

**Steph Bennett**

SUBMITTER ID: 0167

**From:** Steph Bennett  
**Sent:** Friday, 5 October 2012 11:57 a.m.  
**To:** mailroom@ecan.govt.nz  
**Subject:** FW: Canterbury Regional Council submission re pLWRP  
**Attachments:** 121005 ECan Staff Submission.pdf

Hi

Please replace the Canterbury Regional Council submission provided earlier with the attached.

Thank you.

Ngā mihi

**Steph Bennett**  
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**From:** Steph Bennett  
**Sent:** Friday, 5 October 2012 9:47 a.m.  
**To:** 'mailroom@ecan.govt.nz'  
**Subject:** Canterbury Regional Council submission re pLWRP

Hi

Attached is the Canterbury Regional Council's submission on the proposed Land & Water Regional Plan.

Ngā mihi

**Steph Bennett**  
Section Administrator - Regional Planning  
Environment Canterbury  
Ph: 027 549 7657  
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## Draft Canterbury Regional Council – Staff Submission

### Form 5

Submission on publicly notified plan  
Clause 6 of First Schedule, Resource Management Act 1991

**To:** Canterbury Regional Council

**Name of submitter:** Canterbury Regional Council

**This is a submission on the following proposed plan:** Proposed Canterbury Land and Water Regional Plan (the pLWRP)

The Canterbury Regional Council could not gain an advantage in trade competition through this submission.

**The specific provisions of the proposal that the Canterbury Regional Council submission relates to are:**

#### Section 2 – How the Plan Works

Reference	Topic	Summary
2.9	Relationship to other Plans	Regional Coastal Environment Plan added
Definitions	Cleanfill	New definition
Definitions	Disturbed land, Hazardous Activity or industry, Limit, Flood protection works, Landfill, Group drinking water supply, Municipal solid waste, Solid waste	Amendments to definitions

#### Section 4 – Policies

Reference	Topic	Summary
4.9	Surface water discharges	Amendments to policy
4.11	Discharges to land	Amendments to policy
4.23	Contaminated land	Amendments to policy
4.26	Stock exclusion from waterbodies	Amendments to policy
4.34, 4.35	Nutrient management	Amendments to policies
4.51	Telemetry of water use data	Amendments to policy
4.67	Irrigation season	Amendments to policy
New	Protection of communities from natural hazards	New policy

#### Section 5 – Region-wide Rules

Reference	Topic	Summary
5.1, 5.2	General rules	Clarification that Rule 5.5 over-rides these rules
5.7, 5.9	On-site/domestic waste water discharges	Reduced compliance issues for newer systems,

		other minor amendments
5.15	Pit and composting toilets	Minor change to conditions to protect groundwater
5.29, 5.31	Offal and farm rubbish pits	Minor change to conditions to protect groundwater
5.33	Animal and vegetable waste	Additional restriction on treated wastes
5.35	Stock holding areas	Additional restriction on contaminated land
5.37	Silage and compost	Clarification of rule structure
5.45A	Farming and nitrogen discharges	New rule to fill “gap” in rule regime
5.72	Stormwater	Minor amendments and clarification of rule structure
5.76, 5.77	Other minor contaminant discharges	Minor amendments and clarification of rule structure
5.78, 5.81A	Bores	Minor amendments and new rule for decommissioning of a bore
5.89, 5.965	Taking water	Removal of references to “diversion”
5.92	De-watering	Additional restriction on contaminated land
5.96, 5.99	Take and use – surface water	Additional protection for significant biodiversity Clarification of non-consumptive takes
5.100, 5.101, 5.106	Take and use – ground water	Additional protection for significant biodiversity Clarification of non-consumptive takes
5.115, 5.116, 5.118, 5.119	Structures in lakes and riverbeds	Clarification of conditions for “use” Minor amendments particularly relating to diversions and sediment discharges
5.125, 5.126	Gravel in riverbeds	Clarification that rules relate to beds of lakes and rivers and allowing for other minor disturbance
5.128	Dams and damming	Additional restriction on contaminated land
5.139	Wetlands	Minor amendment
5.142	Wetlands	Clarification that cultivation is included in rule
5.143	Vegetation in lakes and riverbeds	Minor amendment
5.147, 5.148, 5.149	Earthworks and vegetation clearance in riparian areas	Simplification of mapping references Exclusion for pest-plant management
5.152, 5.153	Vegetation clearance in erosion prone areas	Correction of typo relating to slope
5.155, 5.157, 5.158, 5.159, 5.160	Excavation and deposition over aquifers	Clarification relating to Planning Map reference
5.166, 5.167, 5.168, 5.169	Hazardous substances and contaminated sites	Clarification of application of rules Updating referenced documents

## Section 7 – Hurunui-Waiau

Reference	Topic	Summary
Table 5	Conway River flow regime	Map reference corrected

## Section 14 – Orari-Opihi-Pareora

Reference	Topic	Summary
14.5.1	Storage of water	Adding control over contaminated land
Table 15	Ohapi Creek flow limits	Correction of flow limit typo
Table 16	Groundwater Allocation Zones	Adding Levels Plain Zone and limit

## Section 15 – Waitaki and South Coastal Canterbury

Reference	Topic	Summary
Title		Delete surplus “Coast”
Table 17	Flow limits	Correction to date ranges

## Schedule 1 – Drinking Water Protection Zones

Reference	Topic	Summary
	Group drinking water supply	Aligning with Drinking Water NES
Table 1A	Protection Areas	Adding extra protection for very shallow wells

## Schedule 5 – Discharge Quality Standards

Reference	Topic	Summary
		Minor corrections of typos

## Schedule 13 – Implementation of Water Allocation Regimes

Reference	Topic	Summary
	Surface water allocation regimes	Correction to align pLWRP with practice

## Maps

Topic	Summary
Key	“Septic tank suitability – Area A” is altered to “On-site Effluent Suitability Area”.
On-site Effluent Suitability Area	Extend to cover all those areas below 900m in altitude that are less than 15 degrees in slope and have soil classifications of ‘free-draining’ to ‘slightly impeded’.
Key	“Sensitive Lake Catchments” is altered to “Lake Zone”.
Erosion risk – LH1	Delete layer from maps.
Erosion risk – LH2	Alter to align with slopes greater than 20 degrees and subject to deep seated erosion risk – see attached map.
Key	“Area LH2: High soil erosion risk” is altered to “High soil erosion risk”.
Groundwater Allocation Zone	Add the Timaru Groundwater Allocation Zone to the maps – see attached map.
All maps	Clarification that no part of the CMA is included in the pLWRP
All maps	Adjustment and formatting changes to improve usability

## Whole Plan

Summary
Change all references to “Section X” that relate to the pLWRP to “Section X of this Plan”.
Change all references to “Sections 6-15” to “Sub-regional Sections 6-15 of this Plan”.
Change all references to “hazardous substances” in the policies and rules to “hazardous substances as set out in Schedule 4”.
Change all references to “LH2” to “High Soil Erosion Risk”.
Add cross-references in Section 5 of the Plan to the relevant rule in the Sub-regional Sections whenever a Plan user needs to be directed to a relevant Sub-regional rule.

The Canterbury Regional Council submission is detailed on the following pages.

The Canterbury Regional Council wishes to be heard in support of its submission.



.....  
B. Bayfield, Chief Executive and authorised signatory.

Dated 5 October 2012

**Address for service of submitter:**

Canterbury Regional Council  
P O Box 345  
Christchurch  
Telephone: 365 3828  
Contact person: Vincent Smith

## pLWRP Section 2

### pLWRP Provision: 2.9 Relationship to Other Plans

The Canterbury Regional Council wishes to have the above provision amended.

