Appendix A to Memorandum of Counsel 14 June 2013:

Annotated pLWRP Provisions

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NOTE:
Column 1: Shows the notified version of the relevant provision submitted on.

Column 2: Show the proposed changes to the provisions as notified. Changes are shown using ~~strike through~~ for deletion and <u>underline for insertion</u>.

Column 3: Shows the proposed further changes to address questions from the Commissioners arising at the hearing on 28 March 2013. Changes are shown with a <u>double underline</u>.

Each change proposed in Column 3 is explained within the body of the Memorandum.

For the avoidance of doubt, recommended changes in Column 2, or Column 3 incorporate the s42A officers recommendations where appropriate.

Notified provision	ANZCOs recommended changes as per submissions and evidence	Changes to address matters raised at the hearing
Introductory Statements / Issues		
Paragraph 2 in Section 1.2.1: *Competition also occurs…between different uses, such as irrigation, hydro-electricity generation and recreation.*	*Competition also occurs…between different uses, such as irrigation, <u>food and livestock processing,</u> hydro-electricity generation and recreation.*	
Definitions		
None	*Existing farming activity means the <u>principal</u> use of land for primary production (excluding forestry) that is not a "changed farming activity".*	
None	*New farming activity means the <u>principal</u> use of land for primary production (excluding forestry) where no primary production has occurred on that land in the previous three*	

	years.	
Definition of 'changed' *means a change in land use, 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 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 OverseerTM nutrient model for the 12 months preceding 1 July in any year and expressed as kilograms per hectare per year.*	Definition of changed: *Change in farming activity means any one or more of:* *1. irrigation of all, or any part of, a property that was un-irrigated at 11 August 2012;* *2. an increase in the consented volume of water available to be used for irrigation on the property compared with that consented at 11 August 2012;* *3. greater than a 10% increase in the annual average stock units carried on the property, compared with the annual average stock units averaged over 1 July 2010 to 30 June 2013; or* *4. greater than a 20% increase in the annual horticultural or arable yield, compared with the annual horticultural or arable yield averaged over the period 1 July 2010 to 30 June 2013.* *and "Changed" in relation to the nutrient management policies and rules has the same meaning*	
		(Matter Three) New definition of "proposed effluent discharge area"

		The area of land to which the effluent will be discharged to and must be shown or detailed in the application for consent. This land may or may not be owned by the consent holder and may include multiple land parcels, provided there is a legal right to discharge to that land, such as through a contractual or leasehold interest, or through the provision of a written approval from the landowner of that land.
Objectives		
Objective 3.2 *Water and land are recognised as an integrated resource embracing the philosophy and practice of ki uta ki tai thus recognising the connections between land, groundwater, surface water and coastal waters.*	Objective 3.2 *Water and land are ~~recognised~~ managed as an integrated resource embracing the philosophy and practice of ki uta ki tai thus recognising the connections between land, groundwater, surface water and coastal waters.*	**(Matter One)** Objective 3.2 (the change below was proposed in Volume 1 of the s42A report and is supported by the submitters) *Land and water are managed as integrated natural resources, recognising the connectivity between surface water and groundwater, and between fresh water, land and the coast.*
Objective 3.11 *Water is available for sustainable abstraction or use to support a variety of economic and social activities and maximum social and economic benefits are obtained from the efficient storage, distribution and use of the water which is available for abstraction.*	Objective 3.11 (this objective has been renumbered 3.4 in the S42A volume 1 report. The officers version incorporates submitters suggestions which ANZCO do not support. ANZCO seeks the changes detailed below) *Water is available for sustainable abstraction or use to support a variety of economic and social activities and ~~maximum~~ social and economic benefits are obtained from the efficient storage, distribution and use of the*	

