

Addendum to Section 42A Report Volume 4 Officer's Reply

Six recommended amendments to the text of the LWRP were omitted from the pre-circulated version dated 31 July 2013. Commentary on these omitted amendments is set out below.

Section 9 Christchurch West Melton

As noted under the heading 'Rules 5.93 to 5.97 – Stormwater' (pg 37 Vol 4), the protection of land from flooding and inundation is a significant component of stormwater management. As a direct result of recent seismic events the geography of, in particular, the lower reaches of the Avon/Ōtākaro and Heathcote catchments has been significantly altered. These alterations have increased the potential for flooding of land adjacent to these waterbodies. In these present circumstances, discharges of stormwater in these catchments needs to be carefully managed. This occurs through consented stormwater management plans but where such a plan does not exist it is important that any proposal to discharge stormwater is evaluated, inter alia, in terms of any potential effects of the discharge on flooding or inundation downstream of the discharge point.

The issue that needs to be addressed through particular plan provisions arises only within Christchurch City. For this reason, a new policy and rule are recommended for inclusion in Sub-regional Section 9.

A consequential amendment (the insertion of a note before Rule 5.93) is also recommended to ensure the cross-referencing between these provisions and those in Section 5 of the pLWRP is complete.

The proposed amendments are in recognition of an evolving situation. They are also a direct consequence of a detailed assessment of how well the pLWRP gives effect to the RPS 2013. In this instance, the Plan's provisions had not adequately taken into account the relevant provisions of the RPS 2013 (in particular Policies 11.3.1 and 11.3.5).

Section 13 Ashburton

As noted in Section 6.9 (page 57, Vol 4), it is recommended that Policy 13.4.1 and Table 12 are amended to reflect a realistic timeframe for compliance. As a consequence of shifting the commencement date for the new minimum flows, Policy 13.4.7 requires amendment for consistency. This was inadvertently omitted from the Final Recommendations version of the Plan dated 31 July 2013.

The amendment to the implementation timeframe impacts on how the surface water rules (Rules 5.123-5.125) apply to the Hakatere/Ashburton catchment. The proposed amendment means that the default provisions contained in Rule 5.123(b) apply. Where an application to take new water does not meet the default flow and allocation regime described in this rule, the activity is classified as non-complying under Rule 5.124.

There is clear direction in Policy 13.4.2 that no new surface or stream depleting groundwater permits will be granted in the Hakatere/Ashburton catchment until the minimum flow is raised to 10,000 L/s (with exceptions for replacement consents). To give effect to policy 13.4.2, and as a

consequential change resulting from the amended timeframe for compliance, it is recommended that two new rules are included in Section 13.

Section 15 Waitaki and South Coastal Canterbury

The recommended amendments to Table 17 were addressed in the Hearing Group 3 Section 42A Report (page 81) but were not carried forward into the amended version of the pLWRP compiled for that hearing group. They were also inadvertently omitted from the Final Recommendations version of the Plan dated 31 July 2013.

The first amendment involves the insertion of two dates into the third column of Table 17 at the Lower Waihao entry. Those dates are essential to the workability of the table because they establish the time periods applicable to the modified minimum flow and the modified flow.

The second amendment occurs in the fourth column at the Lower Waihao entry and confirms that the allocation limit for A permits applies throughout the entire year.

Both amendments were sought by the Regional Council in its submission on the Plan.