replacement building, or relocated building; or (c) any alteration to the existing system, excluding routine maintenance of the system or fitting an effluent filter in accordance with Condition 6; <p>the discharge shall comply with Conditions 9 to 21 inclusive of this rule.</p> 8. Where the discharge occurs in a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2, the discharge shall comply with Conditions 10 to 21 of this rule: 	<p>Policies</p> <ul style="list-style-type: none"> WQL 2 WQL6 WQL7 WQL8 WQL12

²⁹⁷ WTL2.2

<p>57 is required;</p> <p>4. a non-complying activity if the discharge does not comply with any one or more of Conditions 4, 8 or 22 of this Rule, in which case a resource consent under Rule WQL 61 is required;</p> <p>5. a prohibited activity if the discharge does not comply with Condition 13 of this Rule, in which case no resource consent will be granted under Rule WQL15.</p>	<p>(a) by the fifth anniversary of the date this rule becomes operative; or</p> <p>(b) when there is a change to the nature or volume of the discharge or any modification to the system under Condition 7.</p> <p>9. The discharge shall not occur:</p> <p>(a) within 20 metres of a river, lake, artificial watercourse, or the Coastal marine area; or</p> <p>(b) at an elevation higher than 1000 metres above sea level; or</p> <p>(c) on land with an average slope greater than 20 degrees; or</p> <p>(d) on land:</p> <p>(i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of two percent (1 in 50 year event) or more; or</p> <p>(ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of two percent (1 in 50 year event) or more; or</p> <p>(e) within 20 metres of the boundary of a wetland;</p> <p>(i) listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or</p> <p>(ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3.²⁹⁷</p> <p>10. The discharge shall not occur where the land is located over:</p> <p>(a) an unconfined or semi-confined aquifer, where the highest groundwater level, which can reasonably be expected at the point of discharge based upon relevant and available groundwater data, is less than six metres from the ground surface; or</p> <p>(b) the Coastal Confined Gravel Aquifer System, and there is:</p> <p>(i) less than two metres of undisturbed material between the point of discharge and the Aquifer 1; or</p> <p>(ii) less than two metres of unsaturated sediment above any water table overlying Aquifer 1.</p> <p>11. Separation distances shall be maintained:</p> <p>(a) between a well and a discharge system that occurs outside of a Community Drinking Water Supply Protection Zone, as specified in Part A of Schedule WQL6 ; or</p> <p>(b) between discharge systems, as specified in Part B of Schedule WQL6 .</p> <p>12. The minimum separation distance between the discharge and a property boundary shall be:</p> <p>(a) 50 metres to the down gradient boundary in the direction of groundwater flow at the site; and</p> <p>(b) 30 metres to any other property boundary.</p> <p>13. There shall be no discharge of sewage effluent directly to surface water or directly into groundwater.</p> <p>14. The land application system shall consist of either:</p> <p>(a) a treatment bed or beds:</p> <p>(i) with media of at least 600 millimetres thick; and,</p> <p>(ii) of which the media shall be sand with a grain size between 0.3 millimetres and 1.0 millimetre</p>	
<p style="text-align: center;">Where rule applies</p> <p>This rule does not apply to all areas/ situations in the Canterbury region – see Table WQL 7: Index of rules</p>		

Rule WQL10 Discharge of greywater from a dwelling house into land - permitted activity

Activity	Conditions	Cross reference
<p>The discharge of greywater from a dwelling house into land; is –</p> <ol style="list-style-type: none"> a permitted activity if the discharge complies with all of the conditions of this Rule; a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, in which case a resource consent under Rule WQL 57 is required. <p>For the purposes of this rule, greywater means waste water from sinks, basins, baths and showers and household appliances from a dwelling house, but does not include toilet wastes.</p>	<ol style="list-style-type: none"> The discharge shall not contain any waste from a toilet, animal effluent, or washdown water from a commercial dog kennel or cattery. The discharge shall be from a system that is authorised for use under the Building Act 1991. The discharge shall not occur: <ol style="list-style-type: none"> within 20 metres of any river, lake, artificial watercourse, or the Coastal marine area; or at an elevation higher than 1000 metres above sea level; or on land with an average slope greater than 20 degrees; or on land: <ol style="list-style-type: none"> that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of two percent (1 in 50 year event) or more; or where water is likely to pond in a rainfall event with an Annual Exceedance Probability of two percent (1 in 50 year event) or more. within 20 metres of the boundary of a wetland; <ol style="list-style-type: none"> listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3,²⁹⁸ or within 20 metres of a bore. The discharge shall: <ol style="list-style-type: none"> be via a subsurface drainage system but not via a soakage pit; and²⁹⁹ not exceed an application rate of 50 millimetres per day; and not result in greywater flowing, seeping, or ponding on the surface of the ground. The greywater shall pass through a proprietary effluent filter before discharge into the land. There is no sewerage pipeline network available to collect the discharge. A connection shall be made to a sewerage pipeline network within six months of a network becoming available. For the purpose of this condition, “available” means: <ol style="list-style-type: none"> a sewerage pipeline network system passes within 30 metres of the property boundary; and the network operator will accept the discharge. The discharge shall not occur where the land is located over an unconfined or semi-confined aquifer, 	<p>Policy WQL2 WQL7 WQL8 WQL12</p>
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>		

²⁹⁸ WTL2.2

²⁹⁹ GEN2.48

	where the highest groundwater level, which can reasonably be expected at the point of discharge based upon relevant and available groundwater data, is less than six metres from the ground surface.	
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Rule WQL11 Discharge of pit toilet effluent into land - permitted activity

Activity	Conditions	Cross reference
<p>The discharge of pit toilet effluent into land; is –</p> <ol style="list-style-type: none"> 1. a permitted activity if the discharge complies with all of the conditions of this Rule; 2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, excluding Condition 4(d), in which case a resource consent under Rule WQL 57 is required; 3. a non-complying activity if the discharge does not comply with Condition 4(d) of this Rule, in which case a resource consent under Rule WQL 61 is required. 	<ol style="list-style-type: none"> 1. When a pit toilet is filled to within half a metre of the original land surface, or is no longer used, the contents shall be covered with at least half a metre of soil and the surface restored to a level and state similar to the surrounding land. 2. Surface runoff shall not enter a pit toilet. 3. The discharge of pit toilet effluent shall not occur: <ol style="list-style-type: none"> (a) within 20 metres of the edge of a river, lake, artificial water course, or the Coastal marine area; or (b) within 20 metres of the boundary of a wetland; <ol style="list-style-type: none"> (i) listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³⁰⁰; or (c) on land: <ol style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of 10 percent (1 in 10 year event), or more; or (ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 10 percent (1 in 10 year event), or more; or (d) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2; or (e) within any area identified in a proposed or operative district plan for residential or business purposes; or (f) within the separation distances, specified in Part A of Schedule WQL6 , between a well and a discharge that occurs outside of a Community Drinking Water Supply Protection Zone; or (g) within 50 metres of any property boundary in the down gradient direction of groundwater flow or within 30 metres of any other property boundary; or (h) on an archaeological site, or site registered with the New Zealand Historic Places Trust unless the written approval of the Trust has been obtained. 	<p>Policies WQL2 WQL7 WQL8 WQL12</p>

³⁰⁰ WTL2.2

<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>	<ol style="list-style-type: none"> 4. In the Coastal Confined Gravel Aquifer System, there shall be at least one metre of undisturbed material between the base of a pit toilet and Aquifer 1. 5. The discharge shall not occur where the land is located over an unconfined or semi-confined aquifer, where the highest groundwater level, which can reasonably be expected at the point of discharge based upon relevant and available groundwater data, is less than six metres from the ground surface. 6. The location of a pit toilet shall be recorded to within an accuracy of at least 50 metres at a scale of 1:50,000 or larger, and a copy of these records shall be made available to Environment Canterbury upon request. 	
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Rule WQL12 Discharge of domestic sewage sludge into land – controlled activity