	water which is available for abstraction.	
Objective 3.14 *High quality fresh water is available to meet actual and reasonably foreseeable needs for community drinking water supplies.*	Objective 3.14 (this objective was proposed to be deleted in the s42A volume 1 report. The submitter seeks that it be retained with the following changes) *Ensure that high quality fresh water is available in the quantities required to meet actual and reasonably foreseeable needs for community drinking water supplies*.	
Objective 3.15 *A regional network of water storage and distribution facilities provides for sustainable, wise, efficient and multiple use of water.*	Objective 3.15 (renumbered as 3.7 in the s42A volume 1 report) *Provide for, through a regional network of water storage and distribution facilities, ~~provides for~~ the sustainable, wise, efficient and multiple uses of water~~, including irrigation and hydro-electricity generation~~.*	
Objective 3.21 *Land uses continue to develop and change in response to socio-economic and community demand while remaining consistent with the CWMS targets.*	Objective 3.21 (renumbered as 3.5 in the s42A volume 1 report) *Manage changes in land use in a manner consistent with the CWMS targets ~~Land uses continue to develop and change in response to socio-economic and community demand while remaining consistent with the CWMS targets.~~*	
Objective 3.22 *Community outcomes for water quality and quantity are met through managing limits*.	Objective 3.22 (renumbered as 3.15 in the s42A volume 1 report) *Water quality and quantity outcomes set by*	

	the community are met through managing activities within environmental flow and allocation regimes ~~for water quality and quantity are met through managing limits~~.	
Objective 3.23 *All activities operate at "good practice" or better to protect the region's fresh water resources from quality and quantity degradation.*	Objective 3.23 (renumbered as 3.16 of the s42A volume 1 report) *~~All activities operate at "good practice" or better to~~ Protect the region's fresh water resources from quality and quantity degradation by encouraging all activities to operate at "good practice" or better.*	**(Matter One)** Objective 3.16 (the change below was proposed in Volume 1 of the s42A report and is supported by the submitters) *All activities operate at good environmental practice or better to optimise efficient resource use and protect the region's fresh water resources from quality and quantity degradation.*
None	Insert a new objective recognising contribution of existing takes and discharges to social and economic well-being. *Recognise that existing water takes and discharges contribute to social and economic well-being and in some cases significant investment relies on the continuation of those takes and discharges, including rural-based activities such as agriculture and perishable food-processing.*	
None	Insert a new objective recognising the wider community value associated with land use and discharges. *The value of agriculture to community well-being is able to be maximised through land*	

	use and associated discharges that allows for food processing and water storage, conveyance and irrigation infrastructure to be provided and used efficiently.	
Policies		
Policy 4.6 *Where a water quality or quantity limit is set in Sections 6-15, resource consents will generally not be granted if the granting would cause the limit to be breached or further over-allocation to occur.*	Policy 4.6 *Where a water quality or quantity limit is set in Sections 6-15, and the granting of resource consent would cause the limit to be breached or further over-allocation to occur, resource consents will only be granted if the activity is consistent with the objectives and policies of the LWRP or if exceptional circumstances exist.*	
Policy 4.10 *For other discharges of contaminants to surface waterbodies or groundwater, the effects of any discharge are minimised by the use of measures that:* *(a) first, avoids the production of the contaminant;* *(b) secondly, reuses, recovers or recycles the contaminant;* *(c) thirdly, reduce 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) meets the receiving water standards in Schedule 5.*	Policy 4.10 *For other discharges of contaminants to surface waterbodies or groundwater, the effects of any discharge are minimised by the use of measures that either solely or in combination:* *(a) ~~first,~~ avoids the production of the contaminant;* *(b) ~~secondly,~~ reuses, recovers or recycles the contaminant;* *(c) ~~thirdly~~, reduces 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) meets the receiving water standards in Schedule 5.*	
Policy 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) 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;* *(iv) not raise groundwater levels so that land drainage is impeded; and* *(v) not have any adverse effects on the*	Policy 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) 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;* *(iv) not raise groundwater levels so that land drainage is impeded; ~~and~~*	

drinking water quality of the groundwater, including any risk to public health.	(~~*v) not have any adverse effects on the drinking water quality of the groundwater, including any risk to public health.*~~	
Policy 4.20 *Any water source used for drinking water supply is protected from any discharge of contaminants that may have any actual or potential effect on the quality of the drinking water supply including its taste, clarity and smell and group and community water supplies are protected so that they align with the CWMS drinking water targets and meet the Drinking-water Standards for New Zealand.*	Policy 4.20 *Any water source used for drinking water supply is protected from any discharge of contaminants that may have ~~any actual or potential~~ inappropriate adverse effects on the quality of the drinking water supply including its taste, clarity and smell and group and community water supplies are protected so that they align with the CWMS drinking water targets and meet the Drinking-water Standards for New Zealand.*	
Policy 4.28 *The loss of nitrogen to water is minimised through first, raising awareness of the nitrogen losses from farming by requiring record-keeping on existing farms, secondly, supporting the use of industry articulated good practice and finally, introducing, through plan changes to Sections 6-15 of this Plan, nutrient discharge allowances to achieve collaboratively agreed catchment-based water quality outcomes.*	Policy 4.28 *The effects associated with the loss of nitrogen to water are ~~is minimised~~ avoided remedied or mitigated through ~~first, raising awareness of the nitrogen losses from farming by requiring record-keeping on existing farms, secondly,~~ supporting the use of industry articulated good practice and ~~finally,~~ introducing, through plan changes to Sections 6-15 of this Plan, nutrient discharge allowances to achieve collaboratively agreed catchment-based water quality outcomes.*	
Policy 4.30 *Until 1 July 2017 the loss of nitrogen to water from existing farming activities will be*	Policy 4.30 *"Until 1 July 2017 the effects associated with*	

