

Plan Change 4 to the Canterbury Land and Water Regional Plan

Version Showing Officer s42A Report
Recommendations as red “Tracked Changes”

31 January 2016

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Section A How to read this document

Introduction

Section A of this document is included for information purposes only and does not form part of Plan Change 4 to the Canterbury Land and Water Regional Plan. Section A contains the following sections:

Information for the Reader

- This section sets out the sections of the Canterbury Land and Water Regional Plan proposed to be amended as part of Plan Change 4, and includes general information to be noted when reading proposed Plan Change 4.

How the Proposed Amendments are Shown:

- This section describes how deletions, insertions and amendments proposed as part of Plan Change 4 are indicated in the document.

Amendment Categories

- This section sets out the provisions proposed to be amended as part of Plan Change 4, the matter or issue to which the amendment relates, and a key to assist in identifying the issue or matter associated with each amendment.

Section B of this document forms part of Plan Change 4. Section B sets out all amendments to the Canterbury Land and Water Regional Plan proposed as part of Plan Change 4. Section B is contained in two parts:

- Part 1 - General Amendments collates together in Table 2, any proposed amendment that results in an identical change to multiple parts of the Canterbury Land and Water Regional Plan and which is not otherwise set out in full in the document.
- Part 2 - Other Amendments contains all other amendments to Sections 2, 3, 4, 5, 6, 7, 16 and the Planning Maps proposed as part of Plan Change 4. These proposed amendments are shown in full as tracked changes throughout the document.

Information for the Reader

Plan Change 4 proposes to amend, delete and insert new provisions into the following parts of the Canterbury Land and Water Regional Plan:

- Region-wide sections 2, 3, 4 and 5;
- Sub-region sections 6 and 7;
- Section 16 (Schedules 1, 5, 8, 17 and 25);
- The Canterbury Land and Water Regional Plan Canterbury and Christchurch Map Series (the Planning Maps).

In reading this plan change, the following should be noted:

- Any reference to 'the Plan' in this document is a reference to the Canterbury Land and Water Regional Plan.
- This document shows only those provisions that are proposed to be amended, or new provisions proposed to be inserted, as part of Plan Change 4. For example explanatory notes between headings and rules proposed to be amended as part of Plan Change 4 are not shown. To view the Plan in its

entirety please visit www.ecan.govt.nz/lwrp.

- Headings and Section numbers used in the Plan Change are the same as those used in the Canterbury Land and Water Regional Plan.
- Table 1 - Key to understanding the Amendments has been included to assist in identifying the provisions proposed to be amended as part of Plan Change 4, and the matter or issue to which the amendment relates. Each issue or matter has been assigned an 'Amendment Category' as shown in Table 1. At the end of any text to be amended, inserted or deleted the 'Amendment Category' will be shown in superscript font. (Example ChangeA)
- All proposed amendments in the same 'Amendment Category' should be treated as one 'proposed change', and considered independent of amendments contained within other categories.
- In general, the full text of any provision proposed to be amended as part of Plan Change 4 is shown in full. However, for the purposes of efficiency, where a proposed amendment results in an identical change to multiple provisions in the Plan, and where that is the only change to that provision, the amendments are instead collated in Table 2 of Section B of this document.
- Consequential renumbering of provisions in the Plan may be required in response to decisions made on matters raised in any submission. Any such amendment would occur at the time that decisions are made under clause 10 of Schedule 1, or when the plan change is made operative under clause 20 of Schedule 1.

How the Proposed Amendments are Shown

Proposed amendments to the Plan by Plan Change 4 are shown as follows:

- Proposed insertions are underlined.
- Proposed deletions are shown in ~~striketrough~~.
- Instructions are shown in italics and contained in box.

<i>Example Instructions</i>

Where text has been included for the purposes of context, this is shown without underline or strikethrough font. This text does not form part of Plan Change 4.

Proposed amendments to the Canterbury and Christchurch Land and Water Plan Map Series include:

- Minor corrections to the Timaru Groundwater Allocation Zone.
- Minor corrections to the Nutrient Allocation Zone boundaries.
- The insertion of 'Inanga Spawning Habitat' and 'Inanga Spawning Sites' onto the B and C series maps.

Replacement or updated map sheets showing the proposed changes are included in this document under the section 'Planning Maps'.

Amendment Categories

Table 1 below (*Key to Understanding the Amendments*) sets out the issue or activity that the proposed amendment addresses, the suite of provisions to be amended and the corresponding 'Amendment Category'.

Table 1 - Key to Understanding the Amendments

Amendment Category	Issue or Activity	Provisions Amended, Added or Deleted			
		Objective	Policy	Rule	Other
A	Inanga Spawning Sites and Inanga Spawning Habitat	-	4.31, 4.86A, 4.86B	5.71, 5.136, 5.137, 5.138, 5.139, 5.140, 5.141, 5.148, 5.151, 5.152A, 5.163, 5.167, 5.168, 5.169, 5.171	Schedule 17 Section 2.9
B	Stormwater Discharges	-	4.15, 4.16A	5.93, 5.93A, 5.94B, 5.94C, 5.95, 5.95A, 5.96, 5.97, 5.96, 5.97	Section 2.9
C	Tangata Whenua Values	-	4.14B	-	-
D	Group and Community Drinking Water Supplies	-	4.5, 4.23A, 4.23B	5.7, 5.8, 5.71, 5.75, 5.77, 5.82, 5.91, 5.119	Schedule 1 Schedule 5 Section 2.9
E	Dewatering and Drainage Water	-	-	5.75, 5.76, 5.77, 5.78, 5.79, 5.80	Section 2.9
F	Bores	-	-	5.103, 5.104, 5.104A, 5.107, 5.108, 5.109	Section 2.9
G	Surface Water Sampling and Monitoring	-	-	5.140A	
H	Vegetation and Earthworks in Beds of Lakes and Rivers and Riparian Margins, Discharge of Floodwaters, and Fine Sediment Removal from Rivers	-	4.85A, 4.92A	5.142, 5.146A, 5.146B, 5.163, 5.164, 5.167, 5.168	Section 2.9
I	Gravel Extraction	-	4.18, 4.95A	5.148, 5.149, 5.150	-
J	Sediment-laden water discharges	-	4.76A	5.109, 5.119, 5.163, 5.164, 5.165, 5.166, 5.167, 5.168, 5.169, 5.170, 5.171	Section 2.9
K	Contaminated Land	-	4.19	5.82, 5.119, 5.187, 5.188	-
L	Stock Exclusion	-		5.68A, 5.68	-
M	Minor Correction	3.14	4.5, 4.86	5.75, 5.77, 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.91, 5.95, 5.97, 5.111, 5.116, 5.119, 5.123, 5.129, 5.130, 5.135, 5.136, 5.137, 5.138, 5.139, 5.141, 5.141A, 5.141B, 5.142A, 5.143, 5.144, 5.145, 5.146, 5.148, 5.149, 5.150, 5.154, 5.155, 5.156, 5.163, 5.167, 5.168, 5.169, 5.171, 5.174, 5.176, 5.177, 5.178, 5.187	Interpretation Note -(Small and Community Water Takes) Section 2 Section 2.9 Section 6 Section 7 Schedule 9
N	Sewage, Wastewater and Industrial and Trade Wastes	-	4.28	5.7, 5.8, 5.9, 5.84, 5.91, 5.92	Section 2.9
O	Water Takes and Water Supply Strategies	-	4.49	5.111, 5.113, 5.114, 5.114A, 5.115, 5.123, 5.128, 5.133	Schedule 25
P	Groundwater and Surface Water Limits	-	4.13	-	Schedule 5 Schedule 8 Table 1a and 1b

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Section B Plan Change 4

Part 1 - General Amendments

Proposed amendments that result in an identical change to multiple parts of the Plan are set out in Table 2 below:

In addition to those areas specifically identified in Part 2 of Plan Change 4, delete the words 'Group or' from those rules listed in Table 2 below.

Table 2

Amendment Category	Rule Number	Location in Rule	Rule Number	Location in Rule
D	Rule 5.10	Condition 2(b)(i)	Rule 5.33	Condition 1(c)
	Rule 5.14	Condition 4(b)	Rule 5.36	Condition 1(c)
	Rule 5.16	Condition 2(b)	Rule 5.39	Condition 1(b)
	Rule 5.20	Condition 2	Rule 5.85	Rule description
	Rule 5.22	Condition 2(b) and 4(a)	Rule 5.90	Rule description
	Rule 5.24	Condition 5(b)	Rule 5.98	Condition 8(b)
	Rule 5.27	Condition 6(b)	Rule 5.101	Condition 2
	Rule 5.29	Condition 3(f)	Rule 5.179	Condition 2(b)
	Rule 5.31	Condition 1A	Rule 5.181	Condition 5

Part 2 - Other Amendments

All other amendments proposed as part of Plan Change 4 to the Canterbury Land and Water Regional Plan are set out in full in Sections 2, 3, 4, 5, 6, 7 and 16. Map sheets proposed to be deleted, amended or inserted are included in the Planning Maps section.

For the avoidance of doubt, Sections 2, 3, 4, 5, 6, 7, 16 and the Planning Maps are considered part of Section B of this document.

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Section 2 How the Plan Works & Definitions

2.3 Rules

The rules in the Plan implement the policies, as required under section 67(1)(c) of the RMA.

The rules have the force and effect of regulations in statute, which means they are legally binding. For the purposes of clarity, where a rule in this Plan refers to a limit, target, threshold, standard, method, practice, site or list contained in any table or schedule within this Plan, that table or schedule forms part of the rule.^M

The rules determine whether a person needs to apply for a resource consent or whether the proposed activity can be undertaken without one (known as permitted activities). The rules may also make some activities prohibited, which means there can be no resource consent application for that activity. An activity needs to comply with all relevant rules in the Plan, unless the rule itself states otherwise.

There is a strong relationship between the status an activity is given in a rule in this Plan and the effects sought to be managed by the policies and the environmental outcomes sought to be attained by the policies and objectives.

- Permitted and controlled activities are acceptable in all cases, however a controlled activity requires a resource consent to enable specific assessment of identified matters and addition of resource consent conditions.
- Restricted discretionary and discretionary activities may or may not be appropriate in any given circumstance, depending on the effects of the activity.
- Non-complying activities are generally inappropriate.
- Prohibited activities are not appropriate in any circumstance, and no resource consent application may be made for a prohibited activity.

Rule bundling is used in this Plan to combine permissions which may be required under section 9 and sections 13 to 15 of the RMA. One application for resource consent can therefore be made and the CRC will assess and determine the component activities separately, in accordance with the provisions of the RMA relevant to that activity, and any resource consents granted will specify the relevant provisions of the RMA under which the different resource consents have been issued. Resource consents for activities that would otherwise contravene sections 13 – 15 need to expressly allow the relevant activity by reference to the relevant provision.

2.9 Definitions, Translations and Abbreviations

Definitions

The words used in this Plan have their ordinary meaning as set out in the Oxford English Dictionary (Second Edition or Oxford English Dictionary Online), except where the words are defined in either the RMA, the RPS 2013, or this Plan. The definitions in *italics* below are from the RMA and are reproduced here for information purposes.

Word	Definition
Animal effluent	Animal effluent means faeces and urine from animals other than humans, including associated process water, wash-down water, contaminants and sludge <u>but^M excluding solid animal waste. For the purposes of this definition, it does not include incidental animal effluent present in livestock processing waste streams.</u> ^M

Word	Definition
Available reticulated stormwater system ^B	means a reticulated stormwater system where: <ol style="list-style-type: none"> 1. <u>a conveyance structure that forms part of the reticulated stormwater system passes within 50m of the property boundary; and</u> 2. <u>stormwater is able to be conveyed into the reticulated system under gravity; and</u> 3. <u>the network operator will accept the stormwater from the property; and</u> 4. <u>the distance between the conveyance structure and the source of the stormwater is less than 100m.</u>
Bio-solids	means sewage or sewage sludge derived from a sewage treatment plant, that does not include animal effluent or products derived from industrial wastewater ^N treatment plants, and that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land.
Bore	means a structure or hole in the ground constructed for the purpose of: <ol style="list-style-type: none"> 1. <u>Hydrological or</u>¹ <u>geotechnical</u> investigations^F or monitoring conditions below the ground surface; or 2. abstracting liquid substances from the ground; or 3. discharging liquid substances into the ground; but excludes any ^F test pits, trench, and ^F soak holes ^F , <u>piezometers, lysimeters</u> ² or well-pointing device or other structure used to temporarily lower the groundwater table for the purpose of dewatering ^E .
Community drinking-water supply	means a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501-25 ^D people with drinking-water for not less than 60 days each calendar year, <u>or is listed in Schedule 1A.</u> ³
Community Water Supply	means water taken primarily for group drinking-water supply and includes group drinking-water supply, and community drinking-water supply, but and includes ^D that may ^D also be ^D used for other purposes such as supply to ^D institutional, industrial, processing, or ^D stockwater purposes ^D , or amenity irrigation use and fire-fighting activities.
Construction-phase stormwater ^D	<u>means water, sediment and entrained contaminants resulting from precipitation on exposed or unstabilised land and which arises from construction or demolition activities, or the development of a building site.</u> ^D
Dewatering	means the abstraction of groundwater so as to lower the water table for the period of time required to enable excavation, construction, maintenance ^E or geotechnical work to proceed in the dewatered area, <u>or to sustain a lower localised water table.</u> ^E
Diversion	means the deflection of water from its natural course, but remaining within the bed or the banks of the water body, or artificial lake or artificial watercourse. For the purpose of this Plan <u>and unless the diversion is the result of a lawful permanent e-alignment of the bed of a surface water body,</u> ^M taking water from the bed of any watercourse, even if only for a short distance before it is returned, is considered a take and discharge.
Drainage system	means a surface or subsurface pipe or channel or canal system for the collection transfer and discharge elsewhere of surface or subsurface water, that has been constructed for the primary purpose of: <ol style="list-style-type: none"> 1. <u>collecting or draining water and contaminants from agricultural or rural land; or</u> 2. <u>controlling or permanently lowering the watertable;</u> <u>and which conveys and discharges that water and contaminants to land or surface water. It excludes any system that has been constructed for the primary purpose of collecting, conveying or discharging stormwater.</u> ^E

¹ ESAI – PC4 LWRP-28

² H Rennie – PC4 LWRP-278

³ Mackenzie DC – PC4 LWRP-329

Word	Definition
Drainage water	means water and contaminants arising from the drainage of water from the soil profile, or excess surface water from agricultural or rural land. It excludes stormwater and sediment-laden water which are separately defined. discharged from a surface or subsurface pipe or channel or canal system for the collection, transfer and discharge elsewhere of surface or subsurface water. It excludes stormwater which is separately defined. ^E
Earthworks	means the excavation of, and/or filling with topsoil, subsoil, sediments, rock and/or other underlying materials on which the soil is formed. Earthworks include, but are not limited to, the construction and maintenance of roads, tracks, firebreaks and landings, and ground shaping (recontouring), root raking and blading. Earthworks excludes: <ul style="list-style-type: none"> a cultivation of the soil for the establishment of crops or pasture on production land established prior to 5 September 2015;^H b digging of postholes for the construction of fences; c works for research and monitoring such as coring, water bores and the use of piezometers; d ripping in of water pipes or cables; and e establishment, maintenance and/or enhancement of wetlands, domestic gardens or amenity planting. f harvesting of horticultural crops.
Floodwaters ^M	means surface water that has inundated a property as a result of the breaching or over-topping of the banks of a surface water body. ^M
Group drinking-water	means a drinking water supply that provides more than one household but fewer than 501 people with drinking water for not less than 60 days each calendar year. ^D
High Naturalness Waterbody ^M	means those hāpua, wetlands and natural state water bodies which are considered to have outstanding or significant characteristics and which are listed as high naturalness water bodies in Sections 6 to 15 of this Plan. ^M
Inanga Spawning Habitat ^A	Means that part of the bed and banks of a lake, permanently or intermittently flowing river or ⁴ artificial watercourse, coastal lagoon or wetland that is between mean high water springs and mean low water neaps and is within the area identified as 'inanga spawning habitat' on the Planning Maps. ^A
Inanga Spawning Site ^A	Means that part of the bed and banks of a lake, permanently or intermittently flowing river or artificial watercourse, coastal lagoon or wetland that is between mean high water springs and mean low water neaps and is within the area identified as an 'inanga spawning site' in Schedule 17 and on the Planning Maps. ⁵
On-site wastewater treatment system	means a system that receives domestic ^N wastewater from a single site property ^N and treats and applies the wastewater to a land application system on the site property ^N . Such domestic ^N wastewater includes that from facilities serving staff/employees/residents in institutional, utility, commercial and industrial establishments.
Outstanding fresh-water bodies ^M	means those hāpua, wetlands, natural state water bodies and high naturalness water bodies, which are listed as outstanding in Sections 6 to 15 of this Plan and water bodies subject to Water Conservation Orders. ^M
Recovery activities	means, in the context of responding to a natural disaster event for which a regional or national state of emergency was declared, extending, repairing or improving the integrity of any land, water body, or infrastructure, and any associated discharge of sediment-laden water arising as a result of that extension, repair or improvement, but excludes any discharges associated with the operation of infrastructure.

