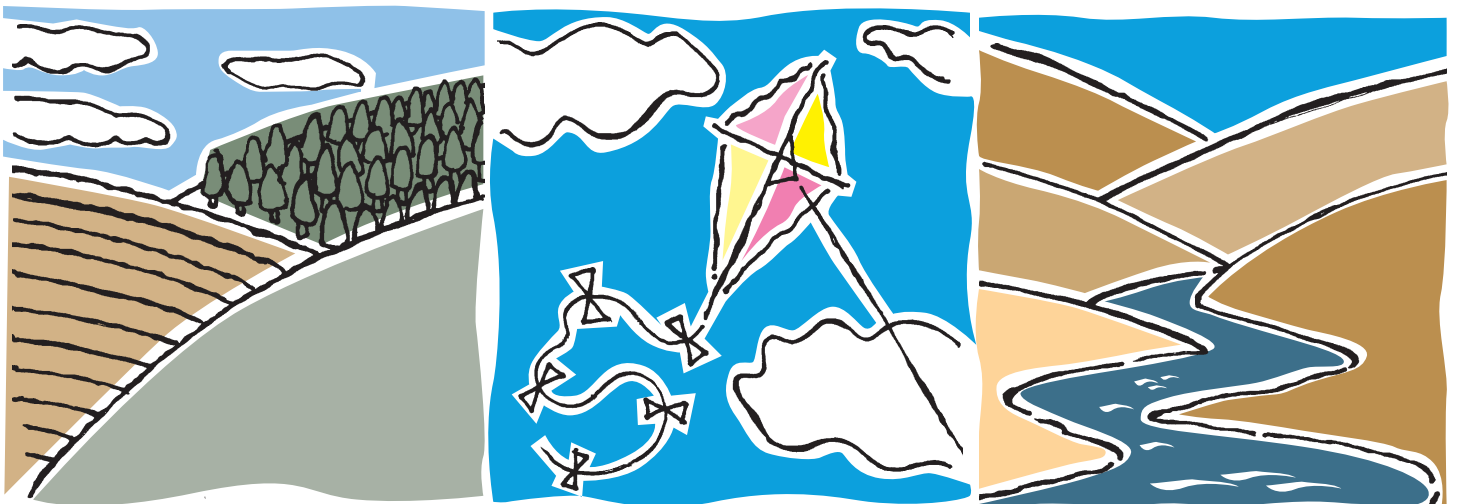


Variation 3
Proposed
Natural
Resources
Regional Plan

Chapter 5:
Water Quantity,
Schedule WQN1 and
related amendments
for Motunau River flow
and allocation regime;
and Section 32 Report

Prepared under the Resource
Management Act 1991

June 2006



Environment
Canterbury
Your regional council



I hereby certify that this is a true and correct copy of Variation 3 being a variation to the Proposed Canterbury Natural Resources Regional Plan Chapter 5 Water Quantity 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.

The incorporated Section 32 statement meets the Canterbury Regional Council's obligations under Section 32 of the Resource Management Act 1991 to carry out an evaluation and prepare a report summarising the evaluation and giving reasons for that evaluation.

Variation 3 was adopted at a meeting of the Canterbury Regional Council on 25 May 2006 and publicly notified on 28 June 2006 for submissions.

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

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

Report No. R06/27

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Guidelines to making your submission to Variation 3 of the Proposed Canterbury Natural Resources Regional Plan Chapter 5 Water Quantity

Anyone is welcome to make a submission, either as an individual or on behalf of an organisation. A submission form is attached. You may either use this form or prepare your own submission being careful to use the same headings. The following guidelines refer to each separate part of the attached submission form.

Part A Personal details are important to enable the Council to contact you during the processing of submissions. Print clearly, giving full details. If you are writing on behalf of an organisation, make sure you also provide an address and telephone number where we can contact you personally. All submissions to Variation 3 must be received in a form that is signed.

Please note that all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

Part B After all submissions have been analysed, the Council will hold Hearings to consider the submissions and make decisions. Tick the first box if you do not wish to speak to your submission at these Hearings. Tick the second box if you do wish to speak to your submission at these Hearings. If other people have made similar submissions you may be invited by the Council to contribute to a joint presentation. Tick the third box if you are happy to do this.