Activity	Conditions	Matters for Control	Cross reference
<p>The discharge of domestic sewage sludge into land; is –</p> <ol style="list-style-type: none"> 1. a controlled activity if the discharge is complies with all of the conditions of this Rule; or 2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, excluding Condition 2(d), in which case a resource consent under Rule WQL 57 is required; 3. a non-complying activity if the discharge does not comply with Condition 2(d) of this Rule, in which case a resource consent under Rule WQL 61 is required. 	<ol style="list-style-type: none"> 1. The discharge shall only comprise sewage sludge from individual on-site sewage effluent and waste water systems. 2. The discharge of sewage tank sludge shall not occur: <ol style="list-style-type: none"> (a) within 50 metres of the edge of a river, lake, artificial water course, or the Coastal marine area; or (b) within 50 metres of the boundary of a wetland; <ol style="list-style-type: none"> (i) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³⁰¹; or (c) on land: <ol style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of 10 percent (1 in 10 year event) or more ; or (ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 10 percent (1 in 10 year event) or more; or (d) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2; or 	<p>Environment Canterbury has reserved control over the following matters in imposing any conditions:</p> <ol style="list-style-type: none"> 1. location, depth, volume and frequency of the discharge; 2. adverse effects on water quality and aquatic ecosystems, and sources of drinking water; 3. management and restoration of the site where the discharge occurs; 4. monitoring of the activity and its effects; 5. the duration of the consent; and 6. review of resource consent conditions. 	<p>Policies</p> <p>WQL2 WQL6 WQL8 WQL12</p>
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>			

³⁰¹ WTL2.2

<p align="center">Information to be provided</p> <p>An application for a resource consent under this rule must meet the information requirements set out in Section 1.3.4 and Section 4.7.</p>	<p>(e) within any area identified in a proposed or operative district plan for residential or business purposes; or</p> <p>(f) within the separation distances, specified in Part A of Schedule WQL6 , between a well and a discharge that occurs outside of a Community Drinking Water Supply Protection Zone; or</p> <p>(g) within 50 metres of any property boundary in the down gradient direction of groundwater flow or within 30 metres of any other property boundary.</p> <p>(h) on an archaeological site, or site registered with the New Zealand Historic Places Trust unless the written approval of the Trust has been obtained.</p>	<p>Service</p> <p>In accordance with section 94D(3) RMA 1991, notice of an application for a resource consent required by this rule does not need to be served on those persons identified under Section 94(1) of that Act.</p>	
	<p>3. The discharge shall not occur where the land is located over an unconfined or semi-confined aquifer, where the highest groundwater level, which can reasonably be expected at the point of discharge based upon relevant and available groundwater data, is less than six metres from the ground surface.</p>		

Rule WQL23 Discharge of dead animal matter or refuse into production land - permitted activity

Activity	Conditions	Cross reference
<p>The discharge into production land of:</p> <ul style="list-style-type: none"> (a) dead animal matter or plant matter; or (b) refuse; <p>where a contaminant may enter water;</p> <p>is -</p> <ul style="list-style-type: none"> 1. a permitted activity if the discharge is: <ul style="list-style-type: none"> (a) dead animal matter or plant matter and complies with Condition 1 and Conditions 3 to 8 of this Rule; or (b) refuse and complies with Conditions 2 to 8 of this Rule; 2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, excluding Condition 5(d), in which case a resource consent under Rule WQL 59 is required; 3. a non-complying activity if the discharge does not comply with Condition 5(d) of this Rule, in which case a resource consent under Rule WQL 62 is required. 	<ul style="list-style-type: none"> 1. The discharge of dead animal matter or plant matter into production land shall meet the following: <ul style="list-style-type: none"> (a) the discharge shall be into a pit of a volume less than 30 cubic metres; and (b) surface runoff shall not enter the pit; and (c) animals shall be prevented from gaining access to the contents of the pit; and (d) only dead animal or plant matter or soil shall be placed into the pit; and (e) no calcium carbonate (agricultural lime) shall be added to a pit. 2. The discharge of refuse into land shall meet the following: <ul style="list-style-type: none"> (a) the discharge shall be into a pit and the refuse shall only be derived from households or farming activities carried out on the same property where the pit is located; and (b) dead animal matter may be placed in a refuse pit if the source of the dead animal matter is the same property where the pit is located and the farming activity on the property shall not involve intensive livestock production or factory farming; and (c) no liquid petroleum products, industrial solvents, or agrichemicals shall be discharged into a refuse pit; and (d) agrichemical containers that have been cleaned and triple rinsed in accordance with the procedure in Appendix AQL2 may be discharged into land in a refuse pit. 3. When any pit is filled to within half a metre of the original land surface, or is no longer used, the contents shall be covered with soil to a depth of at least half a metre and the surface restored to a state similar to the surrounding land. 4. There shall be no more than two pits either discharge per hectare of land within a period of two consecutive years on any property that overlies an unconfined or semi-confined aquifer. 5. The discharge shall not occur: <ul style="list-style-type: none"> (a) within 50 metres of the edge of a river or lake, artificial water course or the Coastal marine area; or (b) within 50 metres of the boundary of a wetland; <ul style="list-style-type: none"> (i) listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³⁰⁵; (c) on or into land: <ul style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance 	<p>Policies</p> <p>WQL7</p> <p>WQL8</p> <p>WQL12</p>
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding</p>		

³⁰⁵ WTL2.2

the Coastal marine area	<p>Probability of 20 percent (1 in 5 year event) or more; or</p> <p>(ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 20 percent (1 in 5 year event) or more;</p> <p>(d) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2;</p> <p>(e) within the separation distance in Part A of Schedule WQL6 between the discharge and a well; and</p> <p>(f) within 50 metres, in the down-gradient direction of groundwater flow, of a property boundary and 30 metres of any other property boundary.</p> <p>6. In the Coastal Confined Gravel Aquifer System shown on Map Volume Part 1- Planning Maps, there shall be at least three metres of undisturbed sediment between the base of the pit and Aquifer 1.</p> <p>7. Where the discharge is into land over an unconfined or semi-confined aquifer, there shall be at least three metres between the base of a pit and the highest groundwater level, which can reasonably be expected at the site based upon relevant and available groundwater data.</p> <p>8. The following information shall be recorded, and a copy of the records shall be made available to Environment Canterbury upon request:</p> <p>(a) the location of any pit recorded to within an accuracy of at least 50 metres at a scale of 1:50,000 or larger; and</p> <p>(b) the period the pit has been or was in use.</p>	
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Rule WQL24 Discharge of solid animal effluent, vegetative material containing animal effluent or vegetative material from an industrial or trade process onto production land - permitted activity

Activity	Conditions	Cross reference
<p>The discharge onto production land of:</p> <p>(a) straw, sawdust or other vegetative material containing animal effluent, solid animal, or poultry effluent; or</p> <p>(b) vegetative material from an industrial or trade process, excluding a sewage treatment process;</p> <p>where a contaminant may enter water;</p> <p>is –</p> <p>1. permitted activity if the discharge complies with all of the conditions of this Rule;</p> <p>2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, in which case a resource consent under Rule WQL 57 is required.</p>	<ol style="list-style-type: none"> 1. The material discharged shall be in a solid or semi-solid state. 2. The discharge shall not result in the accumulation of toxic or persistent contaminants in the soil beyond concentrations that occur naturally in the land where the discharge occurs. 3. The material shall not be discharged onto the same area of production land more frequently than once in any consecutive six month period. 4. The material shall be spread onto land as evenly as is practicable. 5. The material shall not be discharged onto land within: <ol style="list-style-type: none"> (a) 40 metres of a lake; or (b) 20 metres of a bore; or (c) 10 metres of the edge of a permanently flowing river or stockwater race, unless the material is worked into the ground immediately after discharge and the activity complies with Rule WQL 33. 6. The material shall not be discharged onto land where the soil moisture exceeds field capacity. 	<p>Policy WQL7 WQL12</p>

Where rule applies		
This rule applies everywhere in the Canterbury region, excluding the Coastal marine area		

Rule WQL25 Use of land for a stockholding pad, or stock yards or a farm raceway - permitted activity