#### The reasons are:

1. The relationship with the Regional Coastal Environment Plan was inadvertently omitted from the list of plans in Section 2.9. Including the Regional Coastal Environment Plan will clarify the relationship and confirm that the pLWRP does not apply in the coastal marine area.

#### The Canterbury Regional Council seeks the following decision:

That the following additional Plan reference is added (additions marked in underline, deletions in ~~strikethrough~~):

Regional Plan	Details
<u>Regional Coastal Environment Plan</u>	<u>The Regional Coastal Environment Plan has objectives, policies and rules to manage the coastal environment, which includes the coastal marine area. It includes objectives, policies and rules on protection and enhancement of the coast; water quality; controls on activities and structures; and coastal hazards. Any objective, policy or rule on the same subject matter in the Regional Coastal Environment Plan prevails over the objectives, policies and rules contained in this Plan and no objectives, policies or rules in this Plan apply in the coastal marine area.</u>

### pLWRP Provision: 2.10 Definitions, Translations and Abbreviations

The Canterbury Regional Council wishes to have the above provision amended.

#### The reasons are:

1. The following amendments to the definitions and new definitions make the pLWRP clearer and more certain.

#### The Canterbury Regional Council seeks the following decision:

That the following definitions are amended or new definitions added (additions marked in underline, deletions in ~~strikethrough~~):

<b>Changed (in terms of Rules 5.39 to 5.51)</b>	means a change in land use ( <u>including from any other activity to farming</u> ), calculated on a per property basis that arises from either: 1. a resource consent to use, or increase the volume of, water for irrigation on a property; or 2. an increase of more than 10% in the loss of nitrogen from land used
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	for a farming activity above the average nitrogen loss from the same land for the period between 1 July 2011 and 30 June 2013. The amount of nitrogen loss shall be calculated using the Overseer <sup>TM</sup> nutrient model for the 12 months preceding 1 July in any year and expressed as kilograms per hectare per year.
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**Reasons:** This alteration to this definition is required to ensure the rules that relate to nutrient management are consistently applied to all farming activities.

<b>Cleanfill</b>	<p><u>means material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:</u></p> <ul style="list-style-type: none"> <li>• <u>combustible, putrescible, degradable or leachable components</u></li> <li>• <u>hazardous substances</u></li> <li>• <u>products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices</u></li> <li>• <u>materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances</u></li> <li>• <u>liquid waste</u></li> </ul>
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**Reasons:** This definition is required to ensure Rule 5.160 is sufficiently certain and is the Ministry for the Environment definition of cleanfill in “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.

<b>Disturbed land</b>	means the disturbance of soil by any means, including blading, blasting, contouring, ripping, root-raking, moving, removing, excavating, and cutting. Soil disturbance excludes: disturbance as a result of vegetation disturbance activity, non-motorised soil disturbance activities, thrusting, boring or trenching or mole ploughing associated with cable or pipe laying, <del>soil disturbance undertaken by a mine or quarry operation</del> , and cultivation and grazing, <del>and foundation works for structures.</del>
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**Reasons:** The pLWRP definition is in contradiction of definition of soil disturbance included in the National Environmental Standard for Assessing and Managing Contaminants in Soil for the Protection of Human Health (MfE 2012).

<b>Flood protection works</b>	means any flood control structure or flood control vegetation <u>or bank armour, including rock rip-rap.</u>
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**Reasons:** The change aligns with the proposed CRC Flood Protection and Drainage Bylaw 2012 and clarifies that this type of flood protection works, which is commonly applied near structures is included.

<b>Group drinking water supply</b>	means a drinking-water supply <u>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 and that provides more than 2526 but fewer than 501 people with drinking water for not less than 60 days each calendar year.</u>
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**Reasons:** The change aligns more closely with the Drinking Water NES.

<b>Hazardous activity or industry</b>	means an activity or industry that appears on the Hazardous Activity and Industry List (HAIL) <del>2004</del> <u>2012</u> . The HAIL is published as <u>Appendix C of National Environmental Standard for Assessing and Managing</u>
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	<u>Contaminants in Soil for the Protection of Human Health 2012. Schedule A in the Contaminated Land Management Guidelines—Ministry for the Environment (2004)(2011) updated September 2007 and is set out in Schedule 3 to this Plan.</u>
<b>Reasons:</b> References to MfE's HAIL are outdated	
<b>Hill and High Country</b>	means all land above 600 m altitude or greater than 20° degrees in slope.
<b>Reasons:</b> Correction of typographical error.	
<b>Landfill</b>	means a site <del>lawfully</del> used for the deposition of solid and/or hazardous waste onto or into land.
<b>Reasons:</b> Definition of landfill excludes lands that have been unlawfully used for deposition of solid or hazardous waste	
<b>Limit</b>	includes any environmental flow and allocation regime in <u>Sub-regional Sections 6-15 of this Plan</u> and groundwater allocations in <u>Sub-regional Sections 6-15 of this Plan</u> <u>and any water quality and nutrient limits in this Plan</u>
<b>Reasons:</b> The change ensures that the term includes both quality and quantity limits.	
<b>Municipal solid waste</b>	means solid waste collected by a territorial authority, <u>or other waste carrier</u> and disposed of at a landfill.
<b>Reasons:</b> Definition of municipal solid waste excludes waste collected by private waste collection agencies and handlers.	
<b>Solid waste</b>	means primarily solid contaminants for which disposal by discharge into the environment is intended, or which disposal by discharge into the environment would be necessary if other processes such as re-use, <u>recycling</u> or recovery cannot be applied.
<b>Reasons:</b> Definition of solid waste omits recycled materials	
<b><u>Seasonal high water table level</u></b>	<u>means, at the time the activity is established, the highest elevation that the water table reaches during June-August of any year.</u>
<b>Reasons:</b> The existing highest groundwater references did not determine how they were to be ascertained. This definition makes these permitted activity standards clearer.	



## **pLWRP Section 4**

### **pLWRP Provision: Policy 4.9**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The existing Policy 4.9 refers to the avoidance of the discharge of hazardous wastes to surface water bodies. Surface water bodies will be better protected by the inclusion of hazardous substances in this policy.

#### **The Canterbury Regional Council seeks the following decision:**

That Policy 4.9 is amended by adding (additions marked in underline, deletions in ~~striketrough~~):

(f) hazardous substances.

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### **pLWRP Provision: Policy 4.11**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. Policy 4.11 needs minor adjustment to be more consistent with the pRPS Objectives 18.2.2 "To avoid contamination of land" and 15.2.1 "Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity."

#### **The Canterbury Regional Council seeks the following decision:**

That Policy 4.11 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 4.11 Any discharge of a contaminant into or onto land where it may enter groundwater shall:
- (a) not exceed the natural capacity of the soil to treat or remove the contaminant; ~~and~~
  - (b) not exceed available water storage capacity of the soil; ~~and~~
  - (c) not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic or recreational use or water unsuitable as a source of potable water or for agriculture; and
  - (d) where this is not practicable:
    - (i) meet any nutrient allowance in Sections 6-15 of this Plan;
    - (ii) utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable, and there is sufficient distance between the point of discharge, any other discharge and drinking water supplies to allow for the natural decay or attenuation of pathogenic micro-organisms in the contaminant plume;

- ~~(iii) not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic or recreational use or water unsuitable as a source of potable water or for agriculture;~~
  - (iii) not raise groundwater levels so that land drainage is impeded; and
  - (iv) not have any adverse effects on the drinking water quality of the groundwater, including any risk to public health.
- 

#### **pLWRP Provision: Policy 4.23**

The Canterbury Regional Council wishes to have the above provision amended.