Part C Use the headings in (1), (2) and (3) for each comment you are making on each separate provision. A provision is simply the part of the Variation you are concerned about – for example, some explanatory text, or part of a policy, or a rule, or part of a table or map.

(1) The specific provision in Variation 3 to the Proposed NRRP that my submission relates to are:

While general comments are appreciated, your submission will be more effective if you can refer your comments to specific provisions in this document. **For example** Row 1, Column 2 of Table WQN1 on page 2.

(2) My submission is that:

This should be a brief explanation of your concerns about the provision you are submitting on in the document. You need to cover the following concerns in your explanation:

(a) Indicate whether you:

support the provision

oppose the provision

wish to change the provision

wish to add a new provision

(b) State your reasons briefly.

For example

I support/oppose Table WQN1 because (give reasons).

I would support Table WQN1 if certain changes are made (give reasons).

I would like to see new text/a new provision added (identify type and position in document).

(3) I seek the following decision from the Council

State precisely the type of change and the final wording you wish to suggest.

For example

If supporting: "Retain the existing Table WQN1"

If opposing: "Delete Allocation limit for B permits in Table WQN1"

If changing: "Reword Table WQN1, to read (give suggested wording)"

If adding: "Insert new value in Table WQN1, in column (give title and suggested wording)"

Submission on Variation 3 of the Proposed Canterbury Natural Resources Regional Plan Chapter 5 Water Quantity

A

Full Name: _____ Phone: _____

Organisation: _____ Phone: _____

Postal Address: _____ Fax: _____


_____ Date: _____

email _____

Postal address for service of person making submission (if different from above):

Signature: _____

(Signature of person making submission or person authorised to sign on behalf of person making the submission)
Please note:
(1) all submissions must be in a form that is signed unless it is being forwarded electronically.
(2) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.



**Form 5: Submissions on a Publicly Notified
Proposed Policy Statement or Regional Plan
under Clause 6 of Schedule 1 of the Resource
Management Act 1991**

B Tick this box if you do not wish to be heard in support of your submission;

Tick this box if you do wish to be heard in support of your submission; and,

Tick this box if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing.

Return your signed submission by 5pm, 1 September 2006 to:

Freepost 1201

Variation 3, Proposed Canterbury Natural Resources Regional Plan

Environment Canterbury

P O Box 345

Christchurch

C (1) The specific provisions of the variation that my submission relates to are: <i>(Specify page number and subsection numbering for each separate provision).</i>	(2) My submission is that: <i>(State concisely: the nature of your submission, and clearly indicate whether you support or oppose each separate provision being submitted on, or wish to have amendments made, giving reasons.)</i>	(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>

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Part 1: Background NRRP Variation 3