Activity	Conditions	Cross reference
<p>The use of land for:</p> <ul style="list-style-type: none"> (a) a stock holding pad; or (b) stock yards; or (c) a farm raceway used to convey cattle or deer more than twice in any consecutive seven day period; <p>is –</p> <ul style="list-style-type: none"> 1. a permitted activity if such use complies all of the relevant conditions of this Rule; 2. a discretionary activity if such use does not comply with any one or more of Conditions 1 to 3 of this Rule, in which case a resource consent under WQL 59 is required; 3. a prohibited activity if such use does not comply with Condition 4, in which case a resource consent will not be granted under Rule WQL 28. 	<ul style="list-style-type: none"> 1. Any animal effluent, washdown water, or stormwater containing animal effluent, discharged from a stock holding pad or a stock yard shall be: <ul style="list-style-type: none"> (a) collected and stored in accordance with Regional Rule WQL 29; and (b) discharged onto land in accordance with Regional Rule WQL 26; 2. The seepage rate through the surface of a stock holding pad located on land over an unconfined or semi-confined aquifer shall not exceed 10⁻⁸ millimetres per second. 3. A stockholding pad or stock yard shall not be located on land: <ul style="list-style-type: none"> (a) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of 20 percent (1 in 5 year event) or more; or (b) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 20 percent (1 in 5 year event) or more. 4. There shall be no discharge of animal effluent, washdown water, or stormwater containing animal effluent, from a stock holding pad, stock yard or farm raceway to: <ul style="list-style-type: none"> (i) a river, lake, artificial water course ; or (ii) groundwater via a bore; or (iii) a wetland, other than a wetland constructed primarily to treat animal effluent, <ul style="list-style-type: none"> (1) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (2) any other wetland unless the taking, use, damming or diversion of water is not permitted under Rule WTL2 or Rule WTL3³⁰⁶. 	<p>Policy WQL7 WQL12</p>
Where rule applies		
This rule applies everywhere in the Canterbury region, excluding the Coastal marine area		

³⁰⁶ WTL2.2

Rule WQL26 Discharge of animal effluent or water containing animal effluent or other contaminants onto land - controlled activity

Activity	Conditions	Matters for Control	Cross reference														
<p>The discharge of animal effluent or water containing animal effluent or other contaminants, onto land from an animal - effluent collection and storage system:</p> <p>is -</p> <ol style="list-style-type: none"> a controlled activity if the discharge complies with all of the conditions of this Rule; a restricted discretionary activity if the discharge does not comply with any one or more of Conditions 2, 5, 6 or 7 of this Rule, in which case a resource consent under Rule WQL 27 is required; a discretionary activity if the discharge does not comply with any one or more of Conditions 1, 3, excluding 3(a), Condition 4, or Condition 8 of this Rule, in which case a resource consent under Rule WQL 57 is required; a non-complying activity if the discharge does not comply with Condition 9 of this Rule, in which case a resource consent under Rule WQL 61 is required; a prohibited activity if the discharge does not comply with Condition 3(a) of this Rule, in which case no resource consent will be granted under Rule WQL 28. <div data-bbox="203 1043 779 1430" style="border: 1px solid black; padding: 5px;"> <p>Rule Table WQL 26: Maximum application depths of the discharge onto land</p> <table border="1" data-bbox="259 1102 696 1422"> <thead> <tr> <th>Soil Type</th> <th>Maximum application depth (millimetres)</th> </tr> </thead> <tbody> <tr> <td>Sand</td> <td>15</td> </tr> <tr> <td>Loamy sand</td> <td>18</td> </tr> <tr> <td>Sandy loam</td> <td>22</td> </tr> <tr> <td>Fine sandy loam</td> <td>24</td> </tr> <tr> <td>Silt loam</td> <td>24</td> </tr> <tr> <td>Clay loam</td> <td>40</td> </tr> </tbody> </table> </div>	Soil Type	Maximum application depth (millimetres)	Sand	15	Loamy sand	18	Sandy loam	22	Fine sandy loam	24	Silt loam	24	Clay loam	40	<ol style="list-style-type: none"> The discharge shall be via a spray distribution system, and all associated tanks, pipes, sumps, and channels shall be sealed to prevent leakage onto or into the land. The application depth, including any irrigation water applied with the discharge or within 24 hours before or after the discharge, shall not exceed the application depth in Rule Table WQL26 for the soil type which predominates on the land where the discharge occurs. The discharge shall not result in any contaminants leaking or flowing: <ol style="list-style-type: none"> into a river or a lake; or onto land within ten metres of the boundary of a wetland: <ol style="list-style-type: none"> listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or any other wetland unless the taking, use, damming or diversion of water is not permitted under Rule WTL2 or Rule WTL3³⁰⁷; or into a bore or onto land with 20 metres of a bore; or onto an archaeological site registered with the New Zealand Archaeological Association, or a site registered with the New Zealand Historic Places Trust unless the written approval of the Trust has been obtained; or onto any formed public road; or onto any neighbouring property, except where the written approval of the current landowner of that property has been obtained. There shall be no discharge onto frozen ground, or snow-covered ground. For the purposes of this rule: <ol style="list-style-type: none"> frozen ground means the earth temperature at five centimetres soil depth is less than zero degrees Celsius for a period of 12 hours or longer in the 	<p>Environment Canterbury has reserved control over the following matters in imposing any conditions:</p> <ol style="list-style-type: none"> The potential impacts of effluent, or other contaminants in the effluent including cleaning agents, hazardous substances, or animal remedies on: <ol style="list-style-type: none"> soil quality; human or stock health; surface water quality; ground water quality; or sources of community drinking water; <p>from both the mass of contaminants leached and the concentration of contaminants in soil drainage water;</p> Measures to avoid any adverse effects on water quality, including separation distances and riparian management; The design, construction, location, operation and maintenance of the effluent collection and discharge system; The capacity of the collection system to store effluent in the event of: <ol style="list-style-type: none"> a system failure; and during periods when the ground conditions are unsuitable for the discharge. The area of land over which the discharge occurs under current and anticipated herd sizes. 	<p>Policies</p> <p>WQL2 WQL6 WQL8 WQL12</p>
Soil Type	Maximum application depth (millimetres)																
Sand	15																
Loamy sand	18																
Sandy loam	22																
Fine sandy loam	24																
Silt loam	24																
Clay loam	40																

	<p>preceding 24 hours;</p> <p>(b) snow-covered ground means 80 percent of the discharge area is covered in snow with an average depth of ten centimetres for more than 48 hours.</p> <p>5. There shall be no pools of effluent on the land surface three hours after the discharge occurs.</p> <p>6. The nitrogen application rate for cattle effluent shall not exceed a total nitrogen loading rate of 200 kilograms of nitrogen per hectare per year; and the rate of application of effluent shall not exceed 100 kilograms of nitrogen per hectare per year within any consecutive three month period.</p> <p>7. The nitrogen application rate for pig effluent or other animal effluent excluding cattle effluent shall not exceed a total nitrogen loading rate of 150 kilograms of nitrogen per hectare per year; and the rate of application of effluent shall not exceed 100 kilograms of nitrogen per hectare per year within any consecutive three month period.</p> <p>8. The discharge shall not occur within the Christchurch Groundwater Recharge Zone as shown on Map Volume Part 1- Planning Maps.</p> <p>9. The discharge shall not occur within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2.</p>	<p>6. Measures to ensure the volume and rate of discharge do not exceed:</p> <p>(a) the capability of the soil and subsoil layers at the site to reduce contaminant concentrations in the discharge; and</p> <p>(b) the infiltration capacity of the soil and subsoil layers at the site.</p> <p>7. The timing, volume, rate and location of effluent application to land.</p> <p>8. Records of the discharge.</p> <p>9. Review of resource consent conditions.</p> <p>10. The monitoring of the activity and its effects.</p> <p>11. The duration of the consent</p> <p>12. Financial contributions</p>	
<p style="text-align: center;">Where rule applies</p> <p>This rule does not apply to all areas/ situations in the Canterbury region – see Table WQL 7: Index of rules</p>		<p>Service</p> <p>In accordance with section 94D(3) RMA 1991, notice of an application for a resource consent required by this rule does not need to be served on those persons identified under Section 94(1) of that Act.</p>	
<p style="text-align: center;">Information to be provided</p> <p>An application for a resource consent under this rule must meet the information requirements set out in Section 1.3.4 and Section 4.7.</p>			