##### **The reasons are:**

1. Policy 4.23 requires extension to protect groundwater from contamination, as well as surface water.

##### **The Canterbury Regional Council seeks the following decision:**

That Policy 4.23 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 4.23 Any discharges of hazardous substances from contaminated land, including existing and closed landfills, shall be managed to ensure there are no adverse effects on people's health or safety, on human or stock drinking water supplies, or on surface water or groundwater.
- 

#### **pLWRP Provision: Policy 4.26**

The Canterbury Regional Council wishes to have the above provision amended.

##### **The reasons are:**

1. The amendment will make it clearer that the focus of the policy and rules is to prevent the sedimentation and disturbance of the bed of water bodies.

##### **The Canterbury Regional Council seeks the following decision:**

That Policy 4.26 is amended by adding "bed of the" following "disturbance of the" as follows (additions marked in underline, deletions in ~~striketrough~~):

- 4.26 To avoid damage to the banks of waterbodies, sedimentation and disturbance of the bed of the water body, direct discharge of contaminants, and degradation of aquatic ecosystems:  
(no change sought to list)
-

#### **pLWRP Provision: Policy 4.34**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. Policy 4.34 requires amendment to align with Policy 4.32.

**The Canterbury Regional Council seeks the following decision:**

That Policy 4.34 is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

- 4.34 Prior to 1 July 2017, to minimise the loss of nitrogen to water from any change in farming activities in an area coloured red or within a Lake Zone as shown on the Planning Maps, an applicant for resource consent must demonstrate that the nitrogen loss from the proposed activity, when assessed in combination with the effects of other land uses or discharges, will not prevent the water quality outcomes of Policy 4.1 being achieved and show that the nitrogen discharges from the property are a significant and enduring reduction from existing levels.
- 

#### **pLWRP Provision: Policy 4.35**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. Policy 4.35 requires a minor amendment to ensure that holders of discharge permits, which contain nutrient management provisions, are also covered by this policy. Although there relatively few discharge permits of this nature, the same principle should apply.

**The Canterbury Regional Council seeks the following decision:**

That Policy 4.35 is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

- 4.35 To minimise the loss of nitrogen to water prior to 1 July 2017, where the land owner holds an existing water permit to take and use water, or is a shareholder in an irrigation scheme, or holds a discharge permit, and there are conditions on the ~~water~~ permit that address nutrient management, any change in farming activities will be enabled subject to requirements to prepare and implement a farm environment plan, the regular audit of that plan and to record, on a per enterprise basis, nitrogen discharges.
-

### **pLWRP Provision: Policy 4.51**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. By amending this policy to include the wider range of situations where monitoring and telemetry of water takes is required, it will align the policy with Policy 4.74 and various policies and rules in the sub-regional sections of the pLWRP.

**The Canterbury Regional Council seeks the following decision:**

That Policy 4.51 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 4.51 In addition to the requirements in the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, for any new water permit, replacement of an expiring water permit, transfer or review of an existing permit to:
- (a) take water at a rate of more than 30 L/s;
  - (b) take water with a minimum flow or trigger level that signifies a restriction on take; or
  - (c) take water within a water users group;
- shall include a condition requiring water use records to be telemetered to the Canterbury Regional Council or its nominated agent.
- 

### **pLWRP Provision: Policy 4.67**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. Policy 4.67 requires amendment to align the irrigation season with Schedule 10.

**The Canterbury Regional Council seeks the following decision:**

That Policy 4.67 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 4.67 Water abstraction for irrigation is managed so that:
- (a) winter flows are available for abstraction to storage, while ensuring ecosystem recovery; and
  - (b) abstraction is for the summer (1 Sept~~Oct~~ - 30 Apr) irrigation season, unless specified otherwise.
-

### **pLWRP Provision: New Policy**

The Canterbury Regional Council wishes to have a policy added.

**The reasons are:**

1. A new policy is required to align the pLWRP with the Proposed Flood Protection and Drainage Bylaw, and will also enable more effective management of gravel in riverbeds, to ensure that communities are protected from flood risk. This provision relates directly to the enabling of the management of flood risk by Canterbury Regional Council.

**The Canterbury Regional Council seeks the following decision:**

That a new Policy 4.X is added (immediately prior to Policy 4.90) as follows (additions marked in underline):

4.X Communities are protected from the natural hazards of flooding and erosion through gravel extraction and establishment and maintenance of flood protection assets.

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## **pLWRP Section 5**

### **pLWRP Provision: Rules 5.1 and 5.2**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. Rule 5.5 was drafted to enable the recovery from the Christchurch earthquakes and other substantial natural hazard events, through minimising the resource consenting requirements, while providing adequate protection to the environment. There is potential that Rules 5.1 and 5.2 could be considered to conflict with Rule 5.5. Accordingly, clarification of Rules 5.1 and 5.2 is sought, so that it is clear that Rule 5.5 is the only rule that applies to recovery activities.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.1 and 5.2 are amended by:

1. Adding at the end of the rules “except in relation to Rule 5.5, which prevails in all situations.”
- 

### **pLWRP Provision: Rule 5.7**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The word “domestic” was inadvertently left out of this rule, and is required to be inserted to be consistent with the other rules on onsite domestic wastewater disposal.
2. Requiring resource consents for all existing onsite effluent treatment that are outside of the onsite effluent disposal suitability area is inefficient, and unduly onerous, particularly to those persons who have installed systems subject to requirements under the NRRP. Accordingly, this provision is requested to be deleted.
3. The two additional conditions will help to prevent the disposal of inappropriate wastes and systems being operated in a manner that has clear public health risks. While these conditions may be captured by the requirement to operate and maintain systems in accordance with NZS1547:2012, additional clarity for consent holders is appropriate.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.7 is amended by:

1. Adding the word “domestic” after “on-site” in the first line;
2. Deleting condition 5 (“Septic Tank Suitability Area”)
3. Adding two additional conditions:

The discharge shall not contain hazardous substances or hazardous waste;  
The discharge shall not result in wastewater being visible on the ground surface;

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### **pLWRP Provision: Rule 5.9**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The change in volume limits from weekly to daily is to ensure that systems are operated within the design of most common systems, which anticipate a regular load throughout the week.
2. The two additional conditions will help to prevent the disposal of inappropriate wastes and systems being operated in a manner that has clear public health risks. While these conditions may be captured by the requirement to operate and maintain systems in accordance with NZS1547:2012, additional clarity for consent holders is appropriate.
3. Other minor changes are made to ensure that the rule is sufficiently clear to applicants.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.9 is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

#### **5.9 The discharge of wastewater from a new 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 ~~14 m<sup>3</sup> per week~~ 2 m<sup>3</sup> per day;
  2. The discharge is within the area marked "~~Septic tank~~ On-site Wastewater Suitability – Area-A" on the Planning Maps; ~~and~~
  3. The discharge is not onto or into land:
    - (a) where there is an available sewerage network;
    - (b) that is contaminated or is potentially contaminated;
    - (c) listed as an archaeological site;
    - (d) where the discharge would enter any surface water body;
    - (e) within 20 m of any surface water body or the Coastal Marine Area;
    - (f) within 50 m of a bore; or
    - (g) within a group or community drinking water supply protection area as set out in Schedule 1 of this Plan;
  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;
  6. The discharge shall not result in wastewater being visible on the ground surface; and
  7. The discharge shall not contain hazardous substances or hazardous waste.
-

**pLWRP Provision: Rules 5.15, 5.155, 5.160**

The Canterbury Regional Council wishes to have the above provisions amended.

**The reasons are:**

1. The existing provisions that refer to “highest known groundwater level” are insufficiently certain, in that in many instances the highest known groundwater level is not known, and the data that may be available may be resulting from water level tests or data from dry seasons. On this basis, the change to “seasonal high water table level” in conjunction with a definition of this term, will aid certainty and improve protection of the groundwater.