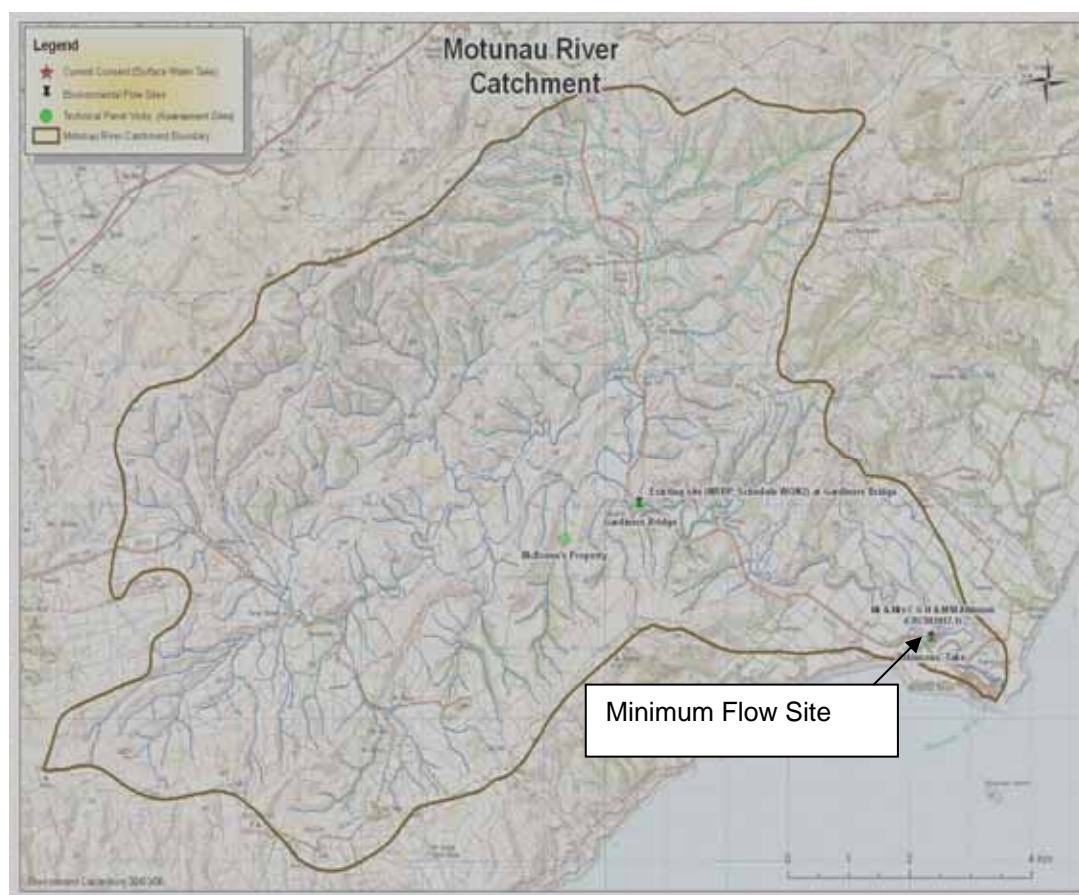
Introduction and summary of amendment of Chapter 5 Schedule WQN1 and other related amendments.

(NB. This background section is not part of Variation 3 to Chapter 5 and submissions need not be made on this section.)

1.1 Introduction of Variation 3

The following pages set out additions that are proposed to Schedule WQN1 of Chapter 5 of the Natural Resources Regional Plan. The additions are being made in order to give effect to Policy WQN5 of the Proposed Natural Resources Regional Plan whereby the existing minimum flow on the Motunau River, set under an individual consent, has been reviewed to take into account the needs of both instream values and those of irrigators. An allocation regime for future water use is also included. The additions are to be incorporated by way of a Variation pursuant to RMA Schedule 1, section 16A.

1.2 Catchment location



1.3 Notation of changes

Changes to the NRRP Chapter 5 text are denoted in *italics*.

Part 2: NRRP Variation 3 Changes to Schedule WQN1

2.1 Amend Schedule WQN1 (commencing page 5 – 234) to read as follows:

Schedule WQN1.5 Motunau River

Purpose of management for the Motunau River:

- (i) to safeguard the mauri of the Motunau River;
- (ii) to protect wāhi tapu and other wāhi taonga of value to Ngāi Tahu;
- (iii) to maintain the natural character and amenity of the Motunau River;
- (iv) to safeguard the life-supporting capacity for trout;
- (v) to safeguard the life-supporting capacity for indigenous species; and
- (vi) to provide for the taking of water for out-of-stream use providing sufficient water is retained instream to satisfy purposes (i) to (v).

Purposes (i)-(vi) will be achieved through the setting of an environmental minimum flow and an allocation regime for the water above the minimum flow. Abstractions for irrigation shall cease at the minimum flow. Takes servicing domestic, stockwater and firefighting uses will be restricted in according to Policy WQN19. There shall be no water permits to take water above the B allocation block.