³⁰⁷ WTL2.2

Rule WQL29 Use of land for storing human sewage effluent or animal effluent, organic waste, or stockpiling fermenting or decaying organic matter - permitted activity

Activity	Conditions	Cross reference
<p>The use of land to:</p> <ul style="list-style-type: none"> (a) store human sewage effluent or animal effluent; or (b) store organic waste from an industrial or trade process; or (c) stockpile fermenting or decaying organic matter; <p>is -</p> <ol style="list-style-type: none"> 1. a permitted activity if such use complies with all of the conditions of this Rule; 2. a restricted discretionary activity if such use does not comply with any one or more of Conditions 3, 4, or 5 of this Rule, in which case a resource consent under Rule WQL 30 is required; 3. a discretionary activity if such use does not comply with any one or more of Conditions 1, 2(a), 2(b), 2(c), 2(d), or 2(f) of this Rule, in which case a resource consent under Rule WQL 59 is required; 4. a non-complying activity if such use does not comply with Condition 2(e) of this Rule, in which case a resource consent under Rule WQL 62 is required. 	<ol style="list-style-type: none"> 1. The total volume of effluent or organic waste stored on a property shall not exceed 100 cubic metres. 2. An effluent or waste storage facility, or any stockpile of fermenting or decaying organic matter with a volume greater than five cubic metres, shall not be sited: <ul style="list-style-type: none"> (a) within 50 metres of the edge of any river, lake, or the Coastal marine area; or (b) within 50 metres of the boundary of a wetland: <ul style="list-style-type: none"> (i) listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³⁰⁸; or (c) on land: <ul style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of one percent (1 in 100 year event) or more; or (ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 10 percent (1 in 10 year event) or more; or (d) where the separation distances to bores specified in Part A of Schedule WQL6 cannot be met; or (e) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2; or (f) within Zone 1 of the Christchurch Groundwater Recharge Zone as shown on the Map Volume Part 1- Planning Maps. 3. The seepage rate from the floor or sides of any effluent or waste storage facility shall not exceed 10⁻⁸ millimetres per second. All associated tanks, pipes, sumps, and channels shall be sealed to prevent leakage onto or into the land. 4. The seepage rate into the land beneath the stock pile of more than five cubic metres of fermenting or decaying organic matter shall not exceed 10⁻⁸ millimetres per second. This condition does not apply where: <ul style="list-style-type: none"> (a) the maximum moisture content of the organic matter is less than 75 percent at all times; or (b) the stockpile is located within the Coastal Confined Gravel Aquifer System as shown on the Map Volume Part 1- Planning Maps, and there is at least one metre of the confining layer between the 	<p>Policies</p> <p>WQL2 WQL7 WQL8 WQL12</p>
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>		

³⁰⁸ WTL2.2

	<p>base of the stockpile and the uppermost aquifer; or</p> <p>(c) the stockpile is located on land over an unconfined or semi-confined aquifer, there shall be at least three metres between the base of the stockpile and the highest groundwater level, which can reasonably be expected at the site based upon relevant and available groundwater data.</p> <p>5. An effluent or waste storage facility from which the effluent or waste is discharged onto land shall have a minimum capacity sufficient to store:</p> <p>(a) at least the maximum volume of effluent or waste produced in any consecutive three day period; and</p> <p>(b) the volume of stormwater run-off from any collection area draining into the facility from a rainstorm event with an Annual Exceedance Probability of 20 percent (a one in five year event).</p>	
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Rule WQL30 Use of land for storing human sewage effluent or animal effluent, organic waste or stockpiling fermenting or decaying organic matter that does not comply with certain conditions of Regional Rule WQL 29 - restricted discretionary activity

Activity	Conditions	Restriction of Discretion	Cross reference
<p>The use of land to:</p> <ol style="list-style-type: none"> 1. store human sewage effluent or animal effluent; or 2. store organic waste from industrial or trade processes; or 3. stockpile fermenting or decaying organic matter; <p>is -</p> <p>(a) a restricted discretionary activity if such use does not comply with any one or more of Conditions 3, 4, or 5, of Rule WQL29, but does comply with all of the conditions of Rule WQL30;</p> <p>(b) a discretionary activity if such use does not comply with any one or more of Conditions 1, 2(a), 2(b), 2(c), 2(d), or 2(f) of Rule WQL30, in which case a resource consent under Rule WQL59 is required;</p> <p>(c) a non-complying activity if such use does not comply with Condition 2(e) of Rule WQL30, in which case a resource consent under Rule WQL 62 is required.</p>	<ol style="list-style-type: none"> 1. The volume of effluent or organic waste stored on a property shall not exceed 100 cubic metres; or 2. An effluent or waste storage pond or other facility used to store effluent or waste, and any stockpile of fermenting or decaying organic matter greater than five cubic metres shall not be sited: <ol style="list-style-type: none"> (a) within 50 metres from the edge of any river, lake, or the Coastal marine area; or (b) within 50 metres of the boundary of a wetland: <ol style="list-style-type: none"> (i) listed in <i>Schedule WTL 1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3; or (c) on land: <ol style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of one percent (1 in 100 year event) or more; or (ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of 10 	<p>Environment Canterbury has restricted its discretion to the following matters:</p> <ol style="list-style-type: none"> 1. Measures to prevent or minimise the entry of contaminants into land including leakage or overflow from the facility as a result of a natural event or system failure. 2. The design including capacity of the facility, construction, location, operation and maintenance of the storage facilities. 3. The monitoring of the activity and its effects. 4. Review of the resource consent conditions 5. The duration of the consent 6. Financial contributions or bonds 	<p>Policies</p> <p>WQL2</p> <p>WQL8</p> <p>WQL12</p>
Where rule applies			
This rule applies everywhere in the Canterbury region, excluding			

Rule WQL40 Excavation of land in the Coastal Confined Gravel Aquifer System, or over an unconfined or semi-confined aquifer – restricted discretionary activity

Activity	Conditions	Restriction of Discretion	Cross reference
<p>Except where the use of land is a prohibited activity under Rule WQL63, the use of land to excavate land:</p> <p>(a) over an unconfined or semi-confined aquifer:</p> <p>(i) where the depth of excavation;</p> <p>(1) exceeds five metres; or</p> <p>(2) is deeper than the highest groundwater level which can reasonably be expected to occur at the site, based upon the relevant and available groundwater data; and</p> <p>(3) where the volume of material excavated exceeds 100 cubic metres within any consecutive 12 month period; or</p> <p>(b) within the Coastal Confined Gravel Aquifer System, where there is less than one metre of undisturbed sediment between the base of the excavation and Aquifer 1;</p> <p>is –</p> <p>(c) a restricted discretionary activity if such use complies with all of the conditions of this Rule;</p> <p>(d) a non-complying activity if such use does not comply with any one or more of the conditions of this Rule, in which case a resource consent under Rule WQL 62 is required.</p> <p>For the purposes of this rule, excavation of land does not include the drilling or disturbance of land to construct or maintain a bore.</p>	<p>1. The use of land shall not occur within:</p> <p>(a) 100 metres of the edge of any permanently or intermittently flowing river, lake; or</p> <p>(b) 100 metres of the boundary of a wetland:</p> <p>(i) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or</p> <p>(ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³¹⁷; or</p> <p>(c) a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2, or</p> <p>(d) the Christchurch Groundwater Recharge Zone, excluding the land in Zone 1C, as shown on the Map Volume Part 1- Planning Maps.</p>	<p>Environment Canterbury has restricted its discretion to the following matters:</p> <ol style="list-style-type: none"> The location, extent, and depth of the excavation. Measures to avoid, remedy or mitigate any adverse effects of the activity on: <ol style="list-style-type: none"> water quality; other users of the water resource; a site of significance to Ngāi Tahu; an archaeological site or a site registered with the New Zealand Historic Places Trust. Measures to avoid, remedy or mitigate any adverse effects of the excavation on adjacent landowners. Measures to prevent contaminants entering groundwater via the excavation of the land, including: <ol style="list-style-type: none"> restrictions on the storage and use of hazardous substances, the management of stormwater; preventing leakage into groundwater; decommissioning of bores; or monitoring. Measures needed to rehabilitate the site following the completion of the excavation. The requirement for financial contributions, or bonds. The duration of the land use consent. Review of consent conditions. 	<p>Policies</p> <p>WQL 10</p> <p>WQL12</p>
<p>Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the</p>			