**The Canterbury Regional Council seeks the following decision:**

Replace all references to “highest known groundwater level” with “seasonal high water table level”.

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**pLWRP Provision: Rules 5.29 and 5.31**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The criteria developed for identifying onsite effluent suitability area includes slope and soil type. On this basis, there is no certainty that there will be adequate separation of offal pits and onsite rubbish disposal pits from groundwater. On this basis, the removal of the onsite effluent disposal suitability area from this condition and reversion to reliance on a three metre separation from groundwater is a more simple assessment criteria, and will ensure protection of groundwater.
2. The existing provisions that refer to “highest known groundwater level” are insufficiently certain, in that in many instances the highest known groundwater level is not known, and the data that may be available may be resulting from water level tests or data from dry seasons. On this basis, the change to “seasonal high water table level” in conjunction with a definition of this term, will aid certainty and improve protection of the groundwater.

**The Canterbury Regional Council seeks the following decisions:**

1. That Rule 5.29(5)(c) and 5.31(6)(c) is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):
    - (c) ~~outside of the area marked “Septic tank Suitability – Area A” on the Planning Maps,~~ unless there is at least 3 m of soil or sand between the point of discharge and the seasonal high water table level ~~highest known groundwater level~~;
  2. Replace all references to “highest known groundwater level” with “seasonal high water table level”;
-



### **pLWRP Provision: Rule 5.33**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. There is concern that there is potential for the disposal of treated material, particularly treated sawdust, which may not meet the definition of hazardous substances or hazardous wastes, but is inappropriate to be disposed of as a permitted activity.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.33 is amended by adding “preservative chemicals” following “hazardous substances,” in condition 1.

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### **pLWRP Provision: Rule 5.35**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The inclusion of “contaminated” along with “potentially contaminated” will increase certainty and clarity for plan users.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.35(2)(e) is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

- (e) is not onto or into contaminated or potentially contaminated land.
- 

### **pLWRP Provision: Rule 5.37**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. Clear rules in the pLWRP will allow effective enforcement and monitoring of problem silage pits, while not creating issues for well-managed sites that have little actual or potential adverse effects on groundwater or surface water. The re-numbering of the conditions aids clarity, without changing the intent of the rule.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.37 is amended by re numbering the conditions as follows:

**5.37 The use of land for a silage pit or the stockpiling of other fermenting or decaying organic matter that is and any associated discharge into or onto land where a contaminant may enter water is a permitted activity provided the following conditions are met:**

1. The volume of any silage pit or stockpile is less than 20 m<sup>3</sup>; or
  2. The volume of any silage pit or stockpile is greater than 20 m<sup>3</sup> and:
    - (a) is not sited within 20 m of a surface water body, the boundary of the site, a bore or the Coastal Marine Area;
    - (b) is not sited within a group or community drinking water supply protection area as set out in Schedule 1; or
    - (c) is not sited within the Christchurch Groundwater Protection Zone as shown on the Planning Maps;
    - (d) Any liquid that drains from the silage pit or stockpile does not enter a surface water body, other than a wetland constructed primarily to treat animal effluent; and
    - (e) Any fermenting or decaying organic matter does not originate from an industrial or trade process.
- 

#### **pLWRP Provision: New Rule**

The Canterbury Regional Council wishes to have a new rule, following Rule 5.44, inserted.

**The reasons are:**

1. There is a gap in the rule framework where activities that do not comply with conditions 2-6 of Rule 5.42 do not have an activity status specified.

**The Canterbury Regional Council seeks the following decision:**

That a new Rule is added, immediately after rule 5.45 (additions marked in underline, deletions in ~~strikethrough~~):

5.X Prior to 1 July 2017, the use of land for a change to an existing farming activity that does not comply with one or more of Conditions 2 to 6 in Rule 5.42 is a discretionary activity.

---

#### **pLWRP Provision: Rule 5.50**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The Proposed Hurunui Waiau River Regional Plan addresses land use in relation to nutrient management, but does not have a specific discharge rule, as does the pLWRP. On this basis, it is necessary to add the relevant Proposed Hurunui Waiau River Regional Plan rules to Rule 5.50 to ensure that the pLWRP does not require discharge permits to be sought unnecessarily.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.50 is amended adding at the end of condition 1, the following: “or Rules 10.1, 10.2, 11.1 or 11.2 of the Hurunui Waiau River Regional Plan.”

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**pLWRP Provision: Rule 5.72**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The inclusion of “contaminated” along with “potentially contaminated” will increase certainty and clarity for plan users.
2. The existing provisions that refer to “highest known groundwater level” are insufficiently certain, in that in many instances the highest known groundwater level is not known, and the data that may be available may be resulting from water level tests or data from dry seasons. On this basis, the change to “seasonal high water table level” in conjunction with a definition of this term, will aid certainty and improve protection of the groundwater.
3. Other changes are made to ensure certainty and clarity in the application of this rule, particularly regarding the “or” at the end of condition 1.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.72 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.72 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 is a permitted activity provided the following conditions are met:**

1. The discharge is into a community or network utility operator stormwater system; or
2. The discharge is not into a community or network utility operator stormwater system and:
  - (a) The discharge is not from into or onto contaminated or potentially contaminated land;
  - (b) The discharge is not into:
    - (i) a water race, as defined in Section 5 of the Local Government Act 2002;
    - (ii) a wetland, unless the wetland is part of a lawfully established stormwater or wastewater treatment system; or
    - (iii) a water body that is Natural State, unless the discharge was lawfully established before 1 November 2013;
  - (c) The discharge does not result in an increase in the flow in the receiving water body at the point of discharge of more than 1% of a flood event with an AEP of 20% (one in five year event);
  - (d) For a discharge of stormwater onto or into land:
    - (i) the discharge does not cause stormwater from up to and including a 24 hour duration 2% AEP rainfall event to enter any other property;

- (ii) the discharge does not result in the ponding of stormwater on the ground for more than 48 hours;
- (iii) the base of the discharge system is located at least 1 m above the seasonal high water table level ~~highest groundwater level~~ that can be reasonably inferred for the site at the time the discharge system is constructed;
- (iv) there is no overland flow resulting from the discharge to a surface water body unless via a treatment system or constructed wetland; and
- (v) for a discharge from a roof, the discharge system is sealed to prevent the entry of any other contaminants; and
- (e) For a discharge of stormwater to surface water:
  - (i) The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5;
  - (ii) the concentration of total suspended solids in the discharge shall not exceed:
    - (a) 50 g/m<sup>3</sup>, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake; or
    - (b) 100 g/m<sup>3</sup> where the discharge is to any other river or to an artificial watercourse; and
  - (iii) the discharge to water is not within a group or community drinking water supply protection area as set out in Schedule 1.

#### **pLWRP Provision: Rule 5.76**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The inclusion of “contaminated” along with “potentially contaminated” will increase certainty and clarity for plan users.
2. Rules 5.76 and 5.77 potentially contain some overlap, where they are clearly oriented towards groundwater and surface water respectively. A note is also recommended to be added to this rule to ensure that the plan users understand that discharges that are not able to comply with this rule or other rules in the plan will require resource consent as a discretionary activity.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.76 is amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

- 5.76 Any discharge of water or contaminants onto or into land in circumstances where a contaminant may enter groundwater that is not classified by any of the above rules, is a permitted activity, provided the following conditions are met:**
7. The discharge is not from or into or onto contaminated or potentially contaminated land; and
- (no changes sought to conditions 1-6 and 8)

*Note: Any discharge that is not permitted by this rule, or is not classified by any other rule in this Plan will require resource consent as a discretionary activity under Rule 5.6*

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**pLWRP Provision: Rule 5.77**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The inclusion of “contaminated” along with “potentially contaminated” will increase certainty and clarity for plan users.
2. Rules 5.76 and 5.77 potentially contain some overlap, where they are clearly oriented towards groundwater and surface water respectively. A note is also recommended to be added to this rule to ensure that the plan users understand that discharges that are not able to comply with this rule or other rules in the plan will require resource consent as a discretionary activity.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.77 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 5.77 Any discharge of water or contaminants into surfacewater or onto or into land in circumstances where it may enter surface water that is not classified by any of the above rules, is a permitted activity, provided the following conditions are met:**
1. The discharge is not from contaminated or potentially contaminated land;  
(no changes sought to conditions 2-4)
  5. The discharge shall not result in more than a 20% change in the rate of flow in the receiving surface water body.