minimised by raising awareness of the actions and activities that give rise to these discharges and the effects of these discharges on the environment and as a result of nitrogen discharges being recorded by each farming enterprise.	*the loss of nitrogen to water from existing farming activities will be ~~minimised~~ avoided remedied or mitigated by raising awareness of the actions and activities that give rise to these discharges and the effects of these discharges on the environment ~~and as a result of nitrogen discharges being recorded by each farming enterprise~~."*	
Policy 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, 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.*	Policy 4.35 *To ~~minimise~~ avoid remedy or mitigate the effects associated with 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, 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.*	
Policy 4.38 *If the measured or predicted nutrient load from land uses and discharges exceeds the nutrient load limit for the catchment in Sections 6-15 of this Plan, the loss to water of nutrients from land uses in the catchment will*	Policy 4.38 *If the measured or predicted nutrient load from land uses and discharges exceeds the nutrient load limit for the catchment in Sections 6-15 of this Plan, the overall loss to water of nutrients from land uses in the*	

be reduced to achieve the nutrient load limit for the catchment.	*catchment will be reduced to achieve the nutrient load limit for the catchment.*	
Policy 4.46 *Enable the taking of water for group or community drinking water supplies by not requiring compliance with any minimum or residual flow or partial restriction conditions and the environmental flow and allocation regime or groundwater allocation block, provided the water supply is managed to restrict the use of water from those supplies during periods of low flow or water levels.*	Policy 4.46 *Enable the taking of water for group or community drinking water supplies and for the processing and storage livestock by not requiring compliance with any minimum or residual flow or partial restriction conditions and the environmental flow and allocation regime or groundwater allocation block, provided the water supply is managed to ~~restrict~~ minimise as far as is practicable the use of water from those supplies during periods of low flow or water levels.*	
Policy 4.47 *Where the rate of take or volume of water consented for abstraction from a catchment exceeds the environmental flow and water allocation regime for surface water or stream depleting groundwater, or the groundwater allocation limit for that catchment, any further allocation of water is limited to:* *(a) any abstraction necessary to meet community drinking and stockwater requirements; and* *(b) the replacement of existing resource consents at the same or a lesser rate of take and the same or a lesser annual or seasonal volume, provided there are significant and enduring improvements in*	Policy 4.47 *Where the rate of take or volume of water consented for abstraction from a catchment exceeds the environmental flow and water allocation regime for surface water or stream depleting groundwater, or the groundwater allocation limit for that catchment, any further allocation of water is limited to:* *(a) any abstraction necessary to meet community drinking, ~~and~~ stockwater and livestock processing requirements; and* *(b) the replacement of existing resource consents at the same or a lesser rate of*	

the efficiency of water use and reductions in any adverse effects.	*take and the same or a lesser annual or seasonal volume, provided there are significant and enduring improvements in the efficiency of water use and reductions in any adverse effects.*	
Policy 4.58 *The direct cumulative interference effect from new groundwater takes on existing groundwater takes is minimised by limiting the drawdown of any existing bore within a 2 km radius to no more than 20% of the available drawdown.*	Policy 4.58 *The direct cumulative interference effect from new groundwater takes on existing groundwater takes is minimised by:* *a) <u>where there is no site specific bore and aquifer information available,</u> limiting the drawdown of any existing bore within a 2 km radius to no more than 20% of the available drawdown<u>; or</u>* *b) <u>where site specific bore and aquifer information is available, this is utilised to determine the percentage of available drawdown</u>.*	
Policy 4.63 *Where existing abstractors do not have a maximum seasonal or annual allocation, to impose these conditions when any of the following occur:* *(a) resource consent conditions are changed;* *(b) water permits are transferred;* *(c) existing resource consents to abstract water expire and are renewed; or* *(d) the consent authority determines a review*	Policy 4.63 *Where existing abstractors do not have a maximum seasonal or annual allocation, to impose these conditions when any of the following occur:* *~~(a) resource consent conditions are changed;~~* *~~(b) water permits are transferred;~~*	