⁴ Federated Farmers – PC4 LWRP-390

⁵ Trustpower – PC4 LWRP-78

Word	Definition
Reticulated stormwater system	means a network of pipes, swales, drains kerbs and channels <u>owned or operated by a network utility operator which convey that collects stormwater within urban areas or zones identified in a proposed or operative district plan for residential, commercial or industrial purposes⁶ and conveys that stormwater to any device, wetlands retention or detention pond or and infiltration basins and treatment devices, which may include detention ponds, for the treatment of stormwater, prior to a discharge to land, groundwater, or surface water or another reticulated stormwater system and that serves more than one property. It excludes any drainage system that has been constructed for the primary purpose of collection, conveyance or discharge of drainage water.</u>
Sediment-laden water	means water and entrained sediment arising from earthworks, geotechnical investigations, vegetation clearance, or the introduction or removal of vegetation, but excludes construction-phase stormwater which is separately defined.
Sewage Sludge	means sludge from the treatment of human effluent means a semi-liquid residue that settles to the bottom of pipes, tanks and systems used in on-site <u>wastewater treatment systems</u> and community wastewater systems.
Stormwater	means runoff water and entrained contaminants arising from precipitation on the external surface of any structure or any land modified by human action, and that has been channelled, diverted, intensified or accelerated by human intervention. modification of the land surface or runoff from the external surface of any structure as a result of precipitation and includes entrained contaminants and sediment including that generated during construction or earthworks. It excludes construction-phase stormwater, sediment-laden water and drainage water which are separately defined.
Vegetation clearance	means removal of vegetation by physical, mechanical, chemical or other means but excludes: <ul style="list-style-type: none"> a. cultivation or harvesting for the establishment of <u>forestry</u>,⁷ crops or pasture on <u>production land established prior to 5 September 2015</u>; b. clearance for the establishment or maintenance of utilities, <u>infrastructure</u>⁸, or structures; c. removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy; d. clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings; or e. domestic gardening and the maintenance of amenity planting; f. <u>clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river; or</u> g. <u>exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access.</u>
Wastewater	means liquid waste (and liquids containing waste solids) from domestic, industrial or commercial premises, including, but not limited to, sewage , toilet wastes, Wastewater and grey water(household waste water from kitchens, bathrooms and laundries), sullage and trade wastes and but excludes stormwater, trade wastes and other industrial or trade process wastes including livestock processing.⁹

⁶ Waimakariri DC – PC4 LWRP-205 and Selwyn DC – PC4 LWRP-670

⁷ Federated Farmers – PC4 LWRP-399

⁸ Trustpower– PC4 LWRP-84

⁹ ANZCO – PC4 LWRP-150

Section 3 Objectives

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- 3.14 ~~Outstanding fresh water bodies~~ High naturalness waterbodies^M and hāpua and their margins are maintained in a healthy state or are improved where degraded.

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Section 4 Policies

Index to Policies

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Strategic Policies

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- 4.5 Water is managed through the setting of limits to safeguard the life-supporting capacity of ecosystems, support customary uses, and provide for ~~group or~~ community drinking-water supplies and stock water;^M as a first priority;^M and to meet the needs of people and communities for water for irrigation, hydro-electricity generation and other economic activities and to maintain river flows and lake levels needed for recreational activities;^M as a second priority.

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Table 1a Freshwater Outcomes for Canterbury Rivers

Management unit	Sub-unit	Ecological health indicators			Macrophyte indicators		Periphyton indicators ^{1p}			Siltation indicator ^{1p}	Microbiological indicator		
		QMCI ^{1p} [min score]	Dissolved oxygen [minsaturation] (%)	Temperature [max] (°C)	Emergent macrophytes [max cover of bed] (%)	Total macrophytes [max cover of bed] (%)	Chlorophyll <i>a</i> [max biomass] (mg/m ²)	Filamentous algae >20 mm[max cover of bed] (%)	Cyanobacteria mat cover (%)	Fine sediment <2 mm diameter [max cover of bed] (%)	Suitability for contact recreation [SFRG*]		
Natural state <u>waterbodies</u> ^{2p}	- Rivers are maintained in a natural state												
Alpine - upland		6	90	20	No value set	No value set	50	10	20	10	Good		
Alpine - lower							120	20	30		Good to Fair		
Hill-fed - upland							50	10	20	15	Good		
Hill-fed - lower							200	30	50		Good to Fair		
	urban	3.5								20	No value set		
Lake-fed		6							200	30	50	10	Good
Banks Peninsula		5							120	20	30	20	No value set
Spring-fed - upland		6					20	30	50	10	Good		
Spring-fed - lower basins		5					30	30	200	30	50	Fair	
Spring-fed - plains		5	70			30	50	200	30	50	20	No value set	
	urban	3.5				30	60	200	30	50	30	No value set	

¹ These indicators only apply to wadeable areas of wetted riverbed. For the purposes of this table, wadeable areas are defined as reaches of the river up to 600mm in depth.^p

² Rivers within land that is administered for conservation purposes by the Department of Conservation.

Key

QMCI = Quantitative Macroinvertebrate Community Index ^p

SFRG = Suitability for Recreation Grade from: Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment, June 2003^p

Table 1b Freshwater Outcomes for Canterbury Lakes

Management unit	Ecological health indicators				Eutrophication indicator	Visual qualityindicator	Microbiologicalindicator
	Dissolved Oxygen [min](%)		Temp [max] (°C)	Lake SPI* [min grade]	Trophic Level Index (TLI)* [max score]	Colour	Suitability for contact recreation [SFRG]*
	Hypo-limnion	Epilimnion					
Natural state <u>waterbodies</u> ^{1p}	Lakes are maintained in a natural state						
Large high country lakes	70	90	19	Excellent	2	- The natural colour of the lake is not degraded by more than five Munsell Units ^(a)	Good
Small to medium sized high country lakes				High	Māori Lakes and Lakes Emily, Emma ^p and Georgina 4		Good
					All other small to medium sized high countrylakes 3		
Coastallakes				Moderate	Coopers Lagoon/Muriwai 4		No value set
					All other coastallakes 6		
Artificial lakes - on-river				High	3		Good
Artificial lakes –others	20	Suitable for the purpose of the lake		4	Suitable for the purpose of the lake		

(a) Explanatory Note: In respect of Lake Coleridge the natural colour of the lake is the colour of the lake as measured monthly in the period 1 August 2014 to 31 July 2015.

1 Lakes within land that is administered for conservation purposes by the Department of Conservation.

*Key

Lake SPI = Lake Submerged Plant Indicators from Clayton J, Edwards T, (2002) LakeSPI: a method for monitoring ecological condition in New Zealand lakes (Technical report version 1 Report by NIWA)

TLI = Trophic Level Index from: Protocol for Monitoring Trophic Levels of New Zealand Lakes and Reservoirs (Report by Lakes Consulting, March 2000)

SFRG = Suitability for Recreation Grade from: Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment, June 2003

Activity and Resource Policies

Discharge of contaminants to land or to water

...

- 4.13 For other discharges of contaminants into or onto land where it may enter water or to surface water bodies or groundwater (excluding those passive discharges to which Policy 4.26 applies), the effects of any discharge are minimised by the use of measures that:
- (a) first, avoid the production of the contaminant;
 - (b) secondly, reuse, recover or recycle the contaminant;
 - (c) thirdly, minimise the volume or amount of the discharge; or
 - (d) finally, wherever practical utilise land-based treatment, a wetland constructed to treat contaminants or a designed treatment system prior to discharge; and
 - (e) in the case of surface water, results in a discharge that after reasonable mixing:
 - (i) meets the receiving water standards in Schedule 5 ~~as a first priority;~~ and or
 - (ii) ~~as a second priority;~~ does not result in any further degradation in water quality in any receiving surface waterbody that does not meet the water quality standards in Schedule 5 or any applicable water conservation order.
- 4.14B Have regard to Ngāi Tahu values, and in particular those expressed within an iwi management plan, when considering applications for discharges which may adversely affect statutory acknowledgement areas, nohoanga sites, ~~surface waterbodies, silent file areas, culturally significant sites, Heritage New Zealand sites, any listed archaeological sites,~~ and cultural landscapes, identified in this plan, ~~any relevant district plan, the Kaikōura (Te Tai o Marokura) Marine Management Act 2014~~¹⁰ or in any iwi management plan.

...

Stormwater and community wastewater systems

- 4.15 In urban areas, the adverse effects on water quality, aquatic ecosystems, existing uses and values of water and public health from the cumulative effects of sewage, wastewater, industrial or trade waste or stormwater discharges are avoided by:
- (a) all sewage, industrial or trade waste ~~or stormwater~~ being discharged into a reticulated system, where available;
 - ~~(ab) all stormwater being discharged into land or into a reticulated system, where available;~~¹¹
 - (b) all stormwater being discharged in accordance with a stormwater management plan, where one has been consented;
 - (c) the implementation of contingency measures to minimise the risk of a discharge from a wastewater reticulation system to surface water in the event of a system failure or overloading of the system beyond its design capacity; and
 - (d) any reticulated stormwater or wastewater system installed after 11 August 2012 is designed and managed to avoid sewage discharge into surface water.
- 4.16A Operators of reticulated stormwater systems implement methods to manage the quantity and quality of all stormwater directed to and conveyed by the reticulated stormwater system, and from 1 January 2025 network operators account for and are responsible for the quality and quantity of all stormwater discharged from that system, and the Canterbury Regional Council shall not issue any permit to discharge stormwater into a reticulated stormwater system.

¹⁰ Ngāi Tahu – PC4 LWRP-308

¹¹ Selwyn DC – PC4 LWRP-673

Earthworks, land excavation and deposition of material into land over aquifers

- 4.18 The loss or discharge of sediment or sediment-laden water and other contaminants to surface water from earthworks, including roading, works in the bed of a river or lake, land development or construction, is avoided, and if this is not achievable, the best practicable option is used to minimise the loss or discharge to water.
- 4.19 The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated ~~sites-land~~ is avoided or minimised by ensuring that:
- (a) activities are sited, designed and managed to avoid the contamination of groundwater;
 - (b) existing or closed landfills and contaminated ~~sites~~ land¹² are managed and monitored where appropriate to minimise any contamination of groundwater; and
 - (c) there is sufficient thickness of undisturbed sediment in the confining layer over the Coastal Confined Aquifer System to prevent the entry of contaminants into the aquifer or an upward hydraulic gradient is present which would prevent aquifer contamination.

Protect sources of drinking-water

- 4.23 Any water source used for drinking-water supply is protected from any discharge of contaminants that may have any actual or potential adverse effect on the quality of the drinking-water supply including its taste, clarity and smell and ~~group and~~ community drinking water supplies are protected so that they align with the CWMS drinking-water targets and meet the drinking-water standards for New Zealand.
- 4.23A The quality of water abstracted from community drinking-water supply sources is protected through:
- (a) the application of a provisional protection zone around the source of any existing community drinking-water supply, unless a specific protection zone is included as a condition in the permit to take or use water; and
 - (b) requiring applications for new or replacement permits to take or use water for community drinking-water supply to include an assessment of the specific protection zone required, taking into account the factors set out in Schedule 1; and
 - (c) providing, by way of resource consent, for the replacement of provisional protection zones with specific protection zones which reflect the level of protection required for that supply.
- 4.23B In considering resource consent applications to take or use water for a community drinking-water supply, the consent authority shall have regard to:
- (a) the factors set out in Schedule 1; and
 - (b) the extent to which the application reflects those factors set out in Schedule 1 when establishing the extent of the proposed protection zone; and
 - (c) the level of additional restriction the proposed protection zone will impose on land users within the proposed protection zone.

Hazardous Substances & hazardous activities

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- 4.28 The disposal of sewage sludge from the treatment of human effluent:

¹² Oil Companies – PC4 LWRP-418

- (a) does not contaminate any drinking-water supply;
- (b) avoids adverse effects on people's health or safety, on human or stock water supplies and on surface water beyond the site boundary;
- (c) does not restrict activities on adjoining properties;
- (d) avoids creating a dust nuisance on adjoining properties.

...

Livestock Exclusion from Water Bodies

- 4.31 Damage to the bed or banks of water bodies, sedimentation and disturbance of the waterbody, direct discharge of contaminants, and degradation of aquatic ecosystems and inanga and salmon spawning habitat is avoided by:
- (a) excluding intensively farmed stock from lakes, rivers and wetlands; and
 - (b) excluding stock from ~~swimming-freshwater bathing sites listed in Schedule 6, inanga and salmon spawning sites listed in Schedule 17, and other sensitive waterbody areas and the waterbody bed and banks closely adjacent to upstream of these areas;~~ and
 - (ba) excluding stock from inanga spawning habitat during the period of 1 January to 1 June inclusive; and
 - (c) limiting access to wetlands, and the banks or beds of lakes and rivers to stock species that prefer to avoid water and at stocking rates that avoid evident damage.

...

Abstraction of Water

- 4.49 Enable the taking of water for a community water supply by not requiring compliance with any minimum or residual flow or partial restriction conditions and the environmental flow and allocation regime or groundwater allocation limit provided a water supply strategy developed in accordance with Schedule 25 is in place and the water supply is so managed as to restrict the use of water from those supplies during periods of low flow or water levels.

...

Site Dewatering

- 4.76A Adverse effects on surface water quality are minimised through limiting the concentration of sediment and other contaminants present in the dewatering water prior to its discharge to surface water.

Activities in Beds of Lakes and Rivers

- 4.85A Indigenous biodiversity, habitats of indigenous fauna and flora, and the natural character of Canterbury's braided river systems is preserved through:
- (a) preventing further¹³ encroachment of activities into the beds and margins of lakes and rivers; and
 - (b) limiting vegetation clearance within the bed, banks and margins of lakes, rivers, wetlands or coastal lagoons
- unless the vegetation clearance is for the purpose of pest management, habitat restoration, flood control purposes, the operation, maintenance or repair of structures or network utilities, infrastructure network utilities¹⁴, or maintenance of public access.
- 4.86 ~~Earthworks, and structures~~ Activities that occur in the beds or margins of lakes, rivers, wetlands,

¹³ Hurunui Water – PC4 LWRP-218

¹⁴ Hurunui Water– PC4 LWRP-218

hāpua, coastal lakes and lagoons are managed or undertaken so that:

- (a) ~~maintain~~ the character and channel characteristics of rivers including the variable channel characteristics of braided rivers are maintained-preserved¹⁵;
- (b) ~~protect~~ sites and areas of significant indigenous biodiversity values or of cultural significance to Ngāi Tahu are protected; and
- (c) ~~do not preclude any~~ existing lawful access to the bed of the lake, river, wetland, hāpua, coastal lake, or lagoon for recreational, customary use, water intakes or supplies or flood control purposes, is not precluded,^m except where necessary to protect public health and safety.

4.86A Inanga spawning sites are protected through, as a first priority, avoiding activities within the beds and margins of lakes, rivers, hāpua, wetlands, coastal lakes and lagoons that may damage inanga spawning sites, and where these activities cannot be avoided, the use of best practicable options to minimise all impacts.

4.86B Within the beds and margins of lakes, rivers, hapua, wetlands, coastal lakes and lagoons, damage to inanga spawning habitat is minimised by scheduling works to occur outside the inanga spawning period of 1 March to 1 June inclusive where it is practicable to do so, and by extending this period to 1 January to 1 June inclusive, where the works involve vegetation clearance or earthworks, so as to allow sufficient time for regeneration of the habitat.

...

Fine Sediment Removal and Habitat Restoration

4.92A Enable catchment restoration activities that protect springheads, establish or enhance riparian margins, create restore or enhance wetlands, and remove macrophytes and fine sediment from waterways.^H

Gravel Extraction

4.95A Effective management of rivers for flood control purposes is enabled, and erosion of riverbeds, banks and structures from the effects of gravel extraction is minimised, by aligning the duration and volume limits in any resource consent granted for the extraction of gravel with those set out in the Canterbury River Regional Gravel Management Strategy.