*Note: Any discharge that is not permitted by this rule, or is not classified by any other rule in this Plan will require resource consent as a discretionary activity under Rule 5.6*

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### **pLWRP Provision: Rule 5.78**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. There is a risk that the general public will see the term “accreditation” and assume that the CRC is endorsing the work of the members of the programme.
2. The addition of a condition requiring that the bore gallery is not installed on contaminated or potentially contaminated land will ensure that any contamination present is not mobilised, or a conduit for the contamination of groundwater created.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.78 is amended by:

1. Deleting “Accreditation” from condition 1.
  2. Adding an additional condition:  
The bore or gallery is not installed on land that is contaminated or potentially contaminated.
- 

### **pLWRP Provision: New Rules to follow Rule 5.81**

The Canterbury Regional Council wishes to have the following provisions added.

#### **The reasons are:**

1. The pLWRP is silent on the decommissioning of a bore. This contrasts with the NRRP position where decommissioning of bores was subject to specific criteria. Initial views were that any problematic bores could be managed by other pLWRP provisions. However, it is considered that a provision specifically on the decommissioning of bores will enable better management of groundwater and be clearer for users of the pLWRP.

#### **The Canterbury Regional Council seeks the following decision:**

That new rules be inserted after Rule 5.81 as follows (additions marked in underline):

**5.X From the 1st of November 2013, 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;
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.

**5.Y From the 1st of November 2013, 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.X is a discretionary activity.**

---

**pLWRP Provision: Rules 5.89 and 5.96**

The Canterbury Regional Council wishes to have the above provisions amended.

**The reasons are:**

1. References to diversion are unnecessary as this term is precisely defined and is unnecessary in these rules.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.89 and 5.96 are amended by deleting all references to “or diversion” or “or diversions”.

---

**pLWRP Provision: Rule 5.92**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The revised wording of this rule is consistent with the wording of other rules in relation to contaminated and potentially contaminated land, and the definition includes the Schedule 3 list referred to in the condition. This change is for clarification of wording, and is not substantially different to the pLWRP intent.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.92(2) is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

2. The discharge is not from, into or onto contaminated or potentially contaminated land ~~The abstraction is not from site where an activity or industry listed in Schedule 3 has occurred or is occurring;~~
-

### **pLWRP Provision: Rule 5.96**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. There are a number of locations in the region where indigenous biodiversity has developed in dryland and/or water short environments. The introduction of irrigation into these areas can have adverse effects on indigenous biodiversity, particularly in the increase in runoff, groundwater levels and through the irrigation of these areas. An additional control to enable the specific protection of indigenous biodiversity from irrigation is suggested.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.96 is amended by adding to the matters to which discretion is restricted as follows (additions marked in underline):

The proximity of any water use to significant indigenous biodiversity

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### **pLWRP Provision: Rules 5.99, 5.100 and 5.106**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The change to these rules is in order to make the rules more certain, but does not alter the original intent of the rules. "Non-consumptive" taking of water is a commonly understood term, and it is appropriate to use it in the rule framework.

#### **The Canterbury Regional Council seeks the following decision:**

That Rules 5.99, 5.100 and 5.106 are amended to clearly refer to "non-consumptive taking and use" as follows (additions marked in underline, deletions in ~~strikethrough~~):

**5.99 The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse is a restricted discretionary activity, provided the following conditions are met:**  
(no changes to conditions sought)

**5.100 The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse that does not meet one or more of the conditions in Rule 5.99 is a non-complying activity.**

**5.106 The non-consumptive taking and use of ground water and discharge of the same ground water to the same aquifer is a discretionary activity.**

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### **pLWRP Provision: Rule 5.101**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. There are a number of locations in the region where indigenous biodiversity has developed in dryland and/or water short environments. The introduction of irrigation into these areas can have adverse effects on indigenous biodiversity, particularly in the increase in runoff, groundwater levels and through the irrigation of these areas. An additional control to enable the specific protection of indigenous biodiversity from irrigation is suggested.
2. The inclusion of a provision to require the protection of groundwater sources, particularly through requiring the installation of backflow prevention devices was inadvertently omitted from the restrictions on discretion in the pLWRP. The protection of groundwater is important, particularly where irrigation infrastructure is used to also spread effluent or apply nutrients.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.101 is amended by adding to the matters to which discretion is restricted as follows (additions marked in underline):

The proximity of any water use to significant indigenous biodiversity;

The protection of groundwater sources, including the prevention of backflow of water or contaminants.

---

### **pLWRP Provision: Rule 5.115**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The inclusion of use within this rule has created some uncertainty with respect to the permitted activity conditions. Two of the permitted activity conditions are more oriented towards installation and maintenance of structures and are inappropriate to be applied to the use of a structure.
2. A typographical error occurred in the conditions for the installation of a culvert, in that a clearly inappropriate level of flood protection was included.

#### **The Canterbury Regional Council seeks the following decision:**

That Rules 5.115(2), 5.115(4) and 5.115(6)(d) are amended as follows (additions marked in underline, deletions in ~~striketrough~~):

2. Other than for use or maintenance of a structure, 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, 150 m from any water level recorder, 50 m from any flood protection works;

4. Other than for the use of a structure, the activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17;
  6. For any permanent culvert:
    - (d) the culvert provides a 50% AEP flood flow capacity without increasing upstream water levels; and
- 

#### **pLWRP Provision: Rule 5.116**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This amendment is required in order to provide for the inevitable diversions and sediment discharges that occur during the installation, maintenance and removal of flood protection works, which are often not able to comply with the temporary discharges and diversions provided for in the pLWRP. The amendment to this rule enables the installation and maintenance of flood protection works which has an important benefit for communities.
2. Condition 2 is requested to be altered to clarify that the use of any flood protection work is not required to comply with this condition.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.116 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

#### **5.116 The installation, maintenance, use and removal of flood protection works, and including the associated deposition of substances on, in or under the bed of a lake or river and excavation or other disturbance of the bed of a lake or river, including associated diversions and discharges of sediment, 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 flood protection works, or to flood control vegetation;
  2. Other than for the use of a flood protection work, the activity is not in, on, or under the bed of any river or lake listed as a high naturalness lake or river in Sections 6-15; and
  3. The activity is undertaken by a local authority or a network utility operator in accordance with a flood protection plan that has been certified as being in accordance with the Canterbury Regional Council's River Engineering Section Quality and Environmental Management System Manual (March 2010) by the Canterbury Regional Council.
-

### **pLWRP Provision: Rule 5.118**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This alteration is requested to enable the installation of temporary structures and diversions associated with installing structures in artificial watercourses, in addition to in natural watercourses. This is particularly important for the installation of culverts and bridges in drainage areas.
2. Condition 1 of this rule is unduly restrictive, in that it does not allow the diversion of the full flow of a water body, particularly when installing a culvert or a bridge, which will realistically be required, particularly for smaller watercourses.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.118 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.118 Notwithstanding any other rule in this Plan, temporary structures and diversions associated with undertaking activities in Rules 5.113 to 5.120 and 5.125 to 5.1285-127 or in relation to artificial watercourses are permitted activities, provided the following conditions are met:**