of consent conditions is required to impose seasonal or annual volumes in a catchment.	*~~(c)~~(a) existing resource consents to abstract water expire and are renewed; or* *~~(d)~~(b) the consent authority determines a review of consent conditions is required to impose seasonal or annual volumes in a catchment.*	
Policy 4.72 *Enable the transfer of water permits to take or use water, provided:* *(a) the transfer of water is occurring within the same surface water catchment or sub catchment, or the same groundwater zone, as defined in this plan;* *(b) the same or a lesser amount of water is being taken or used; and* *(c) the effects of the take and use of water are the same or less.*	Policy 4.72 *Enable the transfer of water permits to take or use water, provided:* *(a) the transfer of water is occurring within the same surface water catchment or sub catchment, or the same groundwater zone, as defined in this plan; and* *(b) the same or a lesser amount of water is being taken or used~~;~~. ~~and~~* *~~(c) the effects of the take and use of water are the same or less.~~*	
Policy 4.73 *In an over-allocated surface water catchment or groundwater zone, enable the transfer of water permits to take or use water where water is moving to an irrigation scheme, and in all other instances, enable the transfer of water provided there is a surrender of a proportion of the allocated water to the water body and it is not re-allocated.*	Policy 4.73 *~~In an over-allocated surface water catchment or groundwater zone, enable the transfer of water permits to take or use water where water is moving to an irrigation scheme, and in all other instances, enable the transfer of water provided there is a surrender of a proportion of the allocated water to the water body and it is not re-allocated.~~*	
Rules		
Rule 5.35 *The use of land for a stock holding area, the use of land for the collection, storage and*	Rule 5.35 and Rule 5.36 were proposed by the Officers in the s42A volume 2 Report to be redrafted and split into 6 rules which is supported by the submitters. The changes	

treatment of animal effluent and the subsequent discharge of animal effluent or water containing animal effluent and other contaminants onto or into land where a contaminant may enter water is a restricted discretionary activity, provided the following conditions are met: *1. The stock holding area, collection, storage and treatment of animal effluent is not within:* *(a) 20 m of a surface water body, a bore used for water abstraction or the Coastal Marine Area;* *(b) a group or community drinking water supply protection area as set out in Schedule 1; and* *2. The discharge of animal effluent or water containing animal effluent and other contaminants:* *(a) is not directly to, or within, 20 m of a surface water body (other than a wetland constructed primarily to treat animal effluent), a bore used for water abstraction or the Coastal Marine Area;* *(b) does not occur beyond the boundary of the site;* *(c) a group or community drinking water supply protection area as set out in*	shown are to the rules recommended by the officers in volume 2: Rule 5.35 *The use of land for a stock holding area is a permitted activity, provided the following conditions are met:* *1. The stock holding area is not within:* *(a) 20 m of a surface water body, a bore used for water abstraction or the Coastal Marine Area;* *(b) a group or community drinking water supply protection area as set out in Schedule 1; and* *2. All liquid animal effluent, washdown water or stormwater containing animal effluent is collected and disposed of to an animal effluent collection and storage system authorised under Rules 5.35B to 5.36B or Rule 5.69;* *3. The base of any stock holding area located on land over an unconfined or semi-confined aquifer shall be sealed such that seepage into land does not exceed one millimetre per day.* Rule 5.35A	