¹⁵ Forest and Bird – PC4 LWRP-273

Section 5 Region-wide Rules

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On-site Wastewater

- 5.7 The discharge of wastewater from an existing on-site ~~domestic~~ wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:**
1. The discharge was lawfully established prior to 1 November 2013; and
 2. The treatment and disposal system has not been altered or modified from that established at the time the system was constructed, other than through routine maintenance; and
 3. The volume of the discharge has not been increased as a result of the addition of buildings, an alteration of an existing building, or a change in use of a building that is connected to the system; and
 4. The treatment and disposal system is operated and maintained in accordance with the system's design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and
 5. The discharge is not onto or into land:
 - (a) where there is an available sewerage network; or
 - (b) that is listed as an archaeological site; or
 - (c) where the discharge would enter any surface waterbody; or
 - (d) within 20 m of any surface waterbody or the Coastal Marine Area; or
 - (e) within 50 m of a bore used for water abstraction; or
 - (f) within a ~~Group~~ or Community Drinking-water Protection Zone as set out in Schedule 1 of this Plan; or
 - (g) where there is, at any time, less than 1 m of vertical separation between the discharge point and groundwater; and
 6. The discharge does not result in wastewater being visible on the ground surface; and
 7. The discharge does not contain any hazardous substance
- 5.8 The discharge of wastewater from a new, modified or upgraded on-site ~~domestic~~ wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:**
1. The discharge volume does not exceed 2 m³ per day; and
 2. The discharge is onto or into a site that is equal to or greater than 4 hectares in area; and
 - 2a. The discharge is not located within an area where residential density exceeds 1.5 dwellings per hectare and the total population is greater than 1000 persons; and
 3. The discharge is not onto or into land:
 - (1) where there is an available sewerage network; or
 - (2) that is contaminated or potentially contaminated; or
 - (3) that is listed as an archaeological site; or
 - (4) in circumstances where the discharge would enter any surface waterbody; or
 - (5) within 20 m of any surface waterbody or the Coastal Marine Area; or
 - (6) within 50 m of a bore used for water abstraction; or
 - (7) within a ~~Group~~ or Community Drinking-water Protection Zone as set out in Schedule 1; or
 - (8) where there is, at any time, less than 1 m of vertical separation between the discharge point and groundwater; and
 4. The treatment and disposal system is designed and installed in accordance with Sections 5 and 6 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and
 5. The treatment and disposal system is operated and maintained in accordance with the system's design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of

New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and

6. The discharge does not result in wastewater being visible on the ground surface; and
7. The discharge does not contain any hazardous substance.

5.8A The discharge of wastewater from an existing, new, modified or upgraded back country hut wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The discharge volume does not exceed 2 m³ per day; and
2. The treatment and disposal system is operated and maintained within the system design specification for maintenance; and
3. The discharge is not onto or into land:
 - (1) where there is an available sewerage network; or
 - (2) that is contaminated or potentially contaminated; or
 - (3) that is listed as an archaeological site; or
 - (4) in circumstances where the discharge would enter any surface waterbody; or
 - (5) within 20 m of any surface waterbody or the Coastal Marine Area; or
 - (6) within 50 m of a bore used for water abstraction; or
 - (7) within a Community Drinking-water Protection Zone as set out in Schedule 1; or
 - (8) where there is, at any time, less than 1 m of vertical separation between the discharge point and groundwater; and
4. The discharge does not result in wastewater being visible on the ground surface; and
5. The discharge does not contain any hazardous substance.¹⁶

5.9 The discharge of wastewater from:

- (a) an existing on-site ~~domestic~~ wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.7; or**
- (b) a new, modified or upgraded on-site ~~domestic~~ wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.8 is a restricted discretionary activity.**

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.7 for an existing system; and
2. The actual and potential direct and cumulative environmental effects of not meeting the condition or conditions of Rule 5.8 for a new, modified or upgraded system; and
3. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
4. The effect of on-site ~~domestic~~ wastewater treatment system density in the local area including known on-site ~~domestic~~ wastewater treatment system failures, the material health status of the community, ~~current~~ groundwater quality, the nature of effects of current sewage disposal methods, treatment options available and affordability.

Stock Exclusion

5.68A For the purposes of Rules 5.68 to 5.71 of this Plan:

- 1. The bed (including the banks) of a braided river is limited to the wetted channels, any gravel**

¹⁶ DoC PC4 LWRP-571

islands, the gravel margins, and

(1) the outer edge of any flood protection vegetation owned or controlled by the CRC for flood protection purposes; or

(2) where no flood protection vegetation owned or controlled by the CRC exists, **the lesser of:**

(a) the distance from the outer gravel margin to land that is cultivated or in crop or pasture on 5 September 2015; or¹⁷

(b) 50m either side of the outer gravel margin as measured on any given day.

2. Any artificial lake is excluded, unless the artificial lake has been created as a result of the damming of a river; **or the artificial lake discharges directly into a natural watercourse.**¹⁸

5.68 The use and disturbance of the bed (including the banks) of a lake, river or a wetland by stock and any associated discharge to water is a permitted activity, provided the following conditions are met:

1. The use or disturbance of the bed (including the banks) of a lake, river or wetland and any associated discharge to water is not categorised as a non-complying activity under Rule 5.70 or a prohibited activity under Rule 5.71; and
2. The use or disturbance of the bed (including the banks) of a lake or river and any associated discharge to water is at a stock crossing point that is:
 - (a). not more than 20 m wide; and
 - (b). perpendicular to the direction of water flow, except where this is impracticable owing to the natural contours of the riverbed or adjoining land; and
 - (c). aligns with a constructed track or raceway on either side of the crossing point; or
3. The use or disturbance of the bed (including the banks) of a lake or river and any associated discharge to water that is not at a permanent stock crossing point does not result in:
 - (a) pugging or de-vegetation that exposes bare earth in the bed (including the banks) of a lake or river; or
 - (b) a conspicuous change in colour or clarity of the water, outside the Mixing Zone; or
 - (c) cattle standing in any lake; and
 - (1) lake located outside of the Hill and High Country Area, **other than any farm pond specifically constructed to provide stock water and that has no outlet to a water course**¹⁹; and
 - (2) lake located within a Lake Zone, as shown on the Planning Maps; and
 - (3) lake classified as a High Naturalness Waterbody; and
4. The disturbance of a wetland does not result in a conspicuous change in colour or clarity of water, or pugging or de-vegetation that exposes bare earth.

5.71 The use and disturbance of the bed (including the banks) of a lake or river by any farmed cattle, farmed deer or farmed pigs and any associated discharge to water is a prohibited activity in the following areas:

1. In an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the period of 1 January to 1 June inclusive; or
2. Within a ~~Group or~~ Community Drinking-water Protection Zone as listed in Schedule 1; or
3. Within 1,000 m upstream, in the bed of a lake river, of a fresh water bathing site listed in Schedule 6; or
4. In the bed (including the banks) of a Spring-fed plains river, as shown on the Planning Maps.

¹⁷ Waitaki Irrigators Collective – PC4 LWRP-254

¹⁸ Fish and Game – PC4 LWRP-478

¹⁹ Federated Farmers - PC4 LWRP-441

Drainage Water

- 5.75** The discharge of drainage water from a drainage system ~~that may contain contaminants from sub-surface or surface drains~~ into an artificial watercourse, constructed wetland or into or onto land is a permitted activity, provided the following conditions are met:
1. The discharge into an artificial watercourse or constructed wetland, beyond the Mixing Zone as defined in Schedule 5, does not:
 - (a) produce conspicuous oil or grease films, scums or foams, or floatable or suspended materials; and
 - (b) produce any conspicuous change in the colour or visual clarity; and
 2. The discharge does not:
 - (a) occur within a ~~Group~~ or Community Drinking-water Protection Zone as set out in Schedule 1; and
 - (b) contain any hazardous substance; and
 - (c) originate from or enter contaminated or potentially contaminated land.
- 5.76** The discharge of drainage water from a drainage system ~~that may contain contaminants from sub-surface or surface drains~~ into an artificial watercourse, constructed wetland or into or onto land that does not meet one or more of the conditions of Rule 5.75 is a discretionary activity.
- 5.77** The discharge of drainage water from a drainage system ~~that may contain contaminants from sub-surface or surface drains~~ into a river, lake or wetland is a permitted activity, provided the following conditions are met:
1. The discharge of land drainage water is only from a drainage system, the full spatial extent of which existed at 3 July 2004; and
 2. The concentration of:
 - (a) total suspended solids in the discharge does not exceed 50 g/m^3 ; and
 - (b) un-ionised hydrogen sulphide in the discharge does not exceed 0.005 g/m^3 ; and
 3. The discharge, beyond the Mixing Zone as defined in Schedule 5, does not produce:
 - (a) ~~produce~~ conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - (b) ~~produce~~ any conspicuous change in the colour or visual clarity; and ~~or~~
 - (c) ~~produce any emission of objectionable odour; and~~
 4. The discharge does not:
 - (a) occur within a ~~Group~~ or Community Drinking-water Protection Zone as set out in Schedule 1; or
 - (b) contain any hazardous substance.
- 5.78** The discharge of drainage water from a drainage system ~~that may contain contaminants from sub-surface or surface drains~~ into a river, lake or wetland that does not meet the conditions of Rule 5.77 is a discretionary activity.
- 5.79** The discharge of contaminants and water from ~~an artificial watercourse~~ the maintenance of artificial watercourses and associated structures into ~~into~~²⁰ an artificial watercourse, constructed wetland or into or onto land is a permitted activity, provided the following conditions are met:
1. The discharge results from the maintenance of artificial watercourses and associated structures;

²⁰ Cl 16 – Correction of a typo (repeated word)

and

2. The discharge is only of water, sediment, and vegetative matter originating from within the banks of the artificial watercourse; and
3. If the discharge subsequently enters a river, lake or wetland, the discharge, beyond the Mixing Zone as defined in Schedule 5, does not produce:
 - (a) ~~produce~~ conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - (b) ~~produce~~ any conspicuous change in the colour or visual clarity.; ~~or~~
 - (c) ~~produce any emission of objectionable odour.~~

5.80 The discharge of contaminants and water from ~~an artificial watercourse~~ the maintenance of artificial watercourses and associated structures into an artificial watercourse, constructed wetland or into or onto land that does not meet one or more of the conditions of Rule 5.79 is a discretionary activity.

Cemeteries

5.81 The use of land for ~~an existing a cemetery, that existed as at 5 September 2015~~ and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant may enter water, is a permitted activity.

5.82 The use of land for a new cemetery or an extension to an existing cemetery after 5 September 2015, and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant or water may enter water, is a permitted activity, provided the following conditions ~~are~~ is met:

1. Any new cemetery or an extension to an existing cemetery after 5 September 2015 is not located:
 - (a) within 20 m of a surface waterbody or the Coastal Marine Area; ~~or~~ and
 - (b) within 50 m of a bore used for water abstraction; ~~or~~ and
 - (c) within a ~~Group or~~ Community Drinking-water Protection Zone as set out in Schedule 1; ~~or~~ and
 - (d) where groundwater is less than 3 m below the ground surface; ~~or~~ and
 - (e) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps.; and
 - (f) on contaminated or potentially contaminated land.

5.83 The use of land for a new cemetery, or any extension to an existing cemetery after 5 September 2015, and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant or water may enter water, that does not meet ~~one or more of the conditions 1 in Rule 5.82~~ is a discretionary activity.

Sewerage Systems

5.84 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from an ~~domestic~~ on-site wastewater treatment system into or onto land, or into or onto land in circumstances where a contaminant may enter water are discretionary activities.

Industrial and Trade Wastes

5.91 The discharge of any ~~wastewater~~, liquid waste or sludge waste from an industrial or trade process, including livestock processing, excluding ~~sewage~~wastewater, into or onto land, or into or onto land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The volume of the discharge does not exceed 10 m³ per day; and
2. The discharge is at a rate not exceeding 5 mm per day; and
3. The discharge does not contain any hazardous substance; and
4. The discharge is not:
 - (a) directly to a surface water body, or within 50 m of a surface water body, a bore used for water abstraction, a dwelling house, school, community facility or the Coastal Marine Area; ~~or~~ and
 - (b) within a ~~Group or~~ Community Drinking-water Protection Zone as set out in Schedule 1; ~~or~~ and
 - (c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; ~~or~~ and
 - (d) onto or into land over an unconfined or semi-confined aquifer, where the land has less than 0.3 m depth of soil; ~~or~~ and
 - (e) within any area or zone identified in a proposed or operative district plan for residential or commercial purposes; ~~or~~ and
 - (f) within a Nutrient Allocation Zone identified as “At Risk” (Orange) or “Water Outcomes Not Met” (Red) on the Planning Maps, unless the discharge contains no nitrogen or phosphorus, or otherwise causes a limit in Schedule 8 to be exceeded; ~~or~~ and
 - (g) onto or into contaminated or potentially contaminated land.

5.92 The discharge of any ~~wastewater~~, liquid waste or sludge waste from an industrial or trade process, including livestock processing, excluding ~~sewage~~wastewater, into or onto land, or into or onto land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.91 is a discretionary activity.

Note: If operating under a resource consent granted pursuant to Rule 5.92 for the discharge of liquid waste from livestock processing, which includes limits on the amount of nutrients that may be discharged, no resource consent is required under Rules 5.41 – 5.64.²¹

Stormwater

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Reticulated Stormwater Systems

5.93 The discharge of stormwater or construction-phase stormwater from a reticulated stormwater system onto or into land or into or onto land in circumstances where a contaminant may enter water, or into groundwater or a surface waterbody is a restricted discretionary activity, provided the following conditions are met:

1. For a discharge that existed at 11 August 2012, an application for a discharge permit is lodged prior to 30 June 2018, or at a later date as agreed between the reticulated stormwater system

²¹ ANZCO– PC4 LWRP-614

operator and the CRC; and

2. A stormwater management plan has been prepared to address the management of stormwater in the catchment and is lodged with the application; and
3. The discharge will not cause a limit in Schedule 8 to be exceeded.

The exercise of discretion is restricted to the following matters:

1. The quality of, compliance with and monitoring of the stormwater management plan prepared to address the management of stormwater in the catchment and matters set out in guidance documents prepared by the CRC; and
2. The rate and volume of discharge and the changes to the flow regime of a river or artificial watercourse, flood frequency, including flooding of land or dwellings, erosion of river bank and channels; and
3. The concentration of contaminants and resulting actual and potential adverse environmental effects, including cumulative effects on the receiving water quality of surface and groundwater, aquatic ecosystems, Ngāi Tahu cultural values and other existing uses and users of the water, including takes and discharges; and
4. Measures to:
 - (a) reduce the volume and concentration of contaminants in the discharge; and
 - (b) ensure the volume and rate of discharge do not exceed:
 - (i). the capability of the soil and subsoil layers at the site to reduce contaminant concentrations in the discharge; and
 - (ii). the infiltration capacity of the soil and subsoil layers at the site; and
 - (c) avoid the accumulation of toxic or persistent contaminants in the soil or subsoil layers; and
 - (d) minimise suspended sediment in stormwater from activities involving earthworks; and
5. The potential benefits of the activity to the applicant, the community and the environment; and
6. The need for measures to protect any human or animal drinking-water sources.

5.94 The discharge of stormwater or construction-phase stormwater from a reticulated stormwater system onto or into land or into or onto land in circumstances where a contaminant may enter water, or into groundwater or a surface waterbody that does not meet the conditions of Rule 5.93 is a non complying activity.

Construction-phase stormwater

5.94A The discharge of construction-phase stormwater to a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, is a permitted activity, provided the following conditions are met:

1. The area of disturbed land from which the discharge is generated is less than:
 - (1) 1000 m² for any construction-phase stormwater generated as a result of work carried in out in an area shown as High Soil Erosion Risk on the Planning Maps; or
 - (2) two hectares in any other location; and
2. The concentration of total suspended solids in the discharge shall not exceed:
 - (1) 50g/m³—where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - (2) 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
3. The discharge does not result in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of

20% (one in five year event); and

4. The discharge is not from, into or onto contaminated or potentially contaminated land; and
5. The discharge does not contain any hazardous substance.

5.94B Prior to 1 January 2025, the discharge of construction-phase stormwater into a reticulated stormwater system is a permitted activity, provided the following condition is met:

1. A written permission has been obtained from the owner of the reticulated stormwater system that allows the entry of stormwater into the network.

5.94C The discharge of construction-phase stormwater into a surface waterbody, or onto or into land in circumstances where a contaminant may enter groundwater or surface water, or into a reticulated stormwater system, that does not meet one or more of the conditions of Rule 5.94A or Rule 5.94B is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential effects of the discharge on the quality of the surface water, aquatic ecosystems, Ngāi Tahu cultural values; and
2. The actual and potential effects of the discharge on the quality and safety of human and animal drinking water; and
3. The actual and potential adverse environmental effects of the quantity of water to be discharged on the banks or bed of a waterbody or on its flood carrying capacity, and on the capacity of the network to convey that discharge; and
4. The potential benefits of the activity to the applicant, the community and the environment.

Post Construction-phase Stormwater

5.95A Prior to 1 January 2025, the discharge of stormwater into a reticulated stormwater system is a permitted activity, provided the following condition is met:

1. A written permission has been obtained from the owner of the reticulated stormwater system that allows the entry of stormwater into the network.

5.95 The discharge of stormwater into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter a river, lake, wetland, or artificial watercourse is a permitted activity, provided the following conditions are met:

1. ~~The discharge is into a reticulated stormwater system and the discharger has obtained written permission from the system owner to discharge into the system; or~~
2. ~~The discharge is not into a reticulated stormwater system, and~~
 - ~~(a)~~ 1. The discharge is not from, into or onto contaminated or potentially contaminated land; and
 - ~~(b)~~ 2. The discharge is not into:
 - ~~(i)~~(a) a water race, as defined in Section 5 of the Local Government Act 2002; ~~or and~~
 - ~~(ii)~~(b) a wetland, unless the wetland is part of a lawfully established stormwater or wastewater treatment system; ~~or and~~
 - ~~(iii)~~(c) a waterbody that is Natural State, unless the discharge was lawfully established before 1 November 2013; and
 - ~~(c)~~ 3. The discharge does not result in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of 20% (one in five year event); and
 - ~~(d)~~ 4. The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and

- ~~(e)5.~~ The concentration of total suspended solids in the discharge shall not exceed:
- ~~(i)(a)~~ 50 g/m³, where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50 g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - ~~(ii)(b)~~ 100 g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100 g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
- ~~(f)6.~~ The discharge to water is not within a ~~Group or~~ Community Drinking-water Protection Zone as set out in Schedule 1-; and
7. The discharge does not occur where there is an available reticulated stormwater system.