1. ~~The diversion does not divert more than 1/3rd of the width of the naturally flowing or standing water body;~~
  2. The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17; and
  3. The diversion is in place for not more than 2 weeks in any 12 month period.
- 

### **pLWRP Provision: Rule 5.119**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This amendment is sought to enable the discharge of sediment into artificial watercourses, particularly in association with the construction, alteration or maintenance of structures. The existing rule only provided for these discharges in natural watercourses.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.119 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.119 Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.113 to 5.120 and 5.125 to 5.1285-127 or in relation to artificial watercourses are permitted activities, provided the following conditions are met:**

(no changes sought to conditions)

---

### **pLWRP Provision: Rule 5.125**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This amendment is requested in order to make it clear that this rule only applies to the extraction of gravel from the bed of a lake or river, not to extraction of gravel generally.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.125 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.125 The extraction of gravel from the bed of a lake or river and other disturbance of 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:**

(No changes sought to conditions)

---

### **pLWRP Provision: Rule 5.126**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This amendment is requested in order to make it clear that this rule only applies to the extraction of gravel from the bed of a lake or river, not to extraction of gravel generally.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.126 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.126 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 5.125, except with respect to the volume limits, is a permitted activity, provided the following condition is met:**

1. The extraction of gravel is undertaken by the Canterbury Regional Council or persons acting under written authority of the Canterbury Regional Council.
-

### **pLWRP Provision: Rule 5.128**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The addition of a condition requiring that land is not contaminated or potentially contaminated land will ensure that any contamination present is not mobilised.

**The Canterbury Regional Council seeks the following decision:**

1. That Rule 5.128(1) is amended by adding a further condition as follows (additions marked in underline, deletions in ~~striketrough~~):  
  
(d) the land is not contaminated or potentially contaminated; or
- 

### **pLWRP Provision: Rule 5.139**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The amendment is necessary in order to make the taking and discharge of water for wetland restoration or creation apply to any waterbody.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.139(3) is amended by deleting the word “river” and substituting the word “water body”.

---

### **pLWRP Provision: Rule 5.142**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

2. The rule sets out a list of methods by which wetland reduction can occur (ie taking, use, damming or diversion of water, etc). However cultivation is not explicitly stated as a method of wetland reduction, and it should be explicitly listed in order to avoid confusion.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.142 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

- 5.142 Reducing the area of a natural wetland by the taking, use, damming or diversion (including draining) of water or other means, including vegetation clearance, burning, cultivation or earthworks, except as provided for in Rule 5.141 is a non-complying activity.**

---

**pLWRP Provision: Rule 5.143**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The reference to Schedule 14 is an error and needs to be deleted.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.143(8) is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

8. In a flood control rating district scheme area ~~identified in Schedule 14~~, the introduction or planting of any plant, is by or on behalf of the person or agency responsible for maintaining that vegetation for flood control purposes.

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**pLWRP Provision: Rule 5.147**

The Canterbury Regional Council wishes to have the above provisions amended.

**The reasons are:**

1. The clearance of pest plant species is required in all locations throughout the region, and it is important that this is provided for as a permitted activity. There are numerous pest plant species that exist above 900 metres in altitude, including wilding pines, and it is inappropriate that resource consent is required for their removal.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.147(2) is amended as follows (additions marked in underline, deletions in ~~striketrough~~)

2. The vegetation clearance is not on land above 900m above sea level, except for vegetation species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy;
-

**pLWRP Provision: Rules 5.147, 5.148, 5.149, Definitions**

The Canterbury Regional Council wishes to have the above provisions amended.

**The reasons are:**

1. Area "LH1", as it has been identified on the Planning Maps, effectively covers all areas of the region that are not "erosion prone" or in the hill and high country. On this basis, the layer in the maps is superfluous, and the rule can be reoriented to manage the LH1 area, without reference to the planning maps.

**The Canterbury Regional Council seeks the following decision:**

That all references to "land zoned LH1" be deleted from Rules 5.147, 5.148, 5.149 and the Definitions and replaced with "all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country"

---

**pLWRP Provision: Rules 5.152, 5.153**

The Canterbury Regional Council wishes to have the above provisions amended.

**The reasons are:**

1. This corrects a typographical error.

**The Canterbury Regional Council seeks the following decision:**

That Rules 5.152(2)(b) and 5.153(3)(b) are amended as follows (additions marked in underline, deletions in ~~strikethrough~~)

- (b) the slope is less than 350 degrees; and
- 

**pLWRP Provision: Rules 5.157, 5.158, 5.159**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. This addition will aid clarity as to the precise definition of the "coastal confined gravel aquifer system".

**The Canterbury Regional Council seeks the following decision:**

That Rules 5.157, 5.158, 5.159 are amended by adding the words "as shown on the Planning Maps" after the words "Coastal Confined Gravel Aquifer System".

---

**pLWRP Provision: Rules 5.166 and 5.167**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. This rule is sought to be altered to address the decommissioning of structures that contain hazardous substances “on” land. This will enable more complete control and management of hazardous substances and potentially contaminated land.

**The Canterbury Regional Council seeks the following decision:**

That the first part of Rules 5.166 and 5.167 are amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**The use of land for the decommissioning of a container located on, in or under land that is or has been used to store a hazardous substance...**

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**pLWRP Provision: Rule 5.168**

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The Ministry for the Environment has revised the documents referenced in this rule.

**The Canterbury Regional Council seeks the following decision:**

That Rule 5.168(1) is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

1. The site investigation is be undertaken in accordance with Contaminated Land Management Guidelines No. 5: Site Investigation and Analysis of Soils (Ministry for the Environment, ~~February 2004~~ 2011) and reported on in accordance with Section 4 of the Contaminated Land Management Guidelines No. 1: Reporting on Contaminated Sites in New Zealand, (Ministry for the Environment, ~~November 2003~~ 2011); and



## **pLWRP Provision: Rule 5.169**

The Canterbury Regional Council wishes to have the above provision amended.

### **The reasons are:**

1. Rule 5.169 references the wrong rule.
2. The rule should extend to the protection of land.

### **The Canterbury Regional Council seeks the following decision:**

That Rule 5.169 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**5.169 The use of land for a site investigation to assess concentrations of hazardous substances that may be present in the soil that does not meet one or more of the conditions in Rule ~~5.169~~ 5.168 is a restricted discretionary activity.**

*The CRC will restrict discretion to the following matters:*

1. Measures to avoid the dispersal of the substances or associated contaminants onto or into land, and into groundwater, surface water, supplies of drinking water and aquatic ecosystems;
  2. Any adverse effect on the current or future use of the land;
  3. The methodology of the investigation and the associated reporting; and
  4. The extent to which the proposed activity will prevent or compromise the attainment of the environmental outcomes sought by, or is inconsistent with, the objectives and policies of this Plan.
-

## **pLWRP Section 7**

### **pLWRP Provision: Table 5**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This corrects a typographical error.

#### **The Canterbury Regional Council seeks the following decision:**

That the Topo50 map Reference in the final line of the table is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

BU26:323-836 ~~BU26:343-836~~

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## **pLWRP Section 14**

### **pLWRP Provision: Rule 14.5.1**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. The addition of a condition requiring that land is not contaminated or potentially contaminated land will ensure that any contamination present is not mobilised.