³¹⁷ WTL2.2

Rule WQL43 Use, including storage in an above ground container of a specified hazardous substance - permitted activity

Activity	Conditions	Cross reference
<p>The use of land to use or store in an above ground container, any of the following substances:</p> <ul style="list-style-type: none"> (a) petroleum hydrocarbons including those for cooling purposes but excluding liquefied petroleum gas, (b) chlorinated hydrocarbons, (c) agrichemicals, (d) timber preservatives, or (e) any other substance containing, arsenic, cadmium chromium, cyanide, lead, mercury, nickel, or selenium; <p>where that substance is a hazardous substance and is classified under the Hazardous Substances and New Organisms Act 1996 with an ecotoxicity classification of 9.1A, or 9.1B, or 9.1C,</p> <p>is –</p> <ul style="list-style-type: none"> 1. a permitted activity if such use complies with all of the conditions of this Rule; 2. a controlled activity if such use; <ul style="list-style-type: none"> (a) does not comply with any one or more of the conditions excluding Condition 3 of this Rule, and (b) is not located in Zone 1 of the Christchurch Groundwater Recharge Zone as shown on the Map Volume 	<ul style="list-style-type: none"> 1. Where the aggregate quantity of the hazardous substances on a site is less than the quantity specified in Schedule 4 of the Hazardous Substances (Emergency Management) Regulations 2001, the hazardous substances shall be stored: <ul style="list-style-type: none"> (a) on an impervious surface and under cover; and (b) at least 10 metres from: <ul style="list-style-type: none"> (i) the edge of a permanently or intermittently flowing river; (ii) the edge of a lake; (iii) a bore; or (iv) the boundary of a wetland; <ul style="list-style-type: none"> (1) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (2) any other wetland the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³¹⁸. 2. Where the aggregate quantity of the hazardous substances on a site is greater than, but less than five times, the quantity specified in Schedule 4 of the Hazardous Substances (Emergency Management) Regulations 2001; <ul style="list-style-type: none"> (a) the person in charge of the site shall: <ul style="list-style-type: none"> (i) maintain a current inventory of all hazardous substances including the quantities of each hazardous substance stored on the site, and a copy of the inventory shall be made available to Environment Canterbury or emergency services upon request; (ii) store the hazardous substances in a containment facility which complies with the Hazardous Substances (Emergency Management) Regulations 2001, and the facility is designed, constructed and managed to prevent: <ul style="list-style-type: none"> (1) the escape of hazardous substances or contaminated water from the facility; and (2) stormwater runoff entering the facility. (iii) on the site at all times, have measures to prevent spills entering land or stormwater. The measures shall include: <ul style="list-style-type: none"> (1) spill kits equipped to contain or absorb the spilled hazardous substance; (2) signs to identify the location of spill kits; 	<p>Policies</p> <p>WQL2 WQL8 WQL12</p>

³¹⁸ WTL2.2

³¹⁹ WQL1.32

<p>Part 1- Planning Maps; in which case a resource consent under Rule WQL 44 is required;</p> <p>3. a discretionary activity if such use;</p> <p>(a) does not comply with any one or more of the conditions, excluding Condition 3 of this Rule, and</p> <p>(b) is located in Zone 1 of the Christchurch Groundwater Recharge Zone as shown on the Map Volume Part 1- Planning Maps;</p> <p>in which case a resource consent under Rule WQL 55 is required.;</p> <p>4. a prohibited activity if such use does not comply with Condition 3 of this rule, in which case no resource consent will be granted under Rule WQL 63.</p> <p>For the purposes of this rule:</p> <p>(a) a container includes any associated pipes or pipeline;</p> <p>(b) a portable container means a container that is fixed to a vehicle or can be towed by a vehicle but does not comprise part of the fuel system of the vehicle.</p>	<p>(3) procedures that are to be undertaken to contain, remove and dispose of the spilled hazardous substance; and</p> <p>(4) locating the spill containment equipment close to the hazardous substance and use areas at all times; and</p> <p>(iv) ensure that an area, where a hazardous substance is used, is constructed from impervious materials that are resistant to chemical attack from the substance handled or stored there; and</p> <p>(v) prepare a site drainage plan that identifies all sewer and stormwater pipes on the site, including entry points to these pipes and the final discharge points for the stormwater system; and</p> <p>(b) the hazardous substances shall not be used;</p> <p>(i) within 20 metres of:</p> <p>(1) the edge of a permanently or intermittently flowing river or a lake;</p> <p>(2) a bore used for a purpose other than a community drinking water supply; or</p> <p>(3) a wetland listed in Schedule WTLA, or where the taking, use, damming or diversion of water is not permitted under Rule WTL2 or Rule WTL3; or</p> <p>(ii) on land:</p> <p>(1) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of five percent (one in twenty year event) or more;</p> <p>(2) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of five percent (one in twenty year event) or more;</p> <p>(3) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2; or</p> <p>(4) within 100 metres of an active fault that has a recurrence period of less than 10,000 years, and the land is over an unconfined or semi-confined aquifer, or within 50 metres of a permanently or intermittently flowing river or a lake.</p> <p>3. The aggregate quantity of the hazardous substances on a site in Zone 1 of the Christchurch Groundwater Recharge Zone, as shown on the Map Volume Part 1- Planning Maps, shall not exceed the quantity specified in Schedule 4 of the Hazardous Substances (Emergency Management) Regulations 2001. This Condition does not apply to land in Zones 1A, 1B or 1C of the Christchurch Groundwater Recharge Zone.</p> <p>4. Conditions 2(a)(iv) and 2(a)(v) do not apply to the storage and handling of agrichemicals provided they are stored and handled in accordance with the <u><i>Agrichemical User's Code of Practice</i></u> (New Zealand Standard <u>NZS 8409:1999, 2004 Management of Agrichemicals</u> ³¹⁹ New Zealand Agrichemical Education Trust).</p> <p>5. Where a hazardous substance is stored in a portable container, or portable containers, that have a n aggregate quantity equal to or exceeding 1,000 litres or 1000 kilograms:</p> <p>(a) equipment that is suitable to contain or absorb any spill or leakage of the hazardous substance from a container shall be located with the container at all times; and:</p> <p>(b) no container shall be located within 50 metres of:</p> <p>(i) the edge of a permanently or intermittently flowing river;</p> <p>(ii) the edge of a lake;</p>	
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>		

	(iii) a bore used to supply drinking water; or (iv) a wetland listed in Schedule WTLA.	
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For information only

The use and storage of a hazardous substance must also comply with other relevant controls under the Hazardous Substances and New Organisms Act 1996 including but not limited to “Controls for Stationary Containers for Hazardous Liquids and Gases”, February 2004 and the Hazardous Substances (Emergency Management) Regulations 2001

Rule WQL44 Use, including storage, of a specified hazardous substance– controlled activity

Activity	Conditions	Matters for Control	Cross reference
Except where it is a permitted activity under Rule WQL 42 or Rule WQL 43, the use of land to use, including store in a container or transport through a pipe any of the following substances: <ul style="list-style-type: none"> (i) petroleum hydrocarbon products , including those for cooling purposes, but excluding liquefied petroleum gas; (ii) chlorinated hydrocarbons; (iii) agrichemicals; (iv) timber preservatives; or (v) any other substance containing, arsenic, cadmium, chromium, cyanide, lead, mercury, nickel, or selenium; where that substance is a hazardous substance and is classified under the Hazardous Substances and New Organisms Act 1993 with an ecotoxicity classification of 9.1A, or 9.1B, or 9.1C, <p>is –</p> <ol style="list-style-type: none"> 1. a controlled activity if such use complies with all of the conditions of this Rule; 2. a discretionary activity if such use does not comply 	<ol style="list-style-type: none"> 1. The hazardous substance shall not be used; <ol style="list-style-type: none"> (a) within 20 metres of: <ol style="list-style-type: none"> (i) the edge of a permanently or intermittently flowing river; (ii) the edge of a lake; (iii) a bore used to supply drinking water, or (iv) a wetland: <ol style="list-style-type: none"> (1) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (2) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3³²⁰; or (b) on land: <ol style="list-style-type: none"> (i) that is likely to be flooded from a river or lake in an event with an Annual Exceedance Probability of five percent (1 in twenty year event) or more; (ii) where water is likely to pond in a rainfall event with an Annual Exceedance Probability of five percent (1 in twenty year event) or more; or (c) within a Community Drinking Water Supply Protection Zone for a well listed in Schedule WQL2; or (d) within 100 metres of an active fault that has a recurrence 	Environment Canterbury has reserved control over the following matters in imposing any conditions: <ol style="list-style-type: none"> 1. Measures to avoid: <ol style="list-style-type: none"> (a) the entry of contaminants into groundwater, surface fresh or coastal water, and supplies of drinking water, aquatic ecosystems; and (b) adverse effects on the current and future uses of the water resource, as a result of chronic leakage, spillage, or a release as a result of a catastrophic natural event. 2. Measures to prevent and contain spills or leaks, including site design and drainage, waste management, and leak detection. 3. Investigation, remediation and reporting of contamination of land and water where underground storage containers are removed 	Policies WQL2 WQL 8 WQL12

