

Questions and Answers

Proposed Plan Change to the Waimakariri River Regional Plan

1. What is the proposed Plan change?

The Waimakariri River Regional Plan manages surface water takes in the Waimakariri Catchment. It has been operative since 2004.

The Council has notified some changes to that plan (a proposed plan change) to deal with water takes on the mainstem of the Waimakariri River. This is a separate and unrelated plan change to the minimum flow reviews being undertaken on tributaries of the Waimakariri River in North Canterbury.

2. Why is the Council changing the Plan?

There are three reasons for changing the plan:

- (i) To address some minor issues which have emerged with administering the plan over the years; and
- (ii) To establish a better framework for managing large-scale water takes from what is known as the 'B Block', in the mainstem of the Waimakariri River.
- (iii) There are a number of large and small water abstraction applications pending

At the time the plan was written, there were no 'B Block' water takes (the 'A Block' was only partly allocated). Therefore the plan didn't provide a framework for managing large-scale water takes from the 'B Block', or any maximum on the total amount of water that could be taken from the river. However, the Council has received applications for large and small water takes from the 'B Block' over the past two years, which has highlighted the need for the plan to deal with these issues.

3. What is in the proposed Plan change?

Environment Canterbury advises any person interested in this matter, to read the full proposed plan change. In summary, Environment Canterbury believes the key changes are:

Changes to the Allocation Regime for Water Takes on the Mainstem of the Waimakariri

3.1 To provide for takes for community and stock water supplies as a new 'AA Block' up to a maximum of $5\text{m}^{3\text{s}^{-1}}$. These takes are currently included as part of the A Block.

3.2 To establish a B¹ block to provide for two resource consents already granted to take water within the proposed Plan change 1 'B' allocation block immediately after the 'A block'. These existing resource consents total $1.72\text{m}^{3\text{s}^{-1}}$.

3.3 To introduce a proposed gap of $30\text{m}^{3\text{s}^{-1}}$ of water between existing water takes in the 'A/B¹ Blocks,' and any new takes in the 'B Block' to retain flow on the river for in-stream values and to allow for larger freshes to pass down the river. These freshes are important for a variety of fluvial processes in the river. This change would not affect existing 'A Block' consents.

3.4 To limit the amount of water available from the 'B Block' to 40m^{3s-1}.

3.5 To introduce rules to stop water takes for 24 hours after 21 days of low flows to allow a fresh to pass. This rule is to better maintain variability in river flow during low flow periods, which is important for fluvial and ecological processes. This rule will apply to all consent holders except those taking water for community and stock water supplies.

Changes to Flow and Take Measuring

3.6 To shift the flow measuring site from the Old Highway Bridge to Otarama, so that it is upstream of all existing takes. This will also mean the term 'unmodified flow' can be removed from Rule 5.1(d). Flow losses and gains will be calibrated between the two sites, so that the river flow maintains the existing minimum flow of 41m^{3s-1} when measured at the Old Highway Bridge.

3.7 To amend the monitoring requirements so that all takes can be continually measured and the information made available to Environment Canterbury by telemetry. This requirement is being progressively introduced throughout the region. This change would affect all consent holders in due course.

Other Changes

3.8 To add a new Rule 5.3 to clarify that activities not complying with Rule 5.1 are non-complying activities and takes below the minimum flow and in any gap are prohibited activities.

3.9 To amend Planning Map 1 to correct the boundary between the upper and lower Waimakariri catchments, at Woodstock.

4. How does the proposed Plan change affect consents and applications?

The decision by Environment Canterbury Councillors means:

Existing Consent Holders

Existing consent holders are not affected until the proposed plan change has been through a formal planning process, with submissions, hearings and decisions/appeals; and only then, if there are any changes which differ from the conditions under which the consent currently operates. However, any person can make a submission on a proposed plan change and request changes from what the Council has notified; and people who may be affected by those changes need to make a submission as well, to be part of that formal planning process.

Current Applications

Any resource consent application which has been lodged before the proposed plan change is notified, does not have its status altered (under section 88A of the RMA). However, the proposed plan change is one factor which the Council or the Environment Court (for an appeal) must have regard to in deciding on the resource consent application. There is some case law on the sorts of factors that should be considered in those cases.

5. What happens next?

Environment Canterbury Councillors have decided to notify the plan change. This means the plan change will now be publicly notified on 8 August with 25 working days to make a submission as a proposed plan change to the Waimakariri River Regional Plan. Any interested parties can make a submission.

6. Where can I get more information?

Copies of the draft plan change can be downloaded from (<http://www.ecan.govt.nz/Plans+and+Reports/Water/Waimakariri+River+Regional+Plan.htm>) or hard copies can be viewed at the Environment Canterbury offices at 58 Kilmore Street, Christchurch.

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