#### **The Canterbury Regional Council seeks the following decision:**

That Rule 14.5.1 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

**14.5.1The use of land to store water, including any associated impounding of water outside the bed of a river or natural lake in the Orari Catchment is a permitted activity, provided the following conditions are met:**

- (a) For the impounding of water outside the bed of a river or a natural lake:
  1. If the volume of water impounded is greater than 5,000m<sup>3</sup>, the design and construction of the dam is certified by a suitably qualified chartered professional engineer;
  2. Less than 3m deep;
  3. The land is not contaminated or potentially contaminated.

---

### **pLWRP Provision: Table 15**

The Canterbury Regional Council wishes to have the above provision amended.

#### **The reasons are:**

1. This corrects a typographical error.

#### **The Canterbury Regional Council seeks the following decision:**

That Minimum flow for A permits for Ohapi Creek shown on Table 15 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

Oct- Jan 570 (restrictions 1,000~~L/s~~)  
Feb-Sep 730 (restrictions 1,000~~1,100~~~~L/s~~)

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## pLWRP Section 14

### pLWRP Provision: Table 16

The Canterbury Regional Council wishes to have the above provision amended.

**The reasons are:**

1. The Levels Plain Groundwater Allocation Zone was inadvertently omitted from the Table.

**The Canterbury Regional Council seeks the following decision:**

That Table 16 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

#### 14.6.2 Groundwater Allocation Limits

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

Zone (see Planning Maps)	Allocation Limit (million m <sup>3</sup> /yr)
Rangitata-Orton	42.5
Fairlie	37.0
<u>Levels Plain</u>	<u>32.9</u>
Orari-Opihi	71.1
Pareora	7.19
Timaru	4.24

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## pLWRP Section 15

### pLWRP Provision: Title

The Canterbury Regional Council wishes to have the above title amended.

#### The reasons are:

1. This corrects a typographical error.

#### The Canterbury Regional Council seeks the following decision:

That the title to Section 15 is amended as follows (additions marked in underline, deletions in ~~striketrough~~):

Waitaki and South Coastal Canterbury ~~Coast~~

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### pLWRP Provision: Table 17

The Canterbury Regional Council wishes to have the above table amended.

#### The reasons are:

1. The changes clarify when the minimum flow triggers are in place in the year and that the water allocation block can be used throughout the year in the Lower Waihao (Bradshaws recorder).

#### The Canterbury Regional Council seeks the following decision:

That Table 17 of Section 15 is amended by altering the relevant dates for the Lower Waihao as follows:

Lower Waihao	Bradshaws Bridge	Modified minimum flow 100** <u>1 Oct -30 Apr</u>	152 <del>1 Oct -30 Apr</del>	Modified flow 600** Pro rata restrictions apply for all takes*	30
		Pro rata restrictions apply for all takes*			
		Modified flow 600** <u>1 May- 30 Sept</u>  Pro rata restrictions apply for all takes*			

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## **pLWRP Schedule 1**

The Canterbury Regional Council wishes to have the above Schedule amended.

### **The reasons are:**

1. The Schedule requires amending to align with the National Environmental Standard on Drinking Water Supplies

### **The Canterbury Regional Council seeks the following decision:**

That the beginning two paragraphs of Schedule 1 are amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

#### **Schedule 1 - Group or Community Drinking Water Protection Areas**

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 people with drinking water for not less than 60 days each calendar year.

A Group 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 and that provides more than ~~25~~26 but fewer than 501 people with drinking water for not less than 60 days each calendar year.

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## pLWRP Schedule 1

The Canterbury Regional Council wishes to have the above Schedule amended.

### The reasons are:

1. This change recognises the need for additional protection for very shallow bores.

### The Canterbury Regional Council seeks the following decision:

That Table 1A of Schedule 1 be amended as follows (additions marked in underline, deletions in ~~strikethrough~~):

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	<u>2000</u>	<u>200</u>
< 10 – 30 m	Unconfined or semi confined	1000	200
	Confined	100	100
	Coastal Confined <u>Gravel</u> Aquifer $\pm$	400	400
30 – 70 m	Unconfined or semi confined	500	200
	Confined	100	100
	Coastal Confined <u>Gravel</u> Aquifer $\pm$	400	400
> 70 m	Unconfined or semi confined	100	100
	Confined	100	100
	Coastal Confined <u>Gravel</u> Aquifer $\pm$	400	400

## pLWRP Schedule 5

The Canterbury Regional Council wishes to have the above Schedule amended.

### The reasons are:

1. These changes correct typographical errors and various updated references.

### The Canterbury Regional Council seeks the following decision:

1. That the table on page 16-9 be labelled "Table 5A"
2. That the table on pages 16-10 to 16-11 be labelled "Table 5B"
3. That the second row of Table on Page 16-9 of Schedule 5 be amended as follows (additions marked in underline, deletions in ~~striketrough~~):

Shall not exceed the concentration specified in Table ~~5B~~WQ17 for the relevant level of protection (~~see note below~~)

4. That the second row of the table on page 16-11 of Schedule 5 be amended as follows (additions marked in underline, deletions in ~~striketrough~~):

99%	<u>95</u> 99%	<u>90</u> 99%
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### **pLWRP Schedule 13**

The Canterbury Regional Council wishes to have the above Schedule amended.

**The reasons are:**

1. This change is sought to align the pLWRP provisions with current allocation management practices. For surface water bodies it is more appropriate to assess the maximum instantaneous rate of take, as surface flows often have no 'buffering' effect that enables averaging of flows.

**The Canterbury Regional Council seeks the following decision:**

That condition 1(a) relating to surface water allocation regimes be amended to (additions marked in underline, deletions in ~~strikethrough~~):

- (a) the maximum instantaneous ~~average daily~~ rate of abstraction of each surface water take or diversion;
-

## **pLWRP Maps**

The Canterbury Regional Council wishes to have the maps amended.

### **The reasons are:**

1. These changes are generally sought to correct errors or omissions or to make the maps more accessible to plan users.

### **The Canterbury Regional Council seeks the following decision:**

1. The key on all maps to be altered so that the term “Septic tank suitability – Area A” is altered to “On-site Effluent Suitability Area”.
  2. The key on all maps to be altered so that the term “Sensitive Lake Catchments” is altered to “Lake Zone”.
  3. The Timaru Groundwater Allocation Zone (attached as Appendix A) is shown on the maps, along with a slight alteration to the boundary of the Levels Plain Groundwater Allocation Zone.
  4. The “On-site Effluent Suitability Area” be extended to cover all those areas shown on the map in Appendix B.
  5. The map layer shown as “LH1: Low & moderate soil erosion risk” be deleted from all maps and “LH1: Low & moderate soil erosion risk” be deleted from the key.
  6. Alter the area presently shown as “LH2” to align with slopes greater than 20 degrees and subject to deep seated erosion risk – see attached map in Appendix C.
  7. The key on all maps to be altered so that the term “Area LH2: High soil erosion risk” is altered to “High soil erosion risk”.
  8. That all maps in the pLWRP, and in particular the maps in Sub-regional Sections 9 and 10, be altered so that it is clear that any areas within the Coastal Marine Area are excluded from the pLWRP.
  9. The maps be amended and altered so as to make the format and layout more user-friendly and concise.
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## **pLWRP – The Entire Plan**

The Canterbury Regional Council wishes to have the following general changes made

### **The reasons are:**

1. These changes are generally sought to correct errors or omissions or to make the pLWRP more accessible to plan users through consistent terminology and cross-referencing.