³²⁰ WTL2.2

Rule WQL47 Discharge of a dust suppressant onto land - permitted activity

Activity	Conditions	Cross reference
<p>The discharge of a contaminant onto an unsealed road for the suppression of dust: is –</p> <ol style="list-style-type: none"> 1. a permitted activity if the discharge complies with all of the conditions of this Rule; 2. a discretionary activity if the discharge does not comply with any one or more of the conditions of this Rule, in which case a resource consent under Rule WQL 57 is required. 	<ol style="list-style-type: none"> 1. The discharge shall only be: <ol style="list-style-type: none"> (a) vegetable oil; or (b) new or re-refined light fuel or lubricating oil. 2. There shall be no discharge of transformer oil, waste lubricating oil or any oil containing polychlorinated biphenyls (PCBs) or lead. 3. The discharge shall be applied by spraying onto a dry road, and only when at least two consecutive days without rain have been publicly forecast. 4. The discharge shall be applied as evenly as practicable. 5. The maximum application rate shall not exceed 1.5 litres per square metre per day, or four litres per square metre per year. 6. The dust suppressant shall not pool on, or runoff from the road. 7. The discharge shall not take place within 20 metres of: <ol style="list-style-type: none"> (a) the edge of a river or an artificial water course, containing water at the time of discharge; or (b) the edge of a lake; (c) a bore used to abstract groundwater, or (d) the boundary of a wetland: <ol style="list-style-type: none"> (i) listed in <i>Schedule WTL1: Moderate and higher significance wetlands</i>; or (ii) any other wetland unless the taking, use, damming or diversion of water is permitted under Rule WTL2 or Rule WTL3.³²¹ 	<p>Policies WQL2 WQL8 WQL12</p>
<p style="text-align: center;">Where rule applies</p> <p>This rule applies everywhere in the Canterbury region, excluding the Coastal marine area</p>		

³²¹ WTL2.2

Chapter 5: Water Quantity

The taking, diverting and using of water, in small quantities, from a surface water body or an artificial water course

Rule WQN1 Taking or diverting and using of water, in small quantities, from a surface water body or an artificial water course for an individual's reasonable domestic and stockwater use – permitted activity

Activity	Conditions	Cross ref.
<ol style="list-style-type: none"> 1. The taking or diverting and using of water from a surface water body or an artificial water course for an individual's reasonable domestic or stockwater use is a permitted activity provided the activity complies with the conditions in this rule. 2. Where condition 1 is not complied with, the activity is a restricted discretionary activity under Rule WQN3. 3. Where condition 2 is not complied with, the activity is a permitted activity under Rule WQN4. 4. Where condition 3 is not complied with, the activity is a permitted activity under Rule WQN4. 5. Where condition 4 is not complied with, the activity is a discretionary activity under Rule WQN9. 6. Where any of conditions 5 – 7 are not complied with, the activity is a non-complying activity under Rule WQN10. 7. Where water is taken for an individual's reasonable domestic and stockwater use, as is provided for in this rule, s.14(3)(b) RMA cannot be relied upon to take water in addition to the water which may be taken under this rule, or in a way which would contravene the terms of this or other rules in this plan. 	<ol style="list-style-type: none"> 1. The take or diversion, and use shall not exceed five litres per second and 10 cubic metres per day per property. 2. The take or diversion shall not be used on a property that is provided with water from a reticulated urban water supply. 3. The take or diversion shall not be from an irrigation canal. 4. The take or diversion shall not be from a canal for the supply of water for electricity power generation. 5. Fish shall be prevented from entering the water intake as set out in Schedule WQN12. 6. The take or diversion shall not be from any wetland listed in <i>Schedule WTL1; Moderate and higher significance wetlands</i> or any other wetland unless permitted under Rule WTL2 or Rule WTL3.⁴⁷⁶ 8. Water shall not be allowed to run to waste. 	Policies WQN1, WQN2, WQN3, WQN14, and WQN17.
Where rule applies This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules		

Rule WQN2 Taking or diverting and using of water, in small quantities, from a surface water body or an artificial water course for other than for an individual's reasonable domestic and stockwater use – permitted activity

Activity	Conditions	Cross ref.

⁴⁷⁶ WTL2.2

<ol style="list-style-type: none"> 1. The taking or diverting, and using of water from a surface water body or an artificial water course for other than an individual's reasonable domestic and stockwater use is a permitted activity provided the activity complies with the conditions in this rule. 2. Where any of conditions 1, 5, 6 or 7 are not complied with, the activity is a restricted discretionary activity under Rule WQN3. 3. Where condition 2 is not complied with, the activity is a permitted activity under Rule WQN4. 4. Where condition 3 is not complied with, the activity is a discretionary activity under Rule WQN9. 5. Where condition 4 is not complied with, the activity is a non-complying activity under Rule WQN10. 	<ol style="list-style-type: none"> 1. The take or diversion, and use shall not exceed five litres per second and 10 cubic metres per day per property. 2. The take or diversion shall not be from an irrigation canal 3. The take or diversion shall not be from a canal for the supply of water for electricity power generation. 4. Fish shall be prevented from entering the water intake as set out in Schedule WQN12. 5. The take or diversion shall not be from any wetland listed in <i>Schedule WTL1; Moderate and higher significance wetlands</i> or any other wetland unless permitted under Rule WTL2 or Rule WTL3. 6. Where the take or diversion is from a water body with a minimum flow that is set in Schedule WQN1 or listed in Appendix WQN2, the take or diversion shall cease when the flow is at or below the minimum flow at the closest minimum flow site downstream of the take or diversion. 7. Water shall not be allowed to run to waste. 	<p>Policies WQN1, WQN2, WQN3, WQN14, WQN17 and WQN19.</p>
<p>Where rule applies</p> <p>This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

Rule WQN3 Taking or diverting and using of water, in small quantities, from a surface water body or an artificial water course for an individual's reasonable domestic or stockwater or for other small-scale uses that is not permitted – restricted discretionary activity