5.96 The discharge of stormwater onto or into land where contaminants may enter groundwater is a permitted activity, provided the following conditions are met:

- ~~1. The discharge is into a reticulated stormwater system and the discharger has obtained written permission from the system owner to discharge into the system; or~~
- ~~2. The discharge is not into a reticulated stormwater system, and~~
- ~~(a)1.~~ The discharge is not from, into or onto contaminated or potentially contaminated land; and²²
- ~~(b)2.~~ The discharge:
 - ~~(i)(a)~~ does not cause stormwater from up to and including a 24 hour duration ~~2%-10%~~ Annual Exceedance Probability rainfall event to enter any other property; and
 - ~~(ii)(b)~~ does not result in the ponding of stormwater on the ground for more than 48 hours, unless the pond is part of the stormwater treatment system; and
 - ~~(iii)(c)~~ is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed; and
 - ~~(iv)(d)~~ is only from ~~residentially zoned land~~ land used for residential, educational²³ or rural activities;

and

- ~~(e) — does not occur where there is an available reticulated stormwater system; and~~²⁴
- ~~(f) is not from a system that collects and discharges stormwater from more than five sites properties~~²⁵ .

5.97 The discharge of stormwater into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.95, 5.95A ~~and or~~ Rule 5.96 is a discretionary activity except that within the boundaries of Christchurch City it is a non complying activity.

Bores

...

5.103 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a

²² C1 16 minor correction

²³ Ministry of Education – PC4 LWRP-353

²⁴ Consequential to recommended amendment to Policy 4.15

²⁵ Fonterra – PC4 LWRP-455 and Waimakariri DC – PC4 LWRP-214

water infiltration gallery (other than a water infiltration gallery used for emergency firefighting purposes), or a bore, other than a bore for geotechnical investigation or monitoring, or a water infiltration gallery is a permitted activity, provided the following conditions are met:

1. The bore or gallery is installed by a bore driller or bore drilling company that holds a current accreditation under the CRC Bore Installers Programme; and
2. ~~The bore is not for hydrocarbon exploration or production; and~~
3. The screening of any bore or gallery may only be into a single aquifer or water-permeable zone. During bore installation reasonable and practicable methods shall be used to minimise the risk of interconnection or movement of groundwater between aquifers or water-permeable zones; and
4. Any bore constructed to abstract groundwater is screened to below any minimum water level for the groundwater zone as set out in Section 6 to 15 of this Plan; and
5. Contaminants or water are prevented from entering the top of the bore or gallery or underlying groundwater by:
 - (a). covering or capping the bore or the above ground portion of the gallery pipe, when not in use; and
 - (b). sealing the exterior of the bore (the annulus) with bentonite or concrete grout from ground level to above the screen or 1 m below ground level, whichever is the lesser; and
 - (c). sealing the bore-head or above ground portion of the gallery pipe at ground or pumphouse floor level with a concrete pad of at least 0.3 m radius and 0.1 m thickness which is contoured to slope away from the bore or pipe; and
6. Information on bore or gallery location, bore installation (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore; and
7. The bore or gallery is not installed on contaminated or potentially contaminated land.

5.104 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore for geotechnical investigation or monitoring is a permitted activity, provided the following conditions are met:

1. ~~For any non-permanent bore, it is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore; and^F~~
2. For any permanent bore, including monitoring bores, contaminants or water are prevented from entering the top of the bore or underlying groundwater by:
 - (a) covering or capping the bore when not in use; and
 - (b) sealing the exterior of the bore (the annulus) with bentonite or concrete grout from ground level to above the screen or 1 m below ground level, whichever is the lesser; and
 - (c) sealing the bore-head at ground or pumphouse floor level with a concrete pad of at least 0.3 m radius and 0.1 m thickness which is contoured to slope away from the bore or pipe; and
3. Information on bore location, bore installation (including bore logs and intended uses) is submitted to the CRC:
 - (a) within 20 working days of drilling the bore; or
 - (b) ~~for test pits- geotechnical investigations, within 40 working days of digging the test pit-~~ carrying out the geotechnical investigation.

5.104A The use of land, including the excavating of the bed of a lake or river, for the use of a water infiltration gallery for emergency rural fire fighting and the decommissioning of that water infiltration gallery is a permitted activity, provided the following conditions are met:

1. The gallery is less than 5 metres square in area; and
2. The gallery is decommissioned once the fire is formally declared out; and

3. The gallery is rehabilitated by filling with clean material; and
 4. CRC is advised within 20 days of excavating the gallery
- 5.105 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore or a water infiltration gallery that does not meet one or more of the conditions in Rule 5.103, or 5.104 or 5.104A is a discretionary activity.¹**
- 5.106 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore for hydrocarbon exploration or production is a discretionary activity.¹**
- 5.107 The use of land, including the bed of a lake or river, for the decommissioning of a bore, other than a bore for geotechnical investigation or a hydrocarbon bore is a permitted activity, provided the following conditions are met:**
1. The bore is backfilled with inert material and sealed at the surface to prevent any contaminants or surface water from entering the bore; and
 2. Any bore intercepting groundwater is sealed to prevent the vertical movement of groundwater between aquifers or water bearing layers within an aquifer and to permanently confine the groundwater to the aquifer or water bearing layer within an aquifer, in which it originally occurred; and
 3. The bore has not been used for hydrocarbon exploration or production.
- 5.108 The use of land, including the bed of a lake or river, for the decommissioning of a bore, ~~other than a bore for geotechnical investigation or a hydrocarbon bore~~, that does not meet one or more of the conditions in Rule 5.107 is a discretionary activity.**
- 5.109 The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to geotechnical investigations, and the associated use and discharge of that water is a permitted activity, provided the following conditions are met:**
1. The take continues only for the time required to carry out bore development or a pumping test and in any event, the taking does not exceed 120 hours within any 14 day period and total no more than 10 days in any consecutive 12 month period per bore; and
 2. Any bore development or pumping test is carried out in accordance with Schedule 11; and
 3. ~~An assessment of interference effects, undertaken in accordance with Schedule 12, does not show that any community, group or private drinking water supply bore will be prevented from taking water; and~~
 - 3A Bore development or pumping tests shall cease upon notification that the pumping may be preventing access to any
 - (a) community, ~~group or private~~ drinking water supplies; and or
 - (b) private drinking water supply, except any supply located on the property the test is being carried out on; and^F
 4. At the point and time of any discharge to surface water, the rate of flow in the river or artificial watercourse is at least five times the rate of the discharge; and
 5. The concentration of total suspended solids in the discharge does not exceed:
 - (1) 50 g/m³ to any spring-fed river, Banks Peninsula river, or to a lake; or
 - (2) 100 g/m³ where the discharge is to any other river or to an artificial watercourse.

¹ No change is proposed to this rule as part of Plan Change 4. This rule is shown for context only.

Small and Community Water Takes

Interpretation

1. The rules relating to small and community water takes and construction, including road maintenance (Rules 5.111 to 5.120) are the only rules in Section 5 relating to water takes that apply to small and community water takes and construction, including road maintenance. If a small or community water take does not comply with the relevant rules conditions, then it is considered under the rules for other water takes (Rules 5.121 to 5.132). Specific rules in Sections 6 to 15 can still over-ride these Section 5 rules.
2. Nothing in this Plan affects an individual's right to take water in accordance with section 14(3)(b) of the RMA.
3. Takes for drinking water supplies will also need to comply with other requirements including The National Environmental Standard for Sources of Human Drinking Water Regulations 2007 and the Health (Drinking Water) Amendment Act 2007.

5.111 The take and use of water from a river, lake or an artificial watercourse is a permitted activity, provided the following conditions are met:

1. The total take and use per site property:
 - (a) is less than the following rates and volumes:

Waterbody	7DMALF	Rate	Volume per day
River	<100 L/s	0.5 L/s	2 m ³
River	100-500 L/s	2 L/s	10 m ³
River	500 L/s-10 m ³ /s	5 L/s	20 m ³
River	10-20 m ³ /s	5 L/s	50 m ³

Waterbody	7DMALF	Rate	Volume per day
River	>20 m ³ /s	5 L/s	100 m ³
Artificial watercourse	N/A	5 L/s	10 m ³
Lakes	N/A	5 L/s	50 m ³

or

- (b) for rivers where the 7DMALF is unable to be calculated, is at a rate of less than 5 L/s and a maximum volume of 10 m³ per day; and
2. Fish are prevented from entering the water intake as set out in Schedule 2; and
 3. Where the take is from a waterbody with a minimum flow that is set in Sections 6 to 15, the take of water for other than an individual's reasonable domestic and stockwater use ceases when the flow is at or below the minimum flow for that waterbody, as ~~measured~~ estimated by the Canterbury Regional Council; and
 4. The take is not from any river or part of a river that is subject to a Water Conservation Order; and
 5. Where the take is from a water race, irrigation or hydro-electricity canal or storage facility, the abstractor holds a current written agreement with the holder of the resource consents for the taking of water into the water race, canal or storage facility; and
 6. The take is not from the Avon River/Ōtākaro or Heathcote River or a wetland or a hāpua.

5.113 The taking and using of less than 5 L/s and 10 m³ per property per day of groundwater is a permitted activity, provided the following condition is complied with:

1. The bore, other than a sampling or monitoring bore, is located more than 20 m from the site property boundary ~~where that adjoining site is in different ownership~~, or any surface waterbody.

5.114 The taking and using of less than 5 L/s and more than 10 m³ but less than 100 m³ per property per day of groundwater on a property more than 20ha in area is a permitted activity, provided the following conditions are complied with:

- ~~1. The site property is more than 20 ha in area; and~~
- ~~2.1. The bore is located more than 20 m from the site property boundary where that adjoining site is in different ownership or any surface waterbody.~~

5.114A The taking and using of:

- (a) less than 5L/s and 10m³ per property per day of groundwater that does not meet the condition of Rule 5.113; or**
- (b) less than 5L/s and more than 10 m³ but less than 100 m³ per property per day of groundwater on a property more than 20ha in area that does not meet the condition of Rule 5.114; is a restricted discretionary activity.**

The exercise of discretion is restricted to the following matter:

- 1. The actual and potential adverse environmental effects of not meeting the condition of Rule 5.113 or Rule 5.114.**

5.115 The taking and using of water for a community water supply from groundwater or surface water is a restricted discretionary activity, provided the following conditions are complied with:

- 1. A Water Supply Strategy prepared in accordance with Schedule 25 is submitted with the resource consent application; and**
- 2. Where the application seeks water for purposes other than drinking water, the application shall identify which components are not related to drinking water, and which of those are existing or new activities.**

The exercise of discretion is restricted to the following matters:

- 1. The reasonable demand for water, taking into account the size of the community, the number of properties and stock that are to be supplied, the uses that are to be supplied and the potential growth in demand for water; and**
- 2. The effectiveness and efficiency of the distribution network; and**
- 3. The quality and adequacy of, compliance with and auditing of the Water Supply Strategy; and**
- 4. The actual and potential adverse effects on other water takes, including reliability of supply; and**
- 4A The effect on the environmental flow and allocation limits within the relevant sub-region Sections 6 to 15; and**
- 5. The potential benefits of the activity to the applicant, the community and the environment; and**
- 6. Compliance with any relevant Water Conservation Order.; and**
- 7. The need for and extent of the proposed community drinking-water supply protection zone; and**
- 8. The matters set out in Schedule 1 and the way in which those matters are responded to in the proposal for which consent is sought and the assessment of effects forming part of the application; and**
- 9. The actual and potential effects on any land user with land located within the proposed community drinking water supply protection zone.**

Water for Construction Maintenance

5.116 The taking and using of water from a river, lake or an artificial watercourse for infrastructure construction, maintenance and repair is a permitted activity, provided the following conditions are met:

- 1. The take and use does not exceed 15 L/s and 100 m³ per day; and**
- 2. The take and use is for no longer than 2 months; and**
- 3. The take does not at any time exceed 10% of the flow at the point of take; and**
- 4. Where the take is from a water body with a minimum flow set in Sections 6 to 15, the take or diversion ceases when the flow is at or below the minimum flow, as ~~measured~~ estimated by the Canterbury Regional Council; and**

5. The take is not from a wetland; and
6. Fish are prevented from entering the water intake as set out in Schedule 2; and
7. Where the take is from a water race, irrigation or hydro-electricity canal or storage facility, the abstractor holds a current written agreement with the holder of the resource consents for the taking or diversion of water into the canal or storage facility; and
8. The take is not from any river or part of a river that is subject to a Water Conservation Order.

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Site Dewatering - Groundwater

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5.119 The taking of water from groundwater for the purpose of de-watering for carrying out excavation, construction, maintenance and geotechnical testing and the associated use and discharge of that water is a permitted activity, provided the following conditions are met:

1. The take continues only for the time required to carry out the work but the take shall not last for a period exceeding 6 months; and
2. ~~The abstraction is not from a site where an activity or industry listed in Schedule 3 has occurred or is occurring;~~ The take or discharge is not from, into, or onto contaminated or potentially contaminated land; and
3. The take does not lower the groundwater level more than 8 m below the ground level of the site or cause subsidence of any other site; and
4. The take does not have a moderate, high or direct stream depletion effect on a surface waterbody, determined in accordance with Schedule 9, unless the abstracted groundwater is being discharged to the surface waterbody to which it is hydraulically connected; and
5. An assessment of interference effects, undertaken in accordance with Schedule 12, does not show that any community, group or private drinking-water supply bore will be prevented from taking water; and
6. At the point and time of any discharge to surface water, the rate of flow in the river or artificial watercourse is at least five times the rate of the discharge; and
7. The concentration of total suspended solids in any discharge to a surface waterbody does not exceed:
 - (a) 50 g/m³ where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake or wetland; or¹
 - (b) 100 g/m³ where the discharge is to any other river or to an artificial watercourse; and7A The discharge after reasonable mixing with the receiving waterbody meets the visual clarity standards in Schedule 5; and
8. The point of discharge is not within a ~~Group or~~ Community Drinking-water Protection Zone as set out in Schedule 1.

Take and Use Surface Water

5.123 The taking and use of surface water from a river or lake is a restricted discretionary activity, provided the following conditions are met:

1. Unless the proposed take is the replacement of a lawfully established activity affected by the provisions of section 124-124C of the RMA, the take, in addition to all existing consented takes, does not result in any exceedance of any environmental flow or allocation limit or rate of take or seasonal or annual volume limits set in Sections 6 to 15 for that surface waterbody; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, if no limits are set in Sections 6 to 15 for that surface waterbody, the take, both singularly and in addition to all existing consented takes meets a flow regime with a minimum flow of 50% of the 7-day mean annual low flow (7DMALF) as ~~calculated~~ estimated by the CRC and an allocation limit of 20% of the 7DMALF; and

3. Unless it is associated with the artificial opening of a hāpua, lagoon or coastal lake to the sea, the take is not from a wetland, hāpua or a high naturalness river or high naturalness lake that is listed in Sections 6 to 15.

The exercise of discretion is restricted to the following matters:

- 1A. The rate, volume and timing of the take; and
1. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the water quality allocation status of the relevant catchment; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
3. For water used for irrigation, the management of water allocation and resulting nutrient discharges on individual farms; and
4. The potential effects on groundwater recharge where the groundwater allocation zone is fully or over allocated as set out in Sections 6 to 15; and
5. The availability and practicality of using alternative supplies of water; and
6. The effects the take has on any other authorised takes or diversions; and
7. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and
8. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies to this Plan; and
9. Whether and how fish are prevented from entering the water intake; and
10. The provisions of any relevant Water Conservation Order; and
11. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dry land habitats; and
12. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable reduction of the over-allocation.; and
13. Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 to manage the effects arising from the use of the water.

Take and Use Groundwater

5.128 The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:

1. The take is from within a Groundwater Allocation Zone on the Planning Maps; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, for stream depleting groundwater takes, the take, in addition to all existing consented surface water takes, does not result in any exceedance of any environmental flow and allocation limits set in Sections 6 to 15 for that surface waterbody in accordance with Schedule 9; and
3. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, the seasonal or annual volume of the groundwater take, in addition to all existing consented takes, as determined by the method in Schedule 13 does not exceed the groundwater allocation limits for the relevant Groundwater Allocation Zone in Sections 6 to 15; and
4. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any groundwater abstraction other than an abstraction by or on behalf of the applicant are

acceptable, as determined in accordance with Schedule 12.