Schedule 1 *(d) has backflow prevention installed if the animal effluent or water containing animal effluent is applied with irrigation water; and* *(e) is not to potentially contaminated land.* Rule 5.36 *The use of land for a stock holding area, the use of land for the collection, storage and treatment of animal effluent and the subsequent discharge of animal effluent or water containing animal effluent and other contaminants into or onto land where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.35 is a non-complying activity.*	*The use of land for a stock holding area that does not meet one or more of the conditions of Rule 5.35 is a discretionary activity.* Rule 5.35B *The use of land for the collection, storage and treatment of animal effluent is a permitted activity, provided the following conditions are met:* *1. The land used for the collection, storage and treatment of animal effluent is not:* *(a) within 20 m of a surface water body (other than a wetland constructed primarily to treat animal effluent), a bore used for water abstraction or the Coastal Marine Area;* *(b) within 50m of the boundary of the property;* *(c) within a group or community drinking water supply protection area as set out in Schedule 1;* *2. The collection, storage and treatment system is sealed, such that seepage into land does not exceed one millimetre per day; and* *3. The total volume of animal effluent stored on a property is no greater than 1,500 m^3.*	

	Rule 5.35C *The use of land for the collection, storage and treatment of animal effluent that does not meet one or more of the conditions of Rule 5.35 is a discretionary activity.* *<u>Note: An activity requiring a resource consent under Rules 5.35, 5.35A, 5.35B, and 5.35C does not require resource consent under Rules 5.39 - 5.51.</u>* *"The discharge of animal effluent or water containing animal effluent and other contaminants onto or into land where a contaminant may enter water is a restricted discretionary activity, provided the following conditions are met:* *1. The discharge of animal effluent or water containing animal effluent and other contaminants:* *(a) is not directly to, or within, 20 m of a surface water body (other than a wetland constructed primarily to treat animal effluent), a bore used for water abstraction or the Coastal Marine Area;* *(b) does not occur beyond the boundary of the ~~site~~ <u>property or proposed effluent</u>*	

	discharge area; *(c) a group or community drinking water supply protection area as set out in Schedule 1* *(d) has backflow prevention installed if the animal effluent or water containing animal effluent is applied with irrigation water; and* *(e) is not to potentially contaminated land.* *2. A Farm Environment Plan is prepared, implemented and audited in accordance with Schedule 7 Parts A and C."* *The CRC will restrict discretion to the following matters:* *1. The preparation, compliance with and auditing of the Farm Environment Plan;* *2. Measures to avoid, mitigate or remedy adverse effects on aquatic ecosystems and human or animal drinking water;* *3. Application rates and total nitrogen load;* *4. Methods to store effluent and application rates in times of adverse weather conditions, including frozen ground, or in cases of equipment failure;* *5. The proximity of any discharge site to any identified site of significant indigenous*	

	biodiversity; *6. The adequacy of design, construction, systems and management processes to minimise fugitive discharges from the system, including, but not limited to, mitigation in case of equipment failure or breakage;* *7. The adverse effects of the activity on Ngai Tahu values;* *8. 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 relating to water quality.* Rule 5.36A *The discharge of animal effluent or water containing animal effluent and other contaminants into or onto land where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.36 is a discretionary activity.* *<u>Note: An activity requiring a resource consent under Rules 5.36 and 5.36A, does not require resource consent under</u>*	

	Rules 5.39 - 5.51.	
Rule 5.52 *The discharge of fertiliser onto or into land in circumstances where a contaminant may enter water is a permitted activity provided the following conditions are met:* *1. There is no fertiliser discharged when there is water ponding on the surface of the land; and* *2. Fertiliser is not discharged directly into or within 10 m of the bed of a permanently flowing river, lake, artificial watercourse or within 10 m of a wetland boundary or any identified significant indigenous biodiversity site unless the equipment used has a current Spreadmark Certificate, in which case the setback distance is reduced to 5m.* Rule 5.53 *The discharge of fertiliser from an aircraft onto or into land in circumstances where a contaminant may enter water and into any river is a permitted activity provided the following conditions are met:* *1. There is no fertiliser discharged when there is water ponding on the surface of the land;* *2. The equipment used has a current Spreadmark Certificate;* *3. The discharge is be carried out by a person who holds a GROWSAFE® Pilots' Agrichemical Rating Certificate or an AIRCARETM Accreditation;* *4. Fertiliser is not discharged directly into or within 10 m of the bed of a permanently flowing river or artificial watercourse that is*	Two advice notes associated with Rules 5.52 to 5.54 *Note: The discharge of fertiliser may also be restricted by Rules 5.39 to 5.51.However, if resource consent is required for a discharge that may also meet the definition of fertiliser then no additional resource consent is required under Rules 5.53 and 5.54.*	