### **The Canterbury Regional Council seeks the following decision:**

1. Change all references to “Section X” that relate to the pLWRP to “Section X of this Plan”
  2. Change all references to “Sections 6-15” to “Sub-regional Sections 6-15 of this Plan”
  3. Change all references to “hazardous substances” in the policies and rules to “hazardous substances as set out in Schedule 4”.
  4. Add cross-references in Section 5 of the Plan to the relevant rule in the Sub-regional Sections whenever a Plan user needs to be directed to a relevant Sub-regional rule.
  5. Delete all references to “LH2” and replace with “High Soil Erosion Risk”.
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## **Appendix A**

### **Timaru Groundwater Allocation Zone Map**

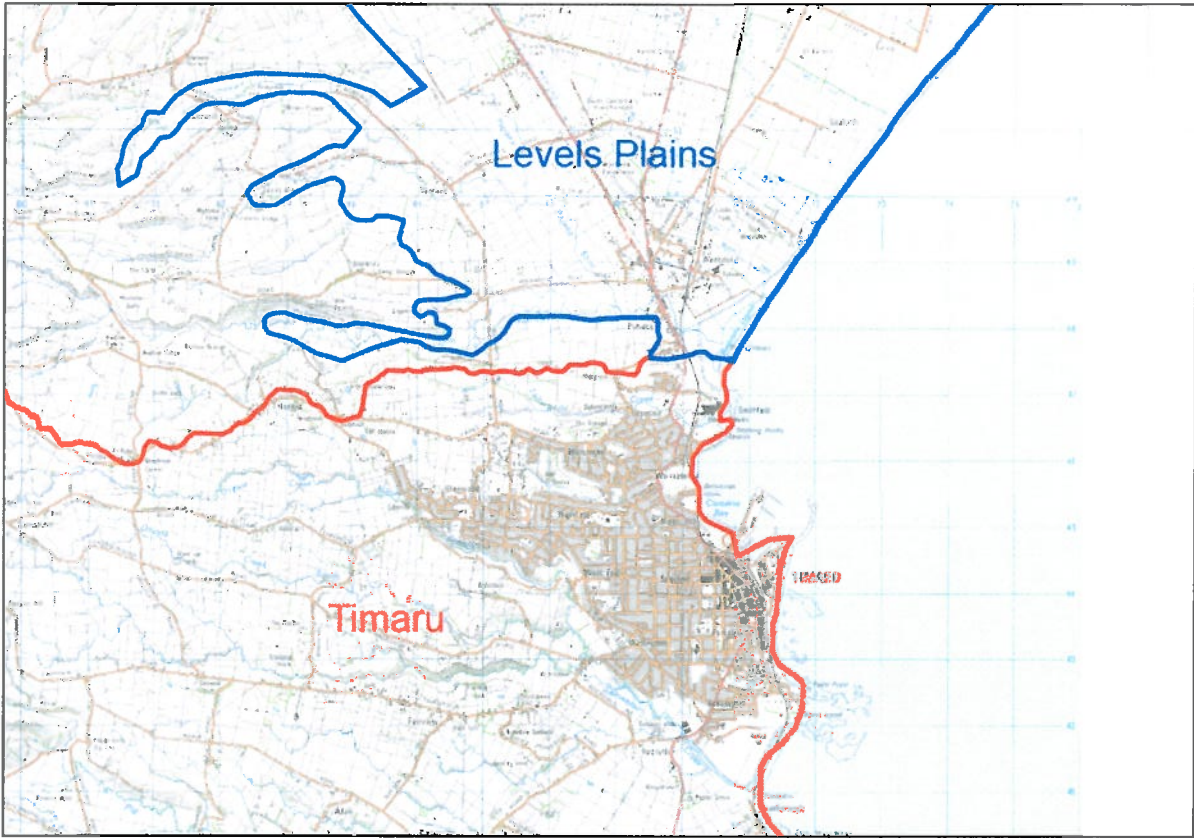
**and**

### **Adjustment of Boundary with Levels Plain Groundwater Allocation Zone**

## Timaru Groundwater Allocation Zone



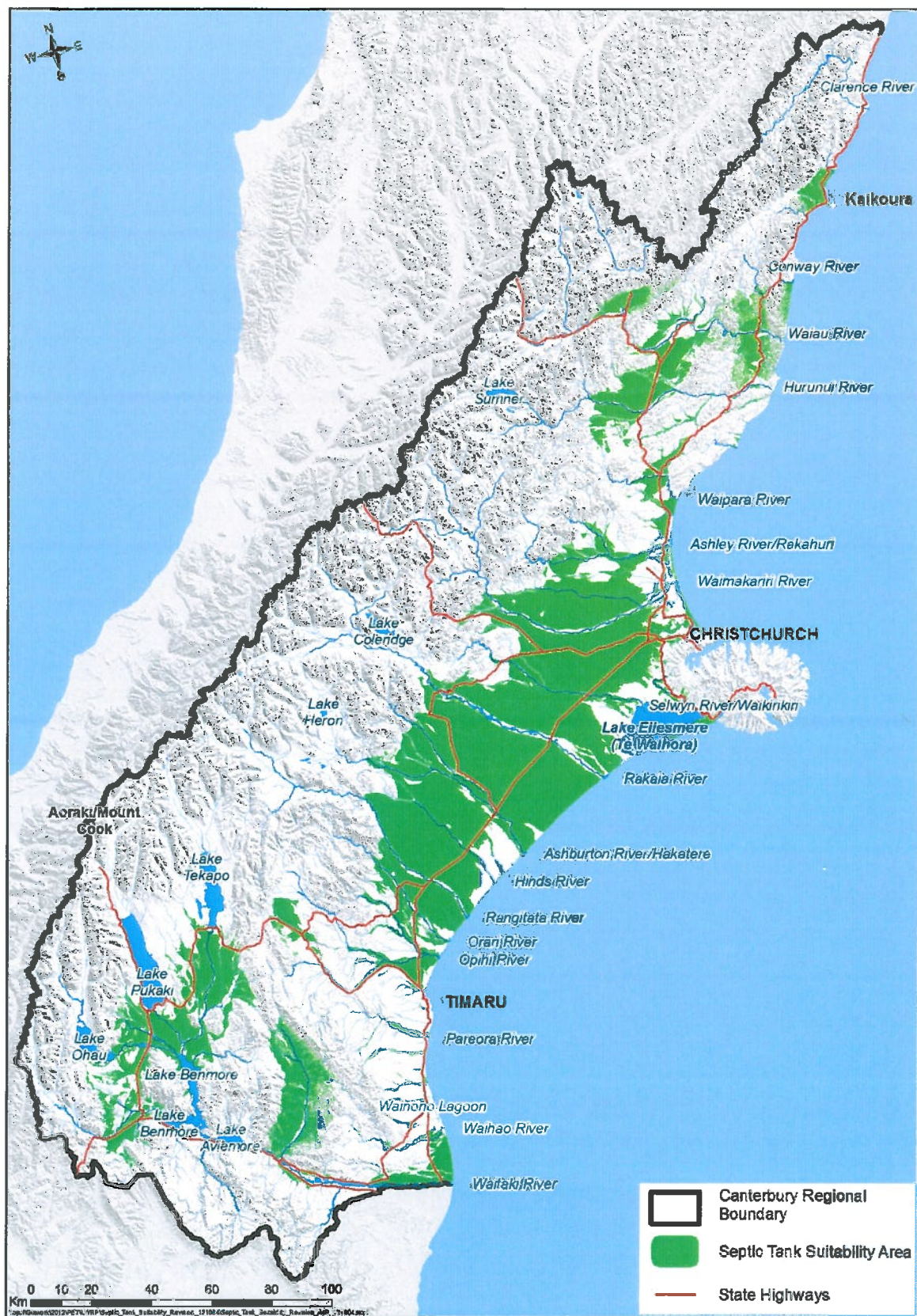
**Boundary Adjustment Between Timaru and Levels Plain Groundwater Allocation Zones:**



## **Appendix B**

### **On-site Effluent Suitability Area**







## **Appendix C**

### **High Soil Erosion Risk Map**