The exercise of discretion is restricted to the following matters:

- 1A. The rate, volume and timing of the take; and
1. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
2. The availability and practicality of using alternative supplies of water; and
3. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
4. The actual or potential adverse environmental effects on surface water resources if the groundwater take is within a surface water catchment where the surface water allocation limit, as set out in Sections 6 to 15 is fully or over allocated; and
5. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124 - 124C of the RMA, the actual or potential adverse environmental effects the take has on any other authorised takes, including interference effects as set out in Schedule 12; and
6. For stream depleting groundwater takes, the matters of discretion under Rule 5.123; and
7. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
8. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
9. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
10. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated groundwater allocation zone, the reduction in the rate of take and volume limits to enable reduction of the over-allocation.
11. Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 to manage the effects arising from the use of the water.

5.129 The taking and use of groundwater that does not meet one or more of conditions 1 ~~and or~~ 4 excluding conditions 2 and 3^{PC2} in Rule 5.128 is a non-complying activity.

5.130 The taking and use of groundwater that does not meet one or more of conditions 2 ~~and or~~ 3 in Rule 5.128 is a prohibited activity.

PC2 - Amended as a result of the notified version of Proposed Plan Change 2 to the Canterbury Land and Water Regional Plan

Transfer of Water Permits

5.133 The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of the water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater, is a restricted discretionary activity, provided the following conditions are met:

1. The reliability of supply for any other lawfully established water take is not reduced; and
2. The seasonal or annual volume of take after the transfer is less than or equal to the volume of take prior to the transfer, or if no seasonal or annual volume has been applied, a seasonal or annual volume is applied in accordance with Schedule 10; and
3. In the case of surface water, the point of take remains within the same catchment and the take complies with the limits set in Sections 6 to 15; and
4. In the case of groundwater:
 - (a) the point of take is within the same groundwater allocation zone; and
 - (b) the bore interference effects as set out in Schedule 12 are acceptable; and

- (c) in addition for stream depleting groundwater takes:
 - (i). the transfer is within the same catchment; and
 - (ii). the take complies with the limits set in Sections 6 to 15 or the limits in any relevant catchment specific plan listed in section 2.8 of this Plan⁰; and
 - (iii). the stream depletion effect is no greater in the transferred location than in the original location.

The exercise of discretion is restricted to the following matters:

1. The nature of the transfer, whether short term, long term, partial or full, and the apportioning of the maximum rate and seasonal or annual volume in the case of a partial transfer; and
2. The appropriateness of existing conditions, including conditions on minimum flow, seasonal or annual volume and other restrictions to mitigate effects; and
3. The reasonable need for the quantities of water sought, the intended use of the water and the ability of the applicant to abstract and use those quantities; and
4. The efficiency of the exercise of the resource consent; and
5. The reduction in the rate of take in times of low flow; and
6. The method of preventing fish from entering any water intake; and
7. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.123 and Rule 5.128 or Sections 6 to 15 are exceeded, any reduction in the rate or volume of take that may be required to assist with the phasing out of that exceedance.

Notification

Pursuant to sections 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification.

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

Structures

5.135 ~~The placement, use, alteration, reconstruction, maintenance or removal of pipes, ducts, cables or wires over the bed of a lake or river, whether attached to a structure or not, and associated support structures is a permitted activity, provided the following conditions are met:~~

1. The pipes, ducts, cables or wires and associated support structures do not prevent access to or over the bed or to lawfully established structures or defences against water; and
2. The activity is not undertaken in, on, or over the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15, unless the pipes, ducts, cables or wires are attached to an existing structure; and
3. The pipes, ducts, cables or wires and associated support structures do not obstruct or alter navigation of the lake or river or reduce the flood carrying capacity of the waterway.

5.136 ~~The drilling, tunnelling, or disturbance in or under the bed of a lake or river and the installation, maintenance, or removal of pipes, ducts, cables or wires is a permitted activity, provided the following conditions are met:~~

1. The activity is not undertaken in, on, or under the bed of a lake listed as a high naturalness lake in Sections 6 to 15 or in an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive;^A; and
2. The activity does not involve the deposition of any substance, other than bed material, on the bed of a lake or river; and
3. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and
4. Within 30 days of the completion of the activity the bed of the lake or river is returned to its original contour; and

5. Marker posts are erected for the lifetime of the pipes, ducts, cables or wires; and
6. The works do not occur in flowing water.

5.137 The installation, alteration, extension, ~~use, maintenance~~ or removal of bridges and culverts, and the consequential deposition of substances on, in or under the bed of a lake or river, the excavation or other disturbance of the bed of a lake or river, and, in the case of culverts, the associated take, discharge or diversion of water is a permitted activity, provided the following conditions are met:

1. Any material deposited in, on, under or over the bed of a lake or river in order to construct or maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment and does not contain or is not coated with any hazardous substance; and
2. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and
3. The works do not occur in flowing water; and
4. ~~Other than the maintenance of a structure, outside the spawning season, and the use of a structure –~~ The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
5. Upon completion of the activity:
 - (a) any area of the bed of a lake or river which has been disturbed is returned to as near as practicable to its original state; and
 - (b) any excavated areas are left with battered slopes not steeper than 3:1 slope angle (3 horizontal to 1 vertical) and any flow channels disturbed during the activity are reinstated; and
6. For any permanent culvert at the time of its installation:
 - (a) the maximum length is 25 m; and
 - (b) the maximum width of the river bed at the point of the crossing is 5 m; and
 - (c) the culvert is installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river or lake or is covered with water at the estimated 7DMALF; and
 - (d) the culvert provides a 5% Annual Exceedance Probability flood flow capacity without increasing upstream water levels; and
 - (e) the location is not within any urban area or settlement; and
7. For any temporary culvert:
 - (a) the maximum width of the river bed at the point of the crossing is 5 m; and
 - (b) the culvert is installed at a level no higher than bed level, and no lower than 100 mm below the level of the bed of the river or lake; and
 - (c) the culvert is not placed in a waterbody managed for flood control or drainage purposes unless written approval is obtained from the authority responsible for the waterbody; and
 - (d) the culvert is not in place for more than four weeks; unless it is within a plantation forest in which case the culvert shall be in place for no more than 3 months; and
8. For any bridge:
 - (a) there are no piers within the bed; and
 - (b) the bridge and the approaches are designed so that a 5% Annual Exceedance Probability flood event does not cause any increase in upstream water levels; and
 - (c) the soffit (underside) of any bridge is higher than the top of the river bank, and at least 500 mm above the 5% AEP flood level; and
 - (d) the bridge abutments are constructed parallel to the flow; and
9. The works or structures do not prevent any existing fish passage.

5.138 The installation, maintenance, use and removal of defences against water, including the associated deposition of substances on, in or under the bed of a lake or river and excavation associated diversions and discharges of sediment or other disturbance of the bed of a lake or river is a

permitted activity, provided the following conditions are met:

1. The activity does not prevent access in any way to lawfully established structures, including defences against water; and
2. Other than for the use of ~~flood protection work~~ defences against water the activity is not in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15 or within an inanga or salmon and inanga-spawning site listed in Schedule 17; or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
3. The activity is undertaken by or on behalf of a local authority or a network utility operator in accordance with a plan that has been certified by the CRC as being in accordance with the ~~CRC's Canterbury Regional Council Code of Practice for Defences Against Water and Drainage Schemes (June 2015). River Engineering Section Quality and Environmental Management System Manual (March 2010); and~~
4. The works or structures do not prevent any existing fish passage.

5.139 The use and maintenance of structures, excluding dams, on, in or under the bed of a lake or river are permitted activities, provided the following conditions are met:

1. The structures ~~are have been~~ lawfully established ~~prior to notification of this Plan; and~~
2. Any material deposited in, on, under or over the bed in order to maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment, is not contaminated with any hazardous substance; and
3. Any upgrading or minor alteration does not increase the footprint, height, or external envelope of the structure.; and
4. Except for bridges, culverts, pipes, ducts, cables and wires and their support structures²⁶ ~~The~~ maintenance of that part of the structure within the bed of a lake or river is not within an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive.

5.140 Despite any other rule in this Plan, temporary structures and diversions associated with undertaking activities in Rules 5.135 to 5.139, military training activities, or artificial watercourses are permitted activities, provided the following conditions are met:

1. The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
2. The temporary structure and diversion is in place for not more than 4 weeks in any 12 month period

5.140A The installation, alteration, extension or removal of any equipment or device on or in the bed of a lake or river, that is for the purpose of monitoring, measuring, or taking samples from any surface waterbody, and the associated excavation, disturbance and consequential deposition of substances on, in or under the bed of a lake or river is a permitted activity, provided the following conditions are met:

1. The equipment or device and any associated support structures do not prevent any existing fish passage; and
2. Any material deposited in, on, under or over the bed in order to maintain the structure does not contain any hazardous substance and is of inert materials of colour and material type that blends with the surrounding natural environment; and
3. Any alteration, removal or extension of any monitoring, measuring or sampling equipment does not occur unless a written permission has been obtained from the owner of that equipment; and
4. Upon completion of the ~~associated excavation, disturbance and consequential deposition of substances on, in or under the bed activity,~~²⁷ activity any area of the bed of a lake or river that has been disturbed is returned to as near as practicable to its original state.
5. The installation, alteration, extension or removal of any equipment or device is not

²⁶ Transpower – PC4 LWRP-160

²⁷ Fish and Game – PC4 LWRP-487

undertaken in any inanga spawning habitat during the period of 1 March to 1 June inclusive.²⁸

5.141 Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.135 to 5.140A or in relation to artificial watercourses are permitted activities, provided the following conditions are met:

1. The discharge is only of sediment, organic material and water originating from within the bed of the lake or river; and
2. The discharge is not undertaken in an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
3. The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month.

5.141A The placement, installation, erection, reconstruction, alteration or removal of any structure, excluding dams, on, in or under the bed of a lake or river, and including any associated excavation, disturbance, diversion and discharge in the bed of a lake or river that does not comply with Rules 5.135 to 5.141 is a discretionary activity.

5.141B Where not classified by any other Rule in this plan, the diversion or discharge of water and contaminants as a result of the excavation and disturbance of a river or lake bed, or the establishment of a structure or defence against water, is a discretionary activity.

Floodwaters

5.142 ~~The diversion of surface run-off water caused by flooding is~~ discharge of floodwaters from a property to a river, lake or artificial watercourse to alleviate surface flooding is a permitted activity, provided the following conditions are met:

1. The activity is undertaken by or on behalf of a local authority in accordance with a flood-protection plan that has been certified by the Chief Executive of the Canterbury Regional Council as being in accordance with the CRC's River Engineering Section Quality and Environmental Management System Manual (March 2010) by the CRC. The discharge:
 - (1) is limited to a duration of 48 hours; and
 - (2) does not result in or exacerbate flooding of any other property; and
 - (3) does not cause or exacerbate erosion of any property or the bed or banks of any surface waterbody; and
 - (4) does not result in the destabilisation of any lawfully established structure; and
 - (5) does not contain any hazardous substance; and
 - (6) does not originate is not²⁹ from contaminated or potentially contaminated land.

5.142A The discharge of floodwaters from a property to a river, lake or artificial watercourse to alleviate surface flooding that does not meet the condition of Rule 5.142, is a discretionary activity.

~~5.143 Any structure, excluding dams, including any associated diversion and discharge in the bed of a lake or river that does not comply with Rules 5.135 to 5.142 is a discretionary activity~~

~~5.144 Where not classified by any other Rule in this plan, the diversion or discharge of water and contaminants as a result of the excavation and disturbance of a river or lake bed, or the establishment of a structure or defence against water, is a discretionary activity.~~

Refuelling in Lake and Riverbeds

²⁸ Forest and Bird – PC4 LWRP-106

²⁹ Oil Companies – PC4 LWRP-411

5.145 The use of land for the refuelling of vehicles or equipment in the bed of a lake or river is a permitted activity, provided the following conditions are met:

1. The refuelling of machinery does not take place over the wet bed of a river or lake, or in any area where spills may enter surface water; and
2. All refuelling and bulk deliveries are directly supervised by the equipment operator; and
3. ~~All mobile plant is refuelled in a designated area;~~ Refuelling occurs on an impermeable surface base away from drains or watercourses and if not, drip trays are used; and
4. All non-mobile plant has a drip trays or other spill-containment equipment installed.

5.146 The use of land for the refuelling of vehicles or equipment in the bed of a lake or river that does not meet one or more of the conditions of Rule 5.145 is a discretionary activity.

Fine Sediment Removal from Rivers

5.146A Despite any other rule in this Plan, the disturbance of the bed and banks of a river to remove fine sediment less than 2 mm in diameter for the sole purpose of habitat restoration, and the consequential damming, take, use and discharge of water in circumstances where contaminants may enter water is a restricted discretionary activity, provided the following conditions are met:

1. The application for resource consent includes a management plan that describes:
 - (1) the location, timing and method of sediment removal, and the methods for management and disposal of that material; and
 - (2) the location of any sensitive ecological habitats and species located within, and 250m downstream of, the works area; and
 - (3) an assessment of the environmental effects of the activity, including those effects that may occur downstream, and a description of how those adverse effects will be avoided or mitigated; and
2. The activity does not take place on any listed archaeological site; and
3. Any damming of the waterbody will not occur for more than 12 hours at any one location; and
4. The activity is undertaken more than 50m from any lawfully established surface water intake, or closer where written permission has been obtained from the owner of the surface water intake structure.

The exercise of discretion is restricted to the following matters:

1. The content of the management plan including the comprehensiveness of the adverse effects identified and the adequacy of the proposed methods to mitigate any potential adverse effects ; and
2. The location, method and timing of sediment removal with respect to the life stage and habitat of sensitive ecological communities including fish and invertebrates; and
3. The potential adverse effects of the activity on downstream water quality, flows, drinking water supplies, surface water takes, bank stability, and significant habitats of indigenous fauna and flora; and
4. The effect of the activity on the reliability of any authorised surface water take; and
5. The volume and rate at which water is abstracted and discharged to the river; and
6. The adverse effects of the activity on sites used for freshwater bathing as set out in Schedule 6; and
7. Any adverse effects on māhinga kai, wāhi tapu or wāhi taonga identified in any iwi management plan; and
8. The benefits of the activity to the applicant, community and the environment; and
9. Methods to restrict the activity when the river is at or below the minimum flow for that waterbody as set out in Sections 6 to 15 of this Plan, or any relevant catchment specific plan listed in section 2.8 of this Plan; and
10. Methods to restrict the maximum instantaneous rate of water abstraction to a rate not

exceeding 50 percent of the flow in the river at the site being remediated.

- 5.146B **The disturbance of the bed and banks of a river to remove fine sediment less than 2 mm in diameter for the sole purpose of habitat restoration, and the consequential damming, take, use and discharge of water in circumstances where contaminants may enter water that does not meet one or more conditions of Rule 5.146A is a discretionary activity.**

Gravel from Lake and Riverbeds

...

- 5.148 The extraction of gravel from the bed of a lake or river including the deposition of substances on the bed and excavation or other disturbance of the bed of a lake or river is a permitted activity, provided the following conditions are met:**
1. The activity is not undertaken in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15; and
 2. No part of the activity occurs within flowing water; and
 3. The activity does not include the deposition of any substance, other than bed material, on the bed; and
 4. The volume excavated by any person or on behalf of any person, organisation or corporation:
 - (a) in the bed of any river or lake does not exceed 5 m³ in any 12 consecutive months; or between 1 February and 31 August, in the beds listed in Schedule 14, does not exceed 5 m³ per month and not more than 10 m³ in any 12 consecutive months period; or
 - (b) between 1 February and 31 August, in the beds listed in Schedule 15, does not exceed 10 m³ per month and not more than 20 m³ in any 12 consecutive months period; and
 5. Any excavated material (other than surplus or reject material) is removed from the bed within 10 days of the material being excavated; and
 6. Unless undertaken by the network utility operator or responsible owner of for the structure, or written permission from the owner of the structure has been obtained, the activity is undertaken more than 50 m from any lawfully established dam, weir, culvert crossing, bridge, surface water intake plant or network utility pole or pylon, more than 150 m from any lawfully established water level recorder and more than ~~5-7.5 m~~ 5-7.5 m ~~of from~~ any existing defences against water; and
 7. The activity and any associated equipment, materials or debris does not obstruct or alter access to or the navigation of the lake or river; and
 8. The activity does not include screening or any other processing of the gravel within the bed of the lake or river; and
 9. The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
 10. Excavation shall not occur within 100 metres of birds which are nesting or rearing their young in the bed of the river.
- 5.149 The extraction of gravel from the bed of a lake or river, including the ancillary deposition of substances on the bed and excavation or other disturbance of the bed that complies with all the conditions in Rule 5.148, except with respect to the volume limits in condition 4 of does not meet condition 4, 5, or 8 of Rule 5.148, is a permitted activity, provided the following condition is met:**
1. The extraction of gravel is undertaken by or on behalf of the CRC in conformance with the current version of the Canterbury Regional Gravel Management Strategy prepared to give effect

to Policy 10.3.4 of the Canterbury Regional Policy Statement.