Activity	Conditions	Restriction of Discretion	Cross ref.
<p>1. The taking or diverting and using of water from a surface water body or an artificial water course that does not comply with conditions in rules WQN1 or WQN2 is a restricted discretionary activity provided the activity complies with the conditions in this rule.</p> <p>2. Where either condition 1 or 2 is not complied with:</p> <p>(a) the taking or diverting activity is:</p> <p>(i) a controlled activity under Rule WQN6, if the taking or diverting of water is from within an A allocation block listed in Schedule WQN1; or</p> <p>(ii) a restricted discretionary activity under Rule WQN7 if the taking or diverting of water is from within a B or any other allocation block listed in Schedule WQN1; or</p> <p>(iii) a restricted discretionary activity under Rule WQN8, if the taking or diverting of water is from within an A allocation block provided for in Schedule WQN2; or</p> <p>(iv) a discretionary activity under Rule WQN9, if the taking or diverting of water is not affecting an allocation limit; or</p> <p>(v) a non-complying activity under Rule WQN10, if the taking or diverting of water is from a water body that has an allocation regime determined under schedule that is fully allocated, or for which no allocation limit has been or is able to be set;</p> <p>3. Where condition 3 is not complied with, the activity is a permitted activity under Rule WQN4.</p> <p>4. Where condition 4 is not complied with, the activity is a discretionary activity under Rule WQN9.</p> <p>5. Where either condition 5 or 6 is not complied with, the activity is a non-complying activity under Rule WQN10.</p> <p>6. Where water is taken for an individual's reasonable domestic and stockwater use, as is provided for in this rule, s.14(3)(b) RMA cannot be relied upon to take water in addition to the water which may be taken under this rule, or in a way which would contravene the terms of this or other rules in this plan.</p>	<p>1. The take or diversion shall not exceed five litres per second per property.</p> <p>2. The take or diversion may exceed 10 cubic metres per day per property where the use is for domestic and stockwater use on the property.</p> <p>3. The take or diversion shall not be from an irrigation canal</p> <p>4. The take or diversion shall not be from a canal for the supply of water for electricity power generation.</p> <p>5. Fish shall be prevented from entering the water intake as set out in Schedule WQN12.</p> <p>6. The take or diversion shall not be from any wetland listed in <i>Schedule WTL1; Moderate and higher significance wetlands</i> or any other wetland unless permitted under Rule WTL2 or Rule WTL3.⁴⁷⁷</p>	<p>Environment Canterbury has restricted its discretion to the following matters:</p> <p>1. The abstraction rate (and its reasonableness given the intended use of this water).</p> <p>2. The impact of the take in combination with other water permits on river flows.</p> <p>3. The effect on and the need for inclusion within an allocation regime.</p> <p>4. The need for metering, the method and location of water-measuring and recording device(s) if these are required and the monitoring and reporting requirements</p> <p>5. The method for preventing fish from entering the water intake (refer to Schedule WQN12).</p>	<p>Policies WQN1, WQN2, WQN3, WQN14, WQN16, WQN17 and WQN19.</p>
<p>Resource consent information requirements</p> <p>Any application for resource consent under this rule must meet the information requirements set out in 5.7.2 and 5.7.3.1.</p>			
<p>Notification and service</p> <p>In accordance with s.94D(2) RMA 1991, an application for resource consent required by this rule does not need to be notified, and in accordance with s.94D(3) RMA 1991, notice of such an application does not need to be served on those persons identified under s.94(1) of that Act.</p>			

⁴⁷⁷ WTL2.2

Where rule applies This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules		
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Rule WQN4 Taking or diverting of water from irrigation canals and water storage dams – permitted activity

Activity	Conditions	Cross ref.
1. The taking or diverting of water from an irrigation canal, or from a water storage dam that is not in the bed of a river or stream is a permitted activity provided the activity complies with the conditions in this rule. 2. Where condition 1 is not complied with, the activity is, in the first instance, a discretionary activity under Rule WQN9.	1. There shall be an existing written agreement with the holder of the resource consents for the irrigation scheme for the abstractor to take or divert water.	Policy WQN14.
Where rule applies This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules		

Rule WQN5 Taking or diverting and using of water from a surface water body or an artificial water course for road construction and road maintenance use — permitted activity

Activity	Conditions	Cross ref.
1. The taking or diverting and using of water from a surface water body or an artificial water course, for road construction and road maintenance use is a permitted activity provided the activity complies with the conditions in this rule. 2. Where any of conditions 1, 2, 4, 5, 6 or 7 are not complied with, the activity is a discretionary activity under Rule WQN8.	1. The take or diversion, and use shall not exceed 15 litres per second and 100 cubic metres per day. 2. The take or divert, and use shall be for a period of no longer than two months. 3. Environment Canterbury shall be notified in writing at least one week in advance of the intention to take or divert water under this rule. This notification shall include the commencement date and completion date of this activity, and shall identify the relevant minimum flow site and minimum flow that will be applied to meet condition 5. If there is no relevant minimum site or flow, the notice shall state this. 4. The take or diversion shall not at any time exceed 10 percent of the flow at the point of take. 5. Where the take or diversion is from a water body with a minimum flow that is set in Schedule WQN1 or listed in Appendix WQN2, the take or diversion shall cease when the flow is at or below the minimum flow at the closest minimum flow site downstream of the take or diversion. 6. The take or diversion shall not be from any wetland listed in <i>Schedule WTL1; Moderate and higher significance wetlands</i> or any other wetland unless permitted under Rule WTL2 or Rule WTL3 . ⁴⁷⁸ 7. Fish shall be prevented from entering the water intake as set out in Schedule WQN12.	Policies WQN14, WQN17 and WQN19.
Where rule applies This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules		

⁴⁷⁸ WTL2.2

The taking of groundwater (in larger quantities)

Rule WQN17 Taking of water from groundwater for site de-watering – permitted activity

Activity	Conditions	Cross ref.
1. The taking of water from groundwater for the purpose of de-watering of sites for carrying out excavation, construction and geotechnical testing, is a permitted activity provided the activity complies with the conditions in this rule. 2. Where any of conditions 1, 2, 3, or 4 are not complied with, the activity is a discretionary activity under Rule WQN18.	3. The take shall continue only for the time required to carry out the work but not exceeding nine months. 4. The take shall not lower the groundwater level more than eight metres below the ground level of the site. 5. The take shall not cause ground subsidence. 6. The take shall not cause a wetland to be de-watered, except where this is permitted in accordance with Rule WTL2 or Rule WTL3. ⁴⁸²	Policy WQN13.
Where rule applies This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules		

Rule WQN18 Taking of water from groundwater for site de-watering that is not permitted – discretionary activity

Activity	Conditions	Discretion	Cross ref.
1. The taking of water from groundwater for de-watering of sites, that does not comply with one or more of the conditions set out in Rule WQN17 is a discretionary activity .		Unlimited	Policy WQN13.
Resource consent information requirements Any application for resource consent under this rule must meet the information requirements set out in 5.7.2 and 5.7.3.2.			
Where rule applies This rule applies everywhere in the Canterbury Region excluding the Coastal Marine Area.			

Rule WQN19 Taking of water from groundwater within an allocation block for a groundwater allocation zone, listed in Schedule WQN3, or determined using Schedule WQN4 - restricted discretionary activity

Activity	Conditions	Restriction of discretion	Cross ref.
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⁴⁸² WTL2.2

Damming or diverting of surface water and groundwater

Rule WQN34 Diverting of surface water – permitted activity

Activity	Conditions	Cross ref.
<p>1. The diverting of water from a surface water body or an artificial water course and the return of the flow to the original/previous course of the water body that is not permitted by rules WQN1, WQN2, WQN5, WQN4 and WTL1, is a permitted activity provided the activity complies with the conditions in this rule.</p> <p>2. Where any of conditions 1—7 are not complied with, the activity is a discretionary activity under Rule WQN41.</p>	<p>1. The points of diversion and return shall be within one property.</p> <p>2. The diversion shall not cut off more than 50 metres of the existing watercourse.</p> <p>3. The section diverted shall not be a significant spawning habitat for trout or salmon. (refer to Schedule WQN14.)</p> <p>4. The section diverted shall not be tidal.</p> <p>5. The section diverted shall not be habitat for Canterbury mudfish. (refer to Map Volume – Part 1 Planning Maps.)</p> <p>6. The section diverted shall not be identified as having significant natural values.</p> <p>7. The diversion shall not affect any wetland, except where this is permitted in accordance with Rule WTL2 or Rule WTL3.⁴⁸⁸</p>	<p>Policies WQN1, WQN2, WQN3 and WQN4.</p>
<p>Where rule applies</p> <p>This rule does not apply to all areas/ situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

For information only: See also Rule WTL1 Restoration of Enhance, restore or create wetlands – permitted activity.⁴⁸⁹

Rule WQN35 Diverting of water via land drainage – permitted activity

Activity	Conditions	Cross ref.
<p>1. The diverting of surface or subsurface water for purposes of land drainage is a permitted activity provided the activity complies with the conditions in this rule.</p> <p>2. Where either condition 1 or 2 is not complied with, the activity is a discretionary activity under Rule WQN41.</p>	<p>1. The diversion shall not affect any wetland, except where this is permitted in accordance with Rule WTL2 or Rule WTL3.⁴⁹⁰</p> <p>2. The discharge of the drainage water is a permitted activity in accordance with Rule WQL1.</p>	<p>Policies WQN1, WQN2, WQN3 and WQN4.</p>
<p>Where rule applies</p> <p>This rule does not apply to all areas/ situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