Table WQN14.5 Minimum flow and allocation conditions for the Motunau River

Catchment	River or stream	Location of the site where flow is measured	Map reference of site¹	Minimum flow for A permits (litres/sec)	Reduction in takes	Allocation limit for A permits (litres/ sec)	Minimum flow for B permits (litres /sec)	Allocation limit for B permits (litres / sec)
1. Motunau River	Motunau River	At Atkinson property immediately downstream of the pump intake	N34: 153-961	25 (Oct-Apr) 45 (May-Sep)	All takes share the available flow within the allocation block. When available flow is less than the size of the allocation block takes shall be reduced on a pro rata basis in order to maintain the minimum flows.	20 (Oct-Apr) 50 (May-Sep)	45	50

¹ NZMS 260 Series 1:50,000

2.2 Amend the section entitled “Explanation and reasons for flow, level and allocation regimes set in Schedule WQN1” by adding the following to page 5-240

Motunau River

Purpose of management for the Motunau River:

- (i) to safeguard the mauri of the Motunau River;*
- (ii) to protect wāhi tapu and other taonga of value to Ngāi Tahu;*
- (iii) to maintain the natural character and amenity of the Motunau River;*
- (iv) to safeguard the life-supporting capacity for trout;*
- (v) to safeguard the life-supporting capacity for indigenous species; and*
- (vi) to provide for the taking of water for out-of-stream use providing sufficient water is retained instream to satisfy purposes (i) to (v).*

A minimum flow, established by way of a condition of a consent, has existed since 1983 for the Motunau River. Initially determined under the Water and Soil Conservation Act 1967 and subsequently considered under the Resource Management Act 1991, the minimum flow is considered to be inconsistent with the requirements of Objective WQN1.

In 2004, Environment Canterbury initiated and facilitated a community consultation process to assist in aligning the minimum flow to Objective WQN1. An initial public meeting was held in February 2004 and participants agreed to the establishment of a Community Advisory Group. In addition, Environment Canterbury commissioned the National Institute of Water and Atmospheric Research (NIWA) and a panel of scientists and others with expertise in the various values set out in Objective WQN1 to rank the relative importance of those values and provide advice on the flow requirements necessary for their protection. The findings of NIWA are documented in Report No. U04/107 (Minimum flows for selected North Canterbury streams) while the panel findings are contained in the Planning Report (Report No. U06/22).

The Community Advisory Group met on four occasions between March and November 2004. It provided local knowledge and assisted the panel with local site inspections. Feedback from the Group was considered in arriving at the recommended minimum flow, the site at which the flow is to be measured and an allocation regime for the catchment. The feedback is documented in a Community Advisory Group Report for the Minimum Flow Process (January 2006) and attached as an appendix to the Planning Report.

The Planning Report concluded:

- i. the most satisfactory site to measure the minimum flow should be located immediately below the take on the Atkinson property;*
- ii. the protection of wāhi tapu and wāhi taonga values is highly important and safeguarding mahinga kai is of medium importance;*
- iii. maintaining natural character, indigenous vegetation and general amenity values is of low to medium importance;*
- iv. the environmental flow set out in Schedule WQN1 provides an adequate level of protection to instream values and meets the requirements of Objective WQN1.*

Council agreed with the report's conclusions.

Part 3: Supplementary Section 32

3.1 Efficiency and effectiveness evaluation for the proposed flow regime

The flow regime for the Motunau River will be located in Schedule WQN1 in Chapter 5 of the proposed Natural Resources Regional Plan (NRRP). Chapter 5 is part of Variation 1 of the NRRP, which was notified in July 2004. Chapter 5 has a substantial companion Section 32 report (Report No. R04/16/5) that fully evaluates the objectives, policies, rules and other methods contained within it. Therefore it is only necessary to consider the efficiency and effectiveness of the new regime compared to the existing regime.

The Planning Report (Report No.U06/22) sets out clearly that the existing minimum flow, and the site at which it is measured, do not provide an adequate level of protection for instream values. Nor does it provide a suitable location for the effective management of abstractions. The new minimum flow, and the new minimum flow site, were arrived at via a community consultation process. The new minimum flow was determined after assessing what flow was needed to adequately provide for each value specified in Objective WQN1 in Chapter 5. In addition, the impact of the flow change on existing users was assessed. It was accepted that the new site and new flow regime better met the requirements of Objective WQN1 and relevant Chapter 5 policies. Therefore, it follows that the new regime and site are more efficient and effective at achieving the objective.