- 5.150** ~~Any~~**The extraction of gravel from the bed of a lake or river including the ancillary deposition of substances on the bed and excavation or other disturbance of the bed** ~~where one or more of the conditions for that does not meet condition 1, 2, 3, 6, 7, 9 or 10 of Rule 5.148 or condition 1 of Rule 5.149 are not met~~ **is a discretionary activity.**
- 5.151** **Notwithstanding any other rule in this Plan, temporary structures and diversions associated with undertaking activities in Rules 5.147 to 5.150 or in relation to artificial watercourses are permitted activities, provided the following conditions are met:**
1. The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17; or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive;^A and
 2. The temporary structure and diversion is in place for not more than 4 weeks in any 12 month period.
- 5.152** **Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.147 to 5.150 or in relation to artificial watercourses are permitted activities, provided the following conditions are met:**
1. The discharge is only of sediment, organic material and water originating from within the bed of the lake or river; and
 2. The discharge is not undertaken in an inanga or salmon spawning site listed in Schedule 17; or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
 3. The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month.

Dams and Damming

- 5.154** **The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating of dam structures within the bed of a river, ~~and the use of land to store water,~~ including any associated damming or impounding of water outside the bed of a river or natural lake is a permitted activity, provided the following conditions are met:**
1. For the damming or impounding of water outside the bed of a river or natural lake:
 - (a) the volume of water impounded is less than 20,000 m³; or
 - (b) the maximum depth of water impounded above ground level (measured as the maximum vertical distance between the crest of the dam and the ground level immediately adjacent to the dam) is less than ~~3~~ 4m; and
 - (c) if the volume of water impounded is greater than 1,000 m³, the design and construction of the dam is certified by a Recognised Engineer; and
 - (d) the land is not contaminated or potentially contaminated; and
 2. For the damming of water in the bed of a river and the constructing, altering, using, maintaining and operating of dam structures within the bed of a river:
 - (a) The volume of water impounded is less than 5,000 m³; and
 - (b) The maximum depth of water is less than 3 m; and
 - (c) The dam does not impound the full flow of the river; and
 - (d) Any existing passage of fish is not impeded; and
 - (e) The damming of water does not cause water flow to fail to meet any limits in Sections 6 to 15 or fall below the minimum flow for the surface waterbody if the waterbody is subject to a minimum flow as set out in Sections 6 to 15; and
 - (f) The dam is not located in a river listed as a high naturalness river in Sections 6 to 15 or in the mainstem of any river; and

- (g) The damming does not prevent water being taken by any domestic or stock water supply, or reduce the reliability of supply of any existing legally authorised water take.

5.155 The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating of dam structures within the bed of a river, ~~and the use of land to store water~~, including any associated damming of water outside the bed of a river or natural lake that does not meet one or more of the conditions of Rule 5.154 is a discretionary activity, provided the following conditions are met:

1. The damming of water does not result in downstream river flows less than any minimum flow limit set in Sections 6-15 or, where applicable, the default rules on minimum flow limits in Rule 5.123(2); and
2. Any new dam is not located in a river listed as an high naturalness waterbody in Sections 6 to 15 or in the mainstem of any river; and
3. The damming does not prevent water being taken by any domestic or stock water supply, or reduce the reliability of supply of any existing legally authorised water take.

5.156 The damming of water in the bed of a river, ~~including the associated~~ and the constructing, using, ~~altering~~, maintaining and operating of structures within the bed of a river that does not comply with one or more of the conditions in Rule 5.155 is a non-complying activity.

Vegetation in Lake and Riverbeds

...

5.163 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

1. The activity does not prevent access to lawfully established structures, including flood protection works, or to flood control vegetation; and
2. No vegetation used for flood control or bank stabilisation is disturbed, removed, damaged or destroyed ~~except by or on behalf~~ without the prior written permission of the person or agency responsible for maintaining that vegetation for flood control purposes; and
3. No woody vegetation is disposed of in, on, over or under the bed of a lake or river other than for in situ decomposition of sprayed weeds that were growing in, on, over or under the bed; and
4. Introduction or planting of vegetation in, on, or under the bed of any lake or river is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy; and
5. Introduction or planting of vegetation in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Section 6 to 15 is only of indigenous plant species that naturally occur in the catchment; and
6. ~~The disturbance, removal, damage or destroying of any plant or vegetation~~ Vegetation clearance in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15 is only of:
 - (a) non-indigenous species; or
 - (b) indigenous species that form the understorey of plantation forest that is being harvested and a minimum 5 m set back from the river or lake is provided upon replanting (if replanting occurs); and
7. ~~Except for clearance around utilities or existing structures, removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy, or clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings, the activity~~ Vegetation clearance does not occur in an inanga or salmon spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the period of 1 January to 1 June inclusive; and
8. In a flood control rating district scheme area, the introduction or planting of any plant, is by ~~or on behalf~~ has the prior written permission of the person or agency responsible for maintaining that vegetation for flood control purposes; and

9. From 5 September 2015, and within the bed of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and the Waitaki rivers the vegetation clearance does not result in a reduction in the area or diversity of existing riverbed vegetation; and
10. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed:
 1. 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 2. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply.

5.164 The introduction or planting of any plant, or the removal or disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water that does not comply with one or more of the ^{PC1} conditions 1, 3 or 5 to 7 ^{PC1} of Rule 5.163, excluding conditions 2 and 4 ^{PC1}, and 9, is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.163

5.165 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water that does not comply with conditions 2 or 9 of Rule 5.163 is a non-complying activity.

5.166 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water that does not comply with condition 4 of Rule 5.163 is a prohibited activity.

Earthworks and Vegetation Clearance in Riparian Areas

...

- 5.167 The use of land for vegetation clearance outside the bed of a river or lake or adjacent to a wetland boundary but within:**
- (a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps; or
 - (b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country on the Planning Maps; and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:
1. Except in relation to recovery activities, the area of bare ground resulting from vegetation clearance:
 - (a) Does not exceed 10% of the area within the relevant ~~setback distance in any site riparian~~ margin at any time; or
 - (c) Is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
 - (d) For plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; and
 2. Except in relation to recovery activities, the vegetation clearance is not on land above 900 m above sea level; and
- 2A. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed:**

- (a) 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - (b) 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
 3. The felling of trees, or any part of a tree, is away from any lake, river or wetland, except where it is not practicable to do so to ensure human safety, and no logs or tree trunks are dragged through or across the bed of a lake or a permanently flowing river, or a wetland; and
 4. The vegetation clearance does not occur adjacent to a^M salmon or an inanga spawning site listed in Schedule 17, or undertaken in any inanga spawning habitat during the period of 1 January to 1 June inclusive; and
 5. The vegetation is not flood or erosion control vegetation; and
 6. From 5 September 2015, and within the bed of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and the Waitaki rivers the vegetation clearance does not result in a reduction in the area or diversity of existing riparian vegetation, unless the earthworks have been authorised by a land use consent granted by the relevant territorial authority and conditions 1 to 5 above are also met.

5.168 The use of land for earthworks outside the bed of a river or lake or adjacent to a wetland boundary but within:

- (a) **10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps; or**
 - (b) **5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country;**

and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity provided the following conditions are met:

1. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the extent of earthworks within the riparian margin ~~relevant setback distances in any property:~~
 - (a) does not at any time exceed:
 - (i). an area of 500 m², or 10% of the area, whichever is the lesser; or
 - (ii). a volume of 10m³ on land shown as High Soil Erosion Risk on the Planning Maps; or
 - (b) Is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
 - (c) For plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007 and the NZ Forest Road Engineering Manual (2012); and
2. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed any discharge of sediment associated with the activity into the water in a river, lake, or the Coastal Marine Area does not exceed 8 hours in any 24 hour period, and does not exceed 24 hours in total in any 6 month period; and
 - (1) 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - (2) 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
5. The activity does not occur adjacent to a significant spawning reach for salmon or an inanga spawning site ~~area~~ listed in Schedule 17; or in any inanga spawning habitat during the period of 1

- January to 1 June inclusive; and
6. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, any earthworks or cultivation is not within 5 m of any flood control structure; and
 7. From 5 September 2015, and within the bed of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and the Waitaki rivers the earthworks do not result in a reduction in the area or diversity of existing riparian vegetation, unless the earthworks have been authorized by a land use consent granted by the relevant territorial authority and conditions 1 to 4 above are met.

- 5.169 Vegetation clearance and earthworks outside the bed of a river or lake or adjacent to a wetland boundary but within:**
- (a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land and land shown as High Soil Erosion Risk on the Planning Maps; or
 - (b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water that does not comply with **one or more** of the conditions in Rules 5.167 or 5.168 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. For forest harvesting, the harvesting method, location of haulage and log handling areas, access tracks, and sediment control; and
2. The actual and potential adverse environmental effects on soil quality or slope stability; and
3. The actual and potential adverse environmental effects on the quality of water in rivers, lakes or artificial watercourses or, wetlands ~~or the sea~~; and
4. The actual and potential adverse environmental effects on areas of natural character, outstanding natural features or landscapes, areas of significant indigenous vegetation, indigenous biodiversity and significant habitats of indigenous fauna, mahinga kai areas or sites of importance to Tangata Whenua; and
5. The actual and potential adverse environmental effects on the banks or bed of a waterbody or on its flood carrying capacity; and
6. The actual and potential adverse environmental effects on transport networks, neighbouring properties or structures.

Vegetation Clearance and Earthworks in Erosion-prone Areas

- 5.170 Within the area shown as High Soil Erosion Risk on the Planning Maps and outside any riparian margin, the use of land (excluding any works for which a building consent has been obtained from the relevant local authority) for:**
- (a) Cultivation or spraying of slopes less than 25 degrees; or
 - (b) Cultivation or spraying on slopes greater than 25 degrees; provided that, the total area sprayed or cultivated is less than 200 m²; or
 - (c) Vegetation clearance of species (including by spraying) listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy; or
 - (d) Hand clearance and spot spraying of vegetation; or
 - (e) Silvicultural practices of release cutting, pruning or thinning to waste and harvesting in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; or
 - (f) Earthworks within a production forest undertaken in accordance with NZ Forest Road Engineering Manual (2012); or
 - (g) Maintenance of existing firebreaks, roads and tracks and, during a fire emergency, construction of new firebreaks and tracks; or
 - (ga) Construction of fences; or
 - (h) Construction of walking tracks no more than 1.5 m wide; or
 - (i) Maintenance of existing transport networks; or
 - (j) Earthworks and vegetation clearance associated with the establishment, repair or maintenance of pipelines, electricity lines, telecommunication lines and radio communication structures and fences; or

(k) Other earthworks where:

- (i). the volume is less than 10 m³ per site or per hectare (whichever is the greater); and
- (ii). the maximum depth of cut or fill is 0.5 m;

and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

1. Any cleared areas are stabilised and where it is not put to its final use shall be revegetated within 6 months from the date of the commencement of the vegetation clearance or earthworks; and
2. Any cultivation is across the contour of the land; and
3. When firebreaks, roads, or tracks are constructed or maintained the maximum depth of cut or fill is 0.5 m; and
4. The concentration of total suspended solids in the discharge shall not exceed:
 - (a) 50 g/m³, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50 g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - (b) 100 g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100 g/m³ in which case the Schedule 5 visual clarity standards shall apply.

5.171 Within the area shown as High Soil Erosion Risk on the Planning Maps and outside any riparian margin, the use of land for vegetation clearance, cultivation and earthworks that does not comply with one or more of the conditions in Rules 5.170, or vegetation clearance, cultivation or earthwork activities not listed in Rule 5.170(a) to (k), and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential adverse environmental effects on soil quality or slope stability; and
2. The actual and potential adverse environmental effects on the quality of water in rivers, lakes,
3. artificial watercourses or wetlands ~~or the sea~~; and
4. The actual and potential adverse environmental effects on areas of natural character, outstanding natural features or landscapes, areas of significant indigenous vegetation
5. indigenous biodiversity and significant habitats of indigenous fauna, mahinga kai areas or sites of importance to Tangata Whenua; and
6. The actual and potential adverse environmental effects on a wetland or the banks or bed of a waterbody or on its flood carrying capacity; and
7. The actual and potential adverse environmental effects on transport networks, neighbouring properties or structures; and
8. In addition, for forest harvesting, the harvesting method, location of haulage and log handling areas, access tracks, and sediment control.

Burning of Vegetation

5.174 Within the Hill and High Country, the use of land for the burning of vegetation ~~greater than 1 ha in area~~ that is not provided for as a permitted activity under Rule 5.172 or as a controlled activity under Rule 5.173 is a discretionary activity.

Earthworks over Aquifers

...

5.176 The use of land to excavate material that does not comply with one or more of the conditions of Rule 5.175 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential adverse environmental effects on the quality of water in aquifers, rivers, lakes, wetlands ~~or the sea~~; and
2. Any need for remediation or long-term treatment of the excavation; and
3. The protection of the confining layer and maintaining levels and groundwater pressures in any confined aquifer, including any alternative methods or locations for the excavation; and
4. The management of any exposed groundwater.

5.177 The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the seasonal high water table is less than 5 m below the deepest point in the excavation is a controlled activity, provided the following conditions are met:

1. The material is only cleanfill; and
2. The volume of vegetative matter in any cubic metre of material deposited does not exceed 3%; and
3. The material is not deposited into groundwater; and
4. Any cured asphalt deposited is placed in the land at least 1 m above the highest groundwater level expected at the site; and
5. The material is not deposited onto or into land that is listed as an archaeological site; and
6. A management plan has been prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.

The CRC reserves control over the following matters:

1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands ~~or the sea~~^M and mitigation measures; and
2. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.

5.178 The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the seasonal high water table is less than 5 m below the deepest point in the excavation that does not comply with the conditions of Rule 5.177 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands ~~or the sea~~ and mitigation measures; and
2. The proportion of any material other than cleanfill and its potential to cause contamination; and
3. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.

Contaminated Land

5.187 ~~The passive discharge of contaminants onto or into land from a contaminated site~~ land onto or into land in circumstances where those contaminants may enter water is a permitted activity, provided the following conditions are met:

1. There has been a site investigation report provided to the CRC in accordance with Rule 5.185; and
2. ~~The site investigation report identifies reasons for concluding that:~~ The discharge does not result in the concentration of contaminants

- (1) ~~The concentration of contaminants~~^K in groundwater meets at the property boundary, or at any existing groundwater bore (excluding any monitoring bore located on the property), or

- ~~where there is a Community Drinking Water Protection Zone,~~³⁰ breaching the limits for groundwater set out in Schedule 8; ~~or~~ and
- (2) ~~The concentration of contaminants in the groundwater: at the property boundary, at the location of any existing groundwater bore (excluding monitoring bores), and at any point where the groundwater exits to surface water does not breaching~~ the water quality standards in Schedule 5 for 90% of species; and
3. At any point where the groundwater exits to surface water the discharge does not produce any:
- (a) Conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - (b) Conspicuous change in the colour or visual clarity.; ~~or~~
 - (c) ~~Emission of objectionable odour.~~

5.188 The passive discharge of contaminants onto or into land from a contaminated site land onto or into land in circumstances where those contaminants may enter water that does not meet one or more of the conditions in Rule 5.187 is a discretionary activity.

³⁰ Oil Companies – PC4 LWRP-435

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Section 6 Kaikoura

Groundwater Allocation limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4, 5 and 6.

Table 3: Kaikoura Groundwater Limits

Zone (see Planning Maps)	Allocation Limit (mil m ³ /yr)
Kaikoura - Kowhai	19.2 <u>10.1</u> ^M
Kaikoura – Mt Fyffe	10.1 <u>19.2</u> ^M

For all other areas see Rule 5.128

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Section 7 Hurunui-Waiau

7.1 Other Regional Plans that apply to the Hurunui-Waiau Sub-region

7.1.1 Hurunui and Waiau River Regional Plan

The Hurunui and Waiau River Regional Plan (HWRRP) controls the taking, using, damming and diverting of surface water, stream-depleting groundwater, and groundwater within the Hurunui, Waiau and Jed River catchments; the discharge of water for non-consumptive uses; and the cumulative effects of land use on water quality. The HWRRP specifically implements a number of recommendations in the Hurunui Waiau ZIP, 2011.

The LWRP's objectives, policies and rules do not apply to the matters controlled by the Hurunui and Waiau River Regional Plan.

It should also be noted that discharges arising from ~~land use activities~~ the use of land for a farming activity within this sub-region area are managed under ~~Rules 5.41 to 5.64 inclusive and~~^M Rule 7.5.1 of this Plan.

7.1.2 Waipara Catchment Environmental Flow and Water Allocation Regional Plan

The Waipara Catchment Environmental Flow and Water Allocation Regional Plan controls the taking, using, damming and diverting of surface water, stream-depleting groundwater, and groundwater within the Waipara River catchment.

This Plan's objectives, policies and rules do not apply to the matters controlled by the Waipara Catchment Environmental Flow and Water Allocation Regional Plan.