Rule WQN36 Damming and/or diverting of floodwaters by existing flood control structures – permitted activity

Activity	Conditions	Cross ref.
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⁴⁸⁸ WTL2.2

⁴⁸⁹ WTL2.16

⁴⁹⁰ WTL2.2

<ol style="list-style-type: none"> 1. The damming and/or diversion of floodwaters by existing flood control structures where the activity has been lawfully established, for the purpose of controlling flood events or the effects of tides, is a permitted activity provided the activity complies with the conditions in this rule. 2. Where condition 1 is not complied with, the activity is a discretionary activity under Rule WQN41. 3. Where condition 2 is not complied with, the activity is a controlled activity under Rule WQN40. 	<ol style="list-style-type: none"> 1. Fish passage for indigenous fish and for other migratory species shall be maintained. 2. The activity shall not include the damming of rivers and streams by floodgates. 	Policies WQN1, WQN2, WQN3 and WQN4.
<p>Where rule applies</p> <p>This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

Rule WQN37 Damming and/or diverting of water that is not in the bed of a surface water body – permitted activity

Activity	Conditions	Cross ref.
<ol style="list-style-type: none"> 1. The damming and/or diverting of surface water that: <ol style="list-style-type: none"> (a) is not in the bed of a surface water body; or (b) is in an artificial watercourse is a permitted activity provided the activity complies with the conditions in this rule. 2. Where any of conditions 1 – 4 are not complied with, the activity is a discretionary activity under Rule WQN41. 	<ol style="list-style-type: none"> 1. The activity shall not flood land or property owned or occupied by another person without the written permission of the landowner. 2. The activity shall not affect any wetland except, where this is permitted in accordance with Rule WTL2 or Rule WTL3.⁴⁹¹ 3. The dammed or diverted water shall not exceed a depth of three metres nor an impoundment area of 10,000 square metres (one hectare). 4. Where certification under the Building Act is not required and the dam impoundment area is greater than 1000 square metres, the dam structure shall be designed by, or under the guidance of a registered engineer, and upon completion, and before commissioning, shall be certified by a registered engineer. 5. A copy of the certification document shall be sent to Environment Canterbury prior to commissioning. 6. The dam structure shall comply with conditions in rules BLR1 and BLR2. 	Policy WQN3.
<p>Where rule applies</p> <p>This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

⁴⁹¹ WTL

Rule WQN44 Existing activities - damming or diverting of water in a surface water body or artificial water course not otherwise permitted – permitted activity

Activity	Conditions	Cross Ref
<p>1. Any damming or diverting of water associated with the activities listed (a) to (f) below, provided the particular activity was lawfully established before this chapter of the Proposed NRRP was notified, and complies with the conditions in this rule, is a permitted activity:</p> <p>(a) wetland drains not otherwise permitted by Rule WQN35, Rule WTL2 or Rule WTL3⁴⁹²;</p> <p>(b) farm and forestry tracks not otherwise permitted by Rule WQN35;</p> <p>(c) roadside drains not otherwise permitted by Rule WQN35;</p> <p>(d) dams capable of impounding up to 10,000m³ of water not otherwise permitted by Rules WQN37 and WQN39;</p> <p>(e) amenity ponds not otherwise permitted by rules WQN37 and WQN39;</p> <p>(f) minor realignments of and minor improvements to watercourses not otherwise permitted by Rule WQN34.</p> <p>2. Where any of conditions 1 – 3 are not complied with, the activity is:</p> <p>(a) a discretionary activity under Rule WQN41, where the damming is not in a natural state or high naturalness water body a listed in Schedule WQN5;</p> <p>(b) a non-complying activity under Rule WQN42, where the damming is in a natural state or high naturalness water body a listed in Schedule WQN5.</p>	<p>1. In continuing any existing activity under this rule, the effects of the activity shall be the same or similar in character, intensity and scale as those that existed before this chapter of the Proposed NRRP was notified.</p> <p>2. In the case of existing drains within wetlands, there shall be no increase in the drainage capacity from when originally constructed.</p> <p>3. Fish passage for indigenous fish and other migratory species shall be maintained.</p>	<p>Policies WQN1, WQN2, WQN3 and WQN4.</p>
<p>Where rule applies</p> <p>This rule does not apply to all areas/situations in the Canterbury Region – see Table WQN2 Index of rules</p>		

For information only: The onus is on anyone carrying out activities permitted by this rule to ensure that the conditions are met before commencing the activity, and once it is in effect, are all complied with. Provided they have been, no resource consent or other formality is required. If at any time a condition is not complied with the activity must cease or a resource consent obtained. There are penalties for non-compliance.

⁴⁹² WTL2.2

NRRP Variation 1
Definition of terms for Chapters
4 to 8 only

surface water flow.
Structure in Chapter 6 means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.
Surface water body means fresh water or geothermal water in a river, lake, stream, pond, wetland, or any part thereof.
Surface water means water that is found over the ground, generally in rivers, lakes, wetlands or artificial water courses.
Swale means a shallow depression on the land surface, that is covered in grass or other vegetation, that is natural or man made and that serves to drain overland runoff.
System capacity is the mean daily flow of water per irrigated area delivered by an irrigation system expressed as litres per second per hectare (l/s/ha) or the equivalent millimetres per day (mm/day). The mean daily flow of water shall be determined from the proposed or consented maximum rate, reduced where applicable by any restriction to the number of hours pumping per day and/or any return period restrictions. For example for a consent to take up to 50 l/s for 23 hrs per day for 7 days per 11 day return period to irrigate 100 ha $\text{System capacity} = (23/24) \times (7/11) \times 50 \text{ l/s} / 100 \text{ ha} = 0.305 \text{ l/s/ha} = 2.63 \text{ mm/day}$. ³⁷
Take in relation to water in a water body means the authorisation for removing water subject to fulfilling any conditions required in a rule or water permit.
Takiwa (rohe) means boundary or area.
Tāngata Whenua means people of the land according to tribal and hapū custom.
Taonga * means treasured possessions, including both tangible and intangible treasures, for example, the Maori language.
Taonga species are species of birds, plants, and animals with which Ngāi Tahu have a recognised cultural, spiritual, historic, and traditional association as defined in section 287 Ngāi Tahu Claims Settlement Act (1998).
Te Rūnanga o Ngāi Tahu means the body corporate of Ngāi Tahu Whānui as established under Section 6 of the Te Rūnanga O Ngāi Tahu Act (1996)."
Technical efficiency * means using a resource in a way that any given output is produced at least cost, including avoiding waste. This contrasts with 'allocative efficiency' which means obtaining the best use for the resource.
Territorial authority ³⁸ means a city council or a district council.
Timber preservative means any chemical used to treat timber and includes: copper/chromium/arsenic formulations, boron, light organic solvent preservatives and anti-sapstain chemicals.
Topsoil means the upper layer or layers of soil.
Transpiration in vegetation is the loss of water vapour through the stomata on the leaves.
Trigger flow means a flow higher than the minimum flow at which abstractive uses may be required to reduce their take in order to share the water that is available and to sustain instream flows.
Trigger level means a specified groundwater level used to indicate capacity remaining in an aquifer or to indicate actions by users will be needed.
Unconfined aquifer means an aquifer that lacks an overlying layer of fine sediment, and is not under pressure. The water level in a well is the same as the water table outside the well.
Unitary authority means an authority with the functions of both a territorial authority and a regional council.
Unwanted aquatic organism " means an aquatic organism included in the Biosecurity New Zealand Unwanted Organisms Register. (This register may be accessed online at http://www.biosecurity.govt.nz/commercial-imports/unwanted-organisms-register) ³⁹
Upconing – process by which saline water underlying freshwater in an aquifer rises upward

³⁷ WQN8.178

³⁸ Section 2(1) Local Government Act 1974

³⁹ WTL2.146