more than 2m wide, any lake, or any wetland boundary ;and *5. The flight paths are recorded by an on-board differential global positioning system and this record is kept for at least 12 months following the discharge and made available to the CRC upon request.* Rule 5.54 *The discharge of fertiliser onto land, or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.52 or rule 5.53 is a discretionary activity.*		
Rule 5.69 *The discharge of any liquid or sludge from an industrial or trade process, excluding sewage, 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;* *2. The discharge is at a rate not exceeding 5 mm per day;* *3. The discharge does not:* *(a) contain any hazardous substance or hazardous waste; or* *(b) originate on potentially contaminated land; 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 or the Coastal Marine Area;* *(b) within a group or community drinking*	Rule 5.69 *The discharge of any liquid or sludge from an industrial or trade process, excluding sewage, 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;* *2. The discharge is at a rate not exceeding 5 mm per day;* *3. The discharge does not:* *(a) contain any hazardous substance or hazardous waste; or* *(b) originate on potentially contaminated land; 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 or the Coastal Marine Area;*	**(Matter One)** Rule 5.69 *The discharge of any liquid or sludge, excluding sewage, from an industrial or trade process including livestock processing, ~~excluding sewage~~, 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;* *2. The discharge is at a rate not exceeding 5 mm per day;* *3. The discharge does not:* *(a) contain any hazardous substance or hazardous waste; or* *(b) originate on potentially contaminated land; and* *4. The discharge is not:* *(a) directly to a surface water body, or*

water supply protection area as set out in Schedule 1; *(c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps;* *(d) onto or into land over an unconfined or semi-confined aquifer, where the land has less than 0.3 m depth of soil;* *(e) within any area or zone identified in a proposed or operative district plan for residential or commercial purposes;* *(f) within an area coloured orange or red on the Planning Maps, unless the discharge contains no nitrogen.* Rule 5.70 *The discharge of any liquid or sludge from an industrial or trade process, excluding sewage, 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 5.69 is a discretionary activity.*	*(b) within a group or community drinking water supply protection area as set out in Schedule 1;* *(c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps;* *(d) onto or into land over an unconfined or semi-confined aquifer, where the land has less than 0.3 m depth of soil;* *(e) within any area or zone identified in a proposed or operative district plan for residential or commercial purposes;* *(f) within an area coloured orange or red on the Planning Maps, unless the discharge contains no nitrogen.* Rule 5.70 *The discharge of any liquid or sludge from an industrial or trade process, excluding sewage, 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 5.69 is a discretionary activity.* *<u>Note: if resource consent is required for the discharge of a substance under 5.70, then no additional resource consent is required under discharge rules 5.34, 5.35, 5.36, 5.54, 5.50 and 5.51; or land use rules 5.39 through 5.49.</u>*	*within 50 m of a surface water body, a bore used for water abstraction, a dwelling house or the Coastal Marine Area;* *(b) within a group or community drinking water supply protection area as set out in Schedule 1;* *(c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps;* *(d) onto or into land over an unconfined or semi-confined aquifer, where the land has less than 0.3 m depth of soil;* *(e) within any area or zone identified in a proposed or operative district plan for residential or commercial purposes;* *(f) within an area coloured orange or red on the Planning Maps, unless the discharge contains no nitrogen.* Rule 5.70 *The discharge of any liquid or sludge, <u>excluding sewage,</u> from an industrial or trade <u>process including livestock processing</u>, ~~excluding sewage~~, 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 5.69 is a discretionary activity.*

		Note: if resource consent is required for the discharge of a substance under 5.70, then no additional resource consent is required under discharge rules 5.34, 5.35, 5.36, 5.54, 5.50 and 5.51; or land use rules 5.39 through 5.49.
Rule 5.73 *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 the conditions of Rule 5.72 is a noncomplying activity.*	Rule 5.73 *"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 the conditions of Rule 5.72 is a ~~noncomplying~~ discretionary activity."*	
None	Insert a new rule providing for water abstraction for livestock processing. *"The taking and using of water for livestock processing from groundwater or surface water is a restricted discretionary activity provided the following condition is complied with:* *1. There is an operative Water Supply Strategy.* ***The CRC will restrict discretion to the following matters:*** *1. The reasonable demand for water, taking into account the size of livestock processing operation and the potential*	