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Section 16 Schedules

Number	Title
Schedule 1	Group or ^d Community Drinking-water Protection Zone
Schedule 2	Fish Screen Standards and Guidelines
Schedule 3	Hazardous Industries
Schedule 4	Hazardous Substances
Schedule 5	Mixing Zones <u>and Receiving Water Standards</u> ^M
Schedule 6	Areas on Rivers or Lakes Commonly used for Freshwater Bathing
Schedule 7	Farm Environment Plan
Schedule 8	Region-wide Water Quality Limits
Schedule 9	Assessment of Stream Depletion Effect
Schedule 10	Reasonable Use Test
Schedule 11	Aquifer Testing
Schedule 12	Well Interference Effects
Schedule 13	Requirements for Implementation of Water Allocation Regimes
Schedule 14	Excavation of Bed Material (10 m ³)
Schedule 15	Excavation of Bed Material (20 m ³)
Schedule 16	Regional Concept Plan
Schedule 17	Salmon and Inanga Spawning Sites
Schedule 18	Rūnanga Takiwā in the Canterbury Region
Schedule 19	Ngāi Tahu Statutory Acknowledgement Areas
Schedule 20	Tōpuni Areas and Descriptions
Schedule 21	Sites over which Nohoanga Entitlements are to be Granted in the Canterbury region
Schedule 22	Taonga Species List
Schedule 23	Customary Fisheries Species List

Schedule 1 Group or Community Drinking-water Protection Zones

A Community Drinking-water Supply is a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501-25^D people with drinking-water for not less than 60 days each calendar year.

~~A Group Drinking-water Supply is a drinking-water supply that provides more than one household but fewer than 501 people with drinking-water for not less than 60 days each calendar year.^D~~

The location and details of groundwater wells (including water infiltration galleries) and surface water intakes used as ~~the source of~~^D ~~sources of group or a~~^D community drinking-water ~~supplies~~^D can be found on the ~~Group or~~^D Community Supply Wells and ~~Group or~~^D Community Water Supply Protection Zone map layers on the CRC's online GIS mapping website.

Existing ~~group or~~^D community drinking-water ~~supplies~~^D ~~wells~~^D will have provisional ~~Group or~~^D Community Drinking-water Supply Protection Zones (~~established~~^D using the method ~~of set out in~~^D this schedule) until the relevant resource consent requires replacement or until an application for resource consent to apply a specific protection zone is made.

Where the holder of a water permit for an existing community drinking-water supply considers the provisional protection zone is not adequate for the level of protection required for that supply, an application for resource consent to amend the conditions of the water permit may be made.

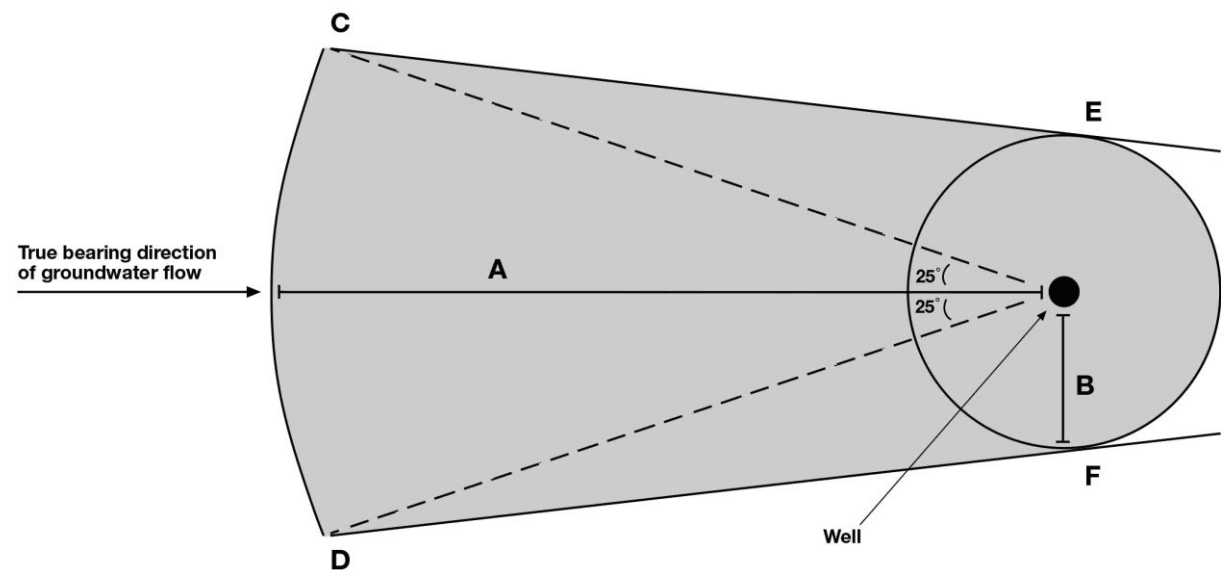
~~In a~~ The dimensions of a specific protection zone shall form part of any resource consent application for resource consent to take or use water for a new group or^D community drinking-water supply take and or the replacement of an existing permit for that purpose. replacement of any existing group or^D community drinking-water supply take. , the need for, and extent of, a specific protection zone will be considered. The dimensions of a specific protection zone around a ~~group or~~^D community drinking-water supply are to be determined using site specific information, including:

1. the topography, geography and geology of the site;^D
2. depth of the well;
3. the construction of the well;^D
4. pumping rates;
5. the type of aquifer;
6. the rate of flow in the surface waterbody;^D
7. the types of actual or potential contaminants;
8. the level of treatment that the abstracted water will receive; and
9. ~~the any potential risks to water quality.~~

All new ~~group or~~^D community drinking-water supplies and specific protection zones will be added to the ~~Group or~~^D Community Supply Wells and ~~Group or~~^D Community Water Supply Protection Zone map layers on Environment Canterbury's GIS mapping website.

Existing groundwater ~~group or~~^D community drinking-water supplies are protected for distances specified in Figure S1A and Table S1A.

Figure S1A Method for calculating the area of a provisional Community Drinking-water Protection Zone.



The area of the protection zone is determined by selecting from the table below depending on the screen depth (or well depth if no screen depth is recorded) and aquifer type.

Table S1A - Protection Areas

Screen Depth (or well depth if no screen depth is recorded)	Aquifer Type	Protection distances (m)	
		Upgradient from the bore (A)	Radius from the bore (B)
<10 m	All	2,000	200
10-< 30 m	Unconfined or semi confined	1,000	200
	Confined	100	100
	Coastal Confined Gravel Aquifer1	400	400
30 – 70 m	Unconfined or semi confined	500	200
	Confined	100	100
	Coastal Confined Gravel Aquifer1	400	400
> 70 m	Unconfined or semi confined	100	100
	Confined	100	100
	Coastal Confined Gravel Aquifer1	400	400

Existing surface water group or community drinking-water supplies, including galleries, are protected from discharges for the following distances, across the full width of the bed, and within a lateral distance of 50 m from the bed:

Upstream on a river	1000m
Downstream on a river	100m
On a lake	500m radius from the point of take

Schedule 1A – Community Drinking Water Supply Schedule

1. Kimbell Rural Supply
2. Burkes Pass
3. Pukaki Airport³¹

³¹ Mackenzie DC – PC4 LWRP-351

Schedule 5 Mixing Zones and Receiving Water Standards

Mixing Zones

The area (and underlying volume) of a receiving water where the water quality standards specified for rivers, artificial watercourses and lakes do not have to be met is referred to as the Mixing Zone.

The Mixing Zone, as a result of a point source discharge of a contaminant, is:

1. For river and artificial watercourse locations with flowing water present at all times;
 - (a) no longer than 200 m along the longest axis of the zone, and
 - (b) occupies no greater than two-thirds of the wetted channel width¹ at the estimated 7DMALF² for that location; and
 - (c) no longer than 10 times the wetted channel width¹ at the estimated 7DMALF² for that location.^p
2. For river and artificial watercourse locations, with intermittent flows, no longer than 20 m at times of flow and 0 m at no flow;
3. For lake locations:
 - (a) if the discharge location is within 50 m of the lake water edge³ at any time, a circle with a diameter of 50 m; or
 - (b) if the discharge location is greater than 50 m from the lake water edge³ at all times, a circle with a diameter of 100 m; and
4. When within a Group or^d Community Drinking-water Protection Zone, as set out in Schedule 1, 0 m.

Notes:

¹ The wetted channel width is estimated by a suitably experienced and qualified person for the proposed discharge location. For a braided river the wetted channel width is the width of water in the braid receiving the discharge.

² The 7DMALF for a specific location is estimated using a generally accepted calculation method undertaken by a suitably experienced and qualified person.

³ The lake water edge is estimated by a suitably experienced and qualified person for the proposed discharge location at the lowest lake level with a ten year reoccurrence interval.

...

Schedule 8 Region-wide Water Quality Limits

Rivers

River type	Type Parameter ^p	Measurement	Limit
Lowland streams Spring-fed plains Spring-fed plains urban ^p	Nitrate toxicity	annual median	3.8 mgN/L

Lakes

TLI	Trophic State	Lake types	TP ¹ mg/l	TN ¹ mg/l	Chl A ¹ µg/l
2	Oligotrophic	Large High Country	0.004	0.073	0.82
3	Mesotrophic	small/medium high country lakes on-river artificial lakes	0.009	0.160	2
4	Eutrophic	other artificial lakes Coopers Lagoon/Muriwai	0.020	0.340	5
6	Supertrophic	All other coastal lakes	0.096	1.560	30

¹ as a maximum annual average

Groundwater

Contaminant	Measurement	Limit
Nitrate-N	Maximum concentration	<11.3 mg/L
Nitrate-N	Annual average concentration	<5.65 mg/L
<i>E.coli</i>	any sample	<1 organism/100 millilitres ^{4p} –
Other contaminants ²	any sample	<50% MAV ³

² Other contaminants of health significance as listed in NZ Drinking-water Standards.

³ Maximum acceptable value (as listed in ² above).

⁴ Compliance with the limit to be determined as follows:

If ~~less than one~~ no organism is detected in ~~fewer~~ more than 50% of the samples, the limit is considered to be met.

~~If one or more organisms is detected in 50% or more of the samples, the sampling regime is to be repeated within 5 days. If one or more organisms is detected in any of the repeated samples, the limit is considered to be breached.~~^{p32}

Schedule 9 Assessment of Stream Depletion Effect

The degree of stream depletion effect shall be determined as follows:

A **direct degree of stream depletion effect** is where the modelled effect of seven days of steady continuous groundwater abstraction on the surface waterbody is equal to or greater than 90% of that abstraction rate.

A **high degree of stream depletion effect** is where the modelled effect of seven days of steady continuous groundwater abstraction on the surface waterbody is less than 90% of that abstraction rate but the effect of 150 days of steady continuous groundwater abstraction is greater than or equal to 60% of that abstraction rate.

A **moderate degree of stream depletion effect** is where the effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 60% but greater than or equal to 40% of that abstraction rate, or the effect of 150 days of continuous steady groundwater abstraction on the surface waterbody is less than 40% of that abstraction rate but pumping the proposed annual volume over 150 days at a continuous steady rate exceeds 5 L/s unless a greater or lesser rate is specified for the catchment in Sections 6 to 15.

A **low degree of stream depletion effect** is where the effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 40% of that abstraction rate and the effect of pumping the proposed annual volume over 150 days at a continuous steady rate is less than 5 L/s unless a greater or lesser rate is specified for the catchment in Sections 6 to 15.

Borefields

Where there is more than one bore on a property abstracting water that is hydraulically connected to a stream, the stream depletion effect for each bore shall be determined independently, and where the bores have the same stream depletion effect, the stream depletion effect of the bores shall be determined in combination as a borefield. The combined stream depletion effect shall be determined evaluating the maximum possible stream depletion effect that may develop as a result of operating under the proposed consent conditions.

Inclusion in surface and groundwater allocations

Table S9.1: Stream depletion effect to be included in the surface and groundwater allocations

Stream depletion effect	Amount to be included in the surface water allocation limit	Amount allocated from the groundwater zone	Pumping schedule	Subject to surface water minimum flow restrictions
Direct	Maximum daily rate of take ¹ (the None rate at which water can be continuously taken to abstract the maximum daily volume that is to be taken), and 100% of the annual volume	None	Not applicable	Yes
High	The stream depletion effect ¹ estimated using the <i>pumping schedule</i> ; and 75% of the annual volume	25% of the annual volume	150 days continuous steady pumping required to deliver the annual volume	Yes if above stream depletion effect cut-off
Moderate	The stream depletion effect ² estimated using the <i>pumping schedule</i> ; and 50% of the annual	50% of the annual volume	150 days continuous steady pumping required to deliver the	No

	volume		annual volume	
Low	None	100% of the annual volume	Not applicable	No

Notes:

1. This effect will be included in the surface water allocation irrespective of the rate of take
2. This effect will be included in the surface water allocation if the stream depletion effect exceeds the stream depletion effect cut-off in Sections 6 to 15^M, or where none has been set in Sections 6 to 15^M, 5 L/s

Schedule 17 Salmon and Inanga Spawning Sites

Salmon Spawning Sites

River Catchment	River, stream or reach name	Upstream Location Description	Downstream Location Description	Downstream Grid Reference	Upstream Grid Reference
Waiau	Henry River	Approximately 2 km above Anne River	St James walkway bridge	BT23:629-114	BT23:588-115
	Waiau River - headwaters	Approximately 15.3 km upstream Waiau River from confluence with Ada River	Confluence of Ada River with Waiau River	BT24:677-145	BT24:720-281
	Matagouri Point Stream	Approximately 2.7 km upstream Matagouri Stream from confluence with Waiau River at 790 m contour	Confluence of Matagouri Stream with Waiau River	BT24:690-194	(790 m)
	Hurunui South Branch	Stream at 780 m contour	North Esk confluence	BV22:374-597	BU22:194-658
	Homestead Creek	700 m contour	Confluence of Homestead Creek with the Hurunui South Branch	BV22:348-611	BU22:315-631
Rakaia	Glenariffe Stream	Top of Glenariffe Stream (approx. 4.8 km from confluence with Double Hill Stream)	Confluence of Glenariffe Stream with Rakaia	BW20:681-034	BW19:628-044
	Double Hill Stream	Approximately 3.6 km upstream Double Hill Stream from Double Hill Run Road Bridge	Confluence of Double Hill Stream with Rakaia River	BW20:682-033	(450 m)
	Manuka Point Stream	540 m contour	Confluence of Manuka Point Stream and Rakaia River	BW19:579-064	(540 m)
	Hydra waters, Titan Stream, Chimera Stream	480 m contour	Confluence of Titan Stream with Rakaia River	BW19:671-068	(480 m)
	Ryton River	Approximately 11 km upstream Ryton River from entrance to Lake Coleridge	Entrance of Ryton River into Lake Coleridge	BW20:805-062	BW20:831-085
	Goat Hill	500 m contour	Confluence with Wilberforce River	BW20:685-126	(500 m)
	Hennah Stream	Exit of Hennah Stream from Lake Evelyn	Confluence of Hennah Stream with Ryton River	BW20:818-076	BW20:813-097
	Mellish Stream	4WD track 1.5 km upstream	Inlet of Mellish Stream to Harrisons Bight, Lake Heron	BX19:556-854	BX19:564-844

River Catchment	River, stream or reach name	Upstream Location Description	Downstream Location Description	Downstream Grid Reference	Upstream Grid Reference
Rangitata	Deep Stream Complex - Mesopotamia	Approximately 500 m downstream Scour Stream from Rangitata Gorge Road crossing to the 470 m contour	Confluence of Scour Stream with Rangitata River	BX18:364-625	(470 m)
	Deep Creek Complex – Mt Potts	Approximately 2.3 km south west of Rabbit Hill to the 500 m contour	Confluence of Deep Creek complex with Rangitata River (approximately 3 km west of Potts Road Bridge over Potts River)	BX18:314-723	(530 m)
	Brabazon Fan	Unnamed tributaries of the Rangitata River to the 500 m contour	Confluence with the Rangitata River	BX18:312-696	(500 m)
	Black Mountain Stream	Unnamed tributaries of the Rangitata River to the 580 m contour	Confluence with the Rangitata River	BX18:248-763	(580 m)
	Ealing Springs	Unnamed tributaries of the Rangitata River to the 140 m contour	Confluence with the Rangitata River	BY20:724-215	BY20:704-232
	McKinnons Creek	Unnamed tributary of the Rangitata River known as McKinnons Creek to the 40 m contour	Confluence with the Rangitata River	BZ20:793-086	(40 m)
Orari	Orari River - Lower Section	Orari River at Badham Bridge	Orari River mouth	BZ20:728-001	BZ19:677-063
	Ohapi Creek	Ohapi South, Middle and North Branches at Guild Rd/20 m contour	Confluence with the mouth of the Orari River	BZ20:724-000	BZ19:662-028 BZ19:663-029 BZ19:677-044
Opihi	Opihi River	Fairlie at SH79 Bridge	Temuka River confluence	BZ19:652-975	BZ18:266-152
	Temuka River	Ford at Oxford Crossing Road	Confluence of Temuka River with Opihi River (Approximately 3.5 km downstream of SH1 Bridge over Opihi River)	BZ19:652-975	BZ19:614-018
	Waihi River	Beeby Road ford	Oxford Crossing Road	BZ19:614-018	BZ19:613-093
	Opuha River Gorge	Approximately 1.5 km below dam	Skipton (SH79 Bridge over Opuha River)	BZ18:382-173	BY18:312-242
	Tengawai River	Albury	Confluence of Tengawai River with Opihi River (Approximately 800 m upstream of Waitohi Pleasant Point Road over Opihi River)	BZ19:510-990	BZ18:306-006

River Catchment	River, stream or reach name	Upstream Location Description	Downstream Location Description	Downstream Grid Reference	Upstream Grid Reference
Waitaki	Lower Waitaki River	Waitaki Dam	SH1 Bridge	CB19:500-232	CA17:962-486
	Hakataramea River	Cattle Creek	Confluence of Hakataramea River with Waitaki River	CB17:008-439	CA17:156-690
	Larch Stream	540 m contour	Hopkins confluence	BZ15:481-084	(540 m)
	Stockyard Creek	555 m contour	Hopkins confluence	BZ15:498-135	(555 m)
	Ohau tributary 1	Just below 560 m contour	Lake Benmore	BZ16:763-861	BZ16:755-870
	Ohau tributary 2	Ponds beside Ohau C	Ohau confluence	BZ15:705-912	BZ15:682-926

Inanga Spawning Sites:

Reaches^M

Okains Bay: The reach from School House Road Bridge upstream to the CRC water level recorder on Opara Stream.