	growth in demand for water; *2. The effectiveness and efficiency of the distribution network;* *3. The adequacy of the Water Supply Strategy;* *4. The direct effect on other water takes, including reliability of supply;* *5. Any beneficial effects from the use of the water;* *6. Compliance with any relevant Water Conservation Order; and* *7. The extent to which the proposed activity is inconsistent with, the Strategic Policies of this Plan."*	
Rule 5.104 *The taking and use of groundwater that does not meet one or more of conditions 2 and 3 in Rule 5.101 is a prohibited activity.*	Rule 5.104 *The taking and use of groundwater that does not meet one or more of conditions 2 and 3 in Rule 5.101 is a ~~prohibited~~ non-complying activity*.	
Rule 5.107 *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*	Rule 5.107 *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*	**(Matter One)** Rule 5.107 *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*

activity, provided the following conditions are met: *1. The reliability of supply for any other lawfully established water take is not reduced;* *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;* *3. In the case of surface water, the point of take remains within the same surface water allocation zone and the take complies with the limits set in Sections 6-15;* *4. In the case of groundwater:* *(a) the point of take is within the same groundwater allocation zone;* *(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 surface water allocation zone;* *(ii) the take complies with the limits set in Sections 6-15; and,* *(iii) the stream depletion effect is no greater in the transferred location than in the original location; and* *5. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.96 or Sections 6-15 are exceeded any transferred water is surrendered in the following proportions:* *(a) 0% in the case of transferring surface water to an irrigation scheme which includes a storage component;*	*activity, provided the following conditions are met:* *1. The reliability of supply for any other lawfully established water take is not reduced;* *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;* *3. In the case of surface water, the point of take remains within the same surface water allocation zone and the take complies with the limits set in Sections 6-15;* *4. In the case of groundwater:* *(a) the point of take is within the same groundwater allocation zone;* *(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 surface water allocation zone;* *(ii) the take complies with the limits set in Sections 6-15; and,* *(iii) the stream depletion effect is no greater in the transferred location than in the original location; and* *~~5. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.96 or Sections 6-15 are exceeded any transferred water is surrendered in the following proportions:~~* *~~(a) 0% in the case of transferring surface water to an irrigation scheme which includes a storage component;~~*	*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;* *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;* *3. In the case of surface water, the point of take remains within the same surface water allocation zone and the take complies with the limits set in Sections 6-15;* *4. In the case of groundwater:* *(a) the point of take is within the same groundwater allocation zone;* *(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 surface water allocation zone;* *(ii) the take complies with the limits set in Sections 6-15; and,* *(iii) the stream depletion effect is no greater in the transferred location than in the original location~~; and~~* *~~5. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.96 or Sections 6-15 are exceeded any transferred water is~~*

(b) 25% in the case of transferring surface water from down-plains to up-plains; *(c) 25% in the case of transferring groundwater from up-plains to down-plains; and* *(d) 50% in all other cases.* Rule 5.108 *The temporary or permanent transfer, in whole or in part, of a water permit to take or use surface water or groundwater that does not meet one or more of the conditions of Rule 5.107 is a non-complying activity.*	*~~(b) 25% in the case of transferring surface water from down-plains to up-plains;~~* *~~(c) 25% in the case of transferring groundwater from up-plains to down-plains; and~~* *~~(d) 50% in all other cases.~~* Rule 5.108 *~~The temporary or permanent transfer, in whole or in part, of a water permit to take or use surface water or groundwater that does not meet one or more of the conditions of Rule 5.107 is a non-complying activity.~~*	*~~surrendered in the following proportions:~~* *~~(a) 0% in the case of transferring surface water to an irrigation scheme which includes a storage component;~~* *~~(b) 25% in the case of transferring surface water from down-plains to up-plains;~~* *~~(c) 25% in the case of transferring groundwater from up-plains to down-plains; and~~* *~~(d) 50% in all other cases.~~*
Schedules		
Schedule 12 – Well interference effects *[…]* *An "acceptable" direct cumulative interference effect is when the direct cumulative interference effect is no greater than 20% of the total available drawdown at times of low water level.* *[…]*	*[…]* *Where there is no site specific bore and aquifer information available, an "acceptable" direct cumulative interference effect is, when the direct cumulative interference effect is no greater than 20% of the total available drawdown at times of low water level.* *Where site specific bore and aquifer information is available, this is utilised to determine the percentage of available drawdown that is considered "acceptable".* *[…]*	