Le Bons Bay: The reach 350 m to 500 m upstream of the bridge that is closest to the sea over the Le Bons Stream.

Gough's Bay: The reach on the stream in Gough's Bay between map co-ordinates upstream (longitude 173.08992, latitude -43.806926) to downstream (longitude 173.091505, latitude -43.80724).

Rakaia Mouth, Boat Creek: The reach between map co-ordinates upstream (longitude 172.237675, latitude -43.888139) to downstream (longitude 172.23794, latitude -43.889671).

Note: When inanga spawn they do so in mass over a very small area. The largest known physical area of inanga spawning in Canterbury is less than 60 m² (National Inanga Spawning Database: trends and implications for spawning sites and management; Taylor; M.J. 2002). Most sites are less than 10 m².

Known Spawning Sites^A

The Inanga Spawning Site includes a protection zone, 20 metres in diameter, around the specified co-ordinates listed in the table below. Note the protection zone does not extend to any land that is outside the bed or banks of a lake, river or wetland.^A*

<u>Waterbody</u>	<u>Description of Site</u>	<u>Site location</u>	
		<u>NZTM X Co-ordinate</u>	<u>NZTM Y Co-ordinate</u>
<u>Allandale Stream</u>	<u>85m upstream of Governors Bay Teddington Rd</u>	<u>1571685</u>	<u>5167886</u>
<u>Avon River</u>	<u>20m downstream of Avondale Rd bridge</u>	<u>1574788</u>	<u>5183550</u>
<u>Avon River</u>	<u>60m upstream of Avondale Road bridge</u>	<u>1574700</u>	<u>5183550</u>

<u>Avon River</u>	<u>45m upstream of Avondale Road bridge</u>	<u>1574714</u>	<u>5183547</u>
<u>Avon River</u>	<u>325m downstream of Avondale Road bridge</u>	<u>1574998</u>	<u>5183387</u>
<u>Avon River 280m</u>	<u>Downstream of Avondale Rd bridge</u>	<u>1575049</u>	<u>5183387</u>
<u>Avon River tributary</u>	<u>At New Brighton Road</u>	<u>1575461</u>	<u>5183517</u>
<u>Barrys Bay Stream</u>	<u>90m upstream of Christchurch Akaroa Road</u>	<u>1592788</u>	<u>5154645</u>
<u>Benzie's Creek</u>	<u>At Amesbury Road bridge</u>	<u>1576113</u>	<u>5209595</u>
<u>Benzie's Creek</u>	<u>30m upstream of Amesbury Road bridge</u>	<u>1576098</u>	<u>5209577</u>
<u>Boat Creek</u>	<u>50m upstream of Rakaia Lagoon</u>	<u>1538802</u>	<u>5140147</u>
<u>Boat Creek</u>	<u>85m upstream of Rakaia Lagoon</u>	<u>1538791</u>	<u>5140164</u>
<u>Boat Creek</u>	<u>75m upstream of Rakaia Lagoon</u>	<u>1538785</u>	<u>5140158</u>
<u>Courtenay Stream</u>	<u>180m upstream of confluence with Kaiapoi River</u>	<u>1572963</u>	<u>5195952</u>
<u>Flea Bay Stream</u>	<u>120m upstream of coast</u>	<u>1600387</u>	<u>5142802</u>

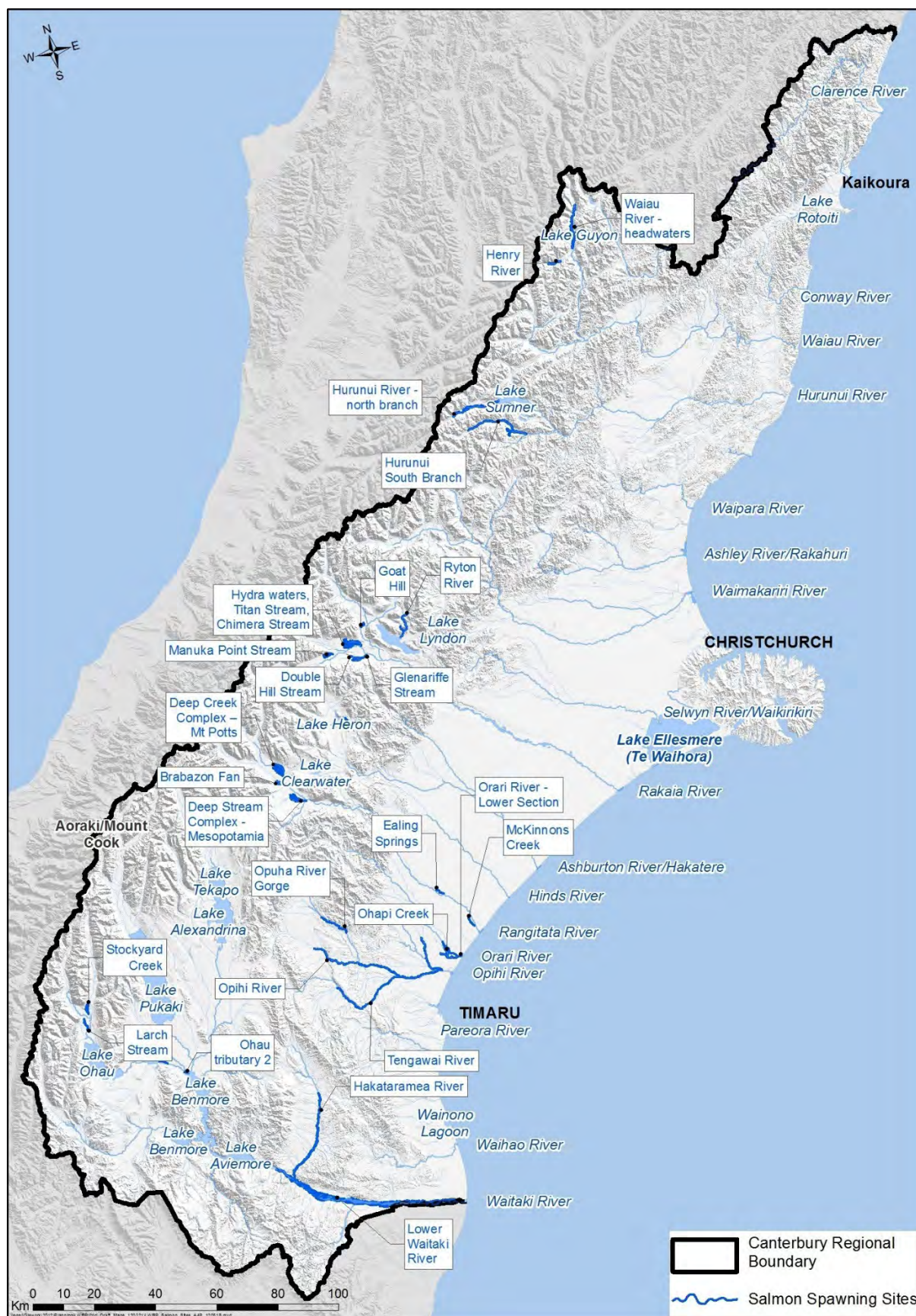
<u>Goughs Bay Stream</u>	<u>770m upstream of coast</u>	<u>1607231</u>	<u>5149600</u>
<u>Heathcote River</u>	<u>35m downstream of Waltham Rd bridge</u>	<u>1571799</u>	<u>5177689</u>
<u>Heathcote River</u>	<u>At Opawa Road bridge</u>	<u>1573099</u>	<u>5177589</u>
<u>Heathcote River</u>	<u>325m upstream of Opawa Road bridge</u>	<u>1573046</u>	<u>5177298</u>
<u>Heathcote River</u>	<u>1050m downstream of Beckford Road bridge</u>	<u>1572894</u>	<u>5176769</u>
<u>Heathcote River</u>	<u>935m downstream of Beckford Road bridge</u>	<u>1572789</u>	<u>5176720</u>
<u>Hikuraki Bay Stream</u>	<u>235m upstream of coast</u>	<u>1579378</u>	<u>5146256</u>
<u>Kaiapoi River</u>	<u>725m upstream of confluence with Waimakariri River</u>	<u>1573429</u>	<u>5196090</u>
<u>Kaiapoi River</u>	<u>750m upstream of the confluence with the Waimakariri River</u>	<u>1573427</u>	<u>5196093</u>
<u>Kaiapoi River</u>	<u>715m upstream of confluence with the Waimakariri River</u>	<u>1573445</u>	<u>5196067</u>
<u>Kaituna River</u>	<u>2150m upstream of Te Waihora</u>	<u>1572583</u>	<u>5154165</u>
<u>Lake Kate Sheppard</u>	<u>-</u>	<u>1575900</u>	<u>5183697</u>
<u>Le Bons Stream</u>	<u>2500m upstream of coast</u>	<u>1606551</u>	<u>5155259</u>
<u>Long Bay Stream</u>	<u>100m upstream of coast</u>	<u>1588567</u>	<u>5141812</u>
<u>Magnet Bay Stream</u>	<u>250m upstream of coast</u>	<u>1579301</u>	<u>5145525</u>
<u>Mathias Creek</u>	<u>340m upstream of Rakaia Lagoon</u>	<u>1537015</u>	<u>5139467</u>
<u>Mathias Creek</u>	<u>370m upstream of Rakaia Lagoon</u>	<u>1537005</u>	<u>5139497</u>
<u>Middle Creek</u>	<u>40m upstream of beach</u>	<u>1656555</u>	<u>5309208</u>
<u>North French Farm Bay Stream</u>	<u>35m upstream of coast</u>	<u>1592587</u>	<u>5152657</u>

<u>Ohapi River confluence</u>	<u>-</u>	<u>1472349</u>	<u>5100108</u>
<u>Opara Stream</u>	<u>2975m upstream of coast</u>	<u>1602893</u>	<u>5160032</u>
<u>Orakipoa Creek</u>	<u>1285m upstream of coast</u>	<u>1468547</u>	<u>5097277</u>
<u>Orari River</u>	<u>510m upstream of coast</u>	<u>1472400</u>	<u>5100166</u>
<u>Pareora River</u>	<u>120m upstream of coast</u>	<u>1457857</u>	<u>5070991</u>
<u>Pawsons Stream</u>	<u>30m upstream of coast</u>	<u>1594429</u>	<u>5155797</u>
<u>Peraki Creek</u>	<u>250m upstream of coast</u>	<u>1585715</u>	<u>5143754</u>
<u>Pigeon Bay Stream</u>	<u>175m upstream of coast</u>	<u>1591549</u>	<u>5162617</u>
<u>Pipers Stream</u>	<u>65m upstream of coast</u>	<u>1595366</u>	<u>5155512</u>
<u>Rangitata River Lagoon</u>	<u>-</u>	<u>1481539</u>	<u>5106795</u>
<u>Rangitata Lagoon tributary</u>	<u>10m upstream of lagoon</u>	<u>1481537</u>	<u>5106827</u>
<u>Robinsons Bay Stream</u>	<u>30m upstream of Christchurch Akaroa Road bridge</u>	<u>1597022</u>	<u>5154334</u>
<u>Saltwater Creek</u>	<u>1050m upstream of Main North Road bridge</u>	<u>1576190</u>	<u>5210535</u>
<u>Saltwater Creek</u>	<u>1280m upstream of Main North Road bridge</u>	<u>1576200</u>	<u>5210747</u>

<u>Saltwater Creek</u>	<u>1280m upstream of Main North Road bridge</u>	<u>1576213</u>	<u>5210750</u>
<u>Saltwater Creek</u>	<u>1310m upstream of Main North Road bridge</u>	<u>1576198</u>	<u>5210777</u>
<u>South French Farm Bay Stream</u>	<u>35m upstream of coast</u>	<u>1592551</u>	<u>5152572</u>
<u>Steam Wharf Stream</u>	<u>40m upstream of Dyers Road</u>	<u>1575100</u>	<u>5177789</u>
<u>Styx River 265m</u>	<u>Downstream of Harbour Road bridge</u>	<u>1575019</u>	<u>5195006</u>
<u>Styx River tributary</u>	<u>850m upstream of confluence with Styx River</u>	<u>1574400</u>	<u>5195578</u>
<u>Takamatua Stream</u>	<u>90m upstream of coast</u>	<u>1597440</u>	<u>5152400</u>
<u>Taranaki Stream</u>	<u>110m upstream of confluence with tidal tributary</u>	<u>1576597</u>	<u>5207978</u>
<u>Taranaki Stream Tidal tributary</u>	<u>125m upstream of confluence</u>	<u>1576590</u>	<u>5207990</u>
<u>Te Kawa Stream</u>	<u>200m upstream of coast</u>	<u>1585069</u>	<u>5165446</u>
<u>Te Wharau Stream</u>	<u>120m upstream of coast</u>	<u>1575956</u>	<u>5166559</u>
<u>Tumbledown Bay Stream</u>	<u>185m upstream of coast</u>	<u>1581490</u>	<u>5144470</u>
<u>Waiake Stream</u>	<u>140m upstream of Charteris Bay Road bridge</u>	<u>1573560</u>	<u>5165020</u>
<u>Waihao River</u>	<u>475m north of the box</u>	<u>1455249</u>	<u>5041150</u>
<u>Waihao River</u>	<u>100m south of the box</u>	<u>1455275</u>	<u>5040593</u>
<u>Waihao River</u>	<u>110m south of the box</u>	<u>1455274</u>	<u>5040593</u>
<u>Waikekewai Stream</u>	<u>20m upstream of Te Waihora</u>	<u>1548720</u>	<u>5143833</u>
<u>Waikekewai Stream</u>	<u>200m downstream of ford</u>	<u>1548626</u>	<u>5143789</u>

Waitaki River	140m north of the box	1453515	5021878
<u>Washdyke Creek</u>	<u>110m upstream of Washdyke Lagoon</u>	<u>1460507</u>	<u>5086179</u>
<u>Washdyke Creek</u>	<u>120m upstream of Washdyke Lagoon</u>	<u>1460502</u>	<u>5086182</u>
<u>Washdyke Lagoon tributary</u>	<u>185m upstream of lagoon</u>	<u>1461032</u>	<u>5086949</u>
<u>Wharf Road Stream</u>	<u>120m upstream of coast</u>	<u>1584796</u>	<u>5165651^A</u>

* Note refer to the Planning Maps for 'Inanga spawning habitat' areas^A



Salmon Spawning Sites

Schedule 25 - Water Supply Strategy

A water supply strategy is a document required to accompany an application for resource consent to take and use water for a community water supply. It must contain the following information in sufficient detail to enable the consent authority to be reasonably informed on the nature and extent of the activity and any effects of that activity on the environment:

1. A description of the community water supply system including:
 - (1) the location of the water source, surface water or groundwater abstraction point, and any relevant bore numbers; and
 - (2) a description of the water conveyance method; and
 - (3) the geographical extent of the water supply distribution network; and
 - (4) the estimated population supplied, or to be supplied, by the network; and
 - (5) primary water uses e.g. stockwater, domestic, industrial or commercial use; and
 - (6) expected peak demand water requirements; and
 - (7) water treatment methods; and
2. An assessment of existing and future demand for water to meet:
 - (1) reasonable domestic needs; and
 - (2) public health needs; and
 - (3) the responsibilities of municipal water supply authorities under the Local Government Act 2002 with respect to the supply of water; and
 - (4) any staged increase in allocation that may be sought during the term of the water permit to meet these demands; and
3. A description of:
 - (1) any proposed water conservation methods and measures to ensure efficient use of water (including both regulatory and non-regulatory actions); and
 - (2) measures to minimise water loss from the water reticulation network; and
 - (3) how the above measures in (3)(a) and (3)(b) will be implemented; and
 - (4) performance targets to measure the effectiveness of the methods implemented; and
 - (5) the timeframe for review of any specified actions listed in the implementation plan; and
4. An assessment of any alternative water sources available or alternative means of sourcing water; and
5. A drought management plan that includes:
 - (1) methods to reduce consumption during water shortage conditions and particularly consumption by non-essential agricultural, residential, industrial or trade processes; and
 - (2) a description of any methods to ensure water conservancy during times of drought, including but not limited to public education programmes and compliance or enforcement measures.^o

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