Proposed Canterbury Land and Water Regional Plan

REPORT AND RECOMMENDATIONS OF HEARING COMMISSIONERS
ADOPTED BY COUNCIL AS ITS DECISION ON 5 DECEMBER 2013

APPENDIX 2: Volume 1

DECISIONS VERSION
PROPOSED LAND & WATER REGIONAL PLAN
Proposed Canterbury Land and Water Regional Plan

REPORT AND RECOMMENDATIONS OF HEARING COMMISSIONERS

APPENDIX 2

RECOMMENDED AMENDMENTS TO PROPOSED LAND & WATER REGIONAL PLAN

David F Sheppard

On behalf of Hearing Commissioners:
  David F Sheppard (chairman)
  Edward Ellison
  Rob van Voorthuysen
NOTES:

If in the unlikely event that the amended Land & Water Regional Plan differs from the recommendations in Appendix 1 then the amended Land & Water Regional Plan prevails.

On 10 October 2013, the Minister for Canterbury Earthquake Recovery amended the proposed Canterbury Land and Water Regional Plan ("pLWRP") under section 27 of the Canterbury Earthquake Recovery Act 2011 to alter the requirements for resource consent when undertaking earthquake-related land repairs.

These amendments to the pLWRP that took effect on 10 October 2013 are shaded grey in the decisions version of the pLWRP.

Canterbury Regional Council notes that these amendments made to the pLWRP were not the subject of decisions by the Council under Clause 10 of the First Schedule of the RMA. Therefore these amendments cannot be appealed against to the High Court under section 66 of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010.
Proposed Canterbury Land & Water Regional Plan
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KARANGA

Haere mai rā
Ngā maunga, ngā awa, ngā waka
ki runga i te kaupapa whakahirahira nei
Te tiakitanga o te whenua, o te wai
ki uta ki tae

Tuia te pakiaka o te rangi ki te whenua
Tuia ngā aho te Tiriti
Tuia i runga, Tuia i raro
Tuia ngā herenga tangata
Ka rongo te po, ka rongo te ao

Tēnei mātou ngā Poupou o Rokohouia, ngā Hua o tōna whata-kai
E mihi maioha atu nei ki a koutou o te rohe nei e
Nau mai, haere mai, tauti mai ra e.
TAUPARAPARA

Wāhia te awa
Puta i tua, Puta i waho
Ko te pakiaka o te rākau o maire nuku,
o maire raki, o maire o te māra whenua e
I ruka Tāne, i raro Tāne
Pakupaku Tāne, Rakiihi Tāne
Tāne-te-whakairi-rangi
Tāne-te-waiora
Tāne-te-wānanga
Hōatu e Tāne te kaupapa ki uta
Ki ngā Tiritiri o te Moana
Heke iho rā, heke iho rā
Hekea ngā roto
Hekea ngā awa
Whakawhitia ngā hāpua
Whakaputaina ngā wahapū
Ngā roimata o Hine Takurua e pāhekoheko ana
Ki Te Tai o Mahaanui
Ki Te Tai o Marokura
Huia te rangi
Poupoua te whenua
Toitū rā te Marae o Tāne
Toitū rā te Marae o Tangaroa
Toitū rā anō te iwi
Whano
Whano
Hara mai te toki
Haumi e
Hui e
Tāiki e
Tihe i mauri ora
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Section 1 - Introduction, Issues & Major Responses

Canterbury has substantial fresh water and land resources. Managing land and water is complex and many of the issues are interconnected. This interrelationship of land and water means that effects of any one activity cannot be considered in isolation. The current environment has been modified by both past and current activities, many of which cannot be easily changed or remedied without significant costs to people and communities. There are no ‘quick fixes’ to managing Canterbury’s land and water resources and it is clear that a range of responses are required.

The purpose of the Canterbury Land and Water Regional Plan (“LWRP” or “the Plan”) is to identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives, and provides direction in terms of the processing of resource consent applications.

This Plan is made up of 16 sections and a map volume: the first describes Canterbury’s land and water resources, interrelated issues that need to be managed, the key partnerships, relationships and processes already underway, including the Canterbury Water Management Strategy (CWMS). The second section describes how the Plan works and contains the definitions used in the Plan. The subsequent three sections cover the region-wide objectives, policies, and rules. Sections 6 to 15 inclusive contain sub-regional catchment specific policies and rules, and Section 16 contains the schedules. The maps referred to in the rules are in a separate map volume.

1.1.1 Land and Water Resources in Canterbury

Land and water are taonga to Ngāi Tahu. Water provides for and sustains all life and is integral to the cultural and personal identity of Ngāi Tahu as tangata whenua for Canterbury. The life-giving and life-sustaining properties of water are intrinsically linked to spiritual, cultural, economic, environmental and social well-being as well as the survival and identity of Ngāi Tahu whānui. This relationship with wai Māori is recognised in the Ngāi Tahu Claims Settlement Act 1998. In Canterbury eleven lakes, nine rivers and two wetlands are included as areas of statutory acknowledgement.

Fresh water is essential for the survival of all living things. People, communities and their livestock need fresh drinking-water, and high quality fresh water is also important for customary uses, contact recreation and some economic activities, such as aquaculture. The quality and quantity of fresh water in our water bodies also sustains aquatic ecosystems and maintains the mauri, natural character and amenity values of lakes and rivers. Reliable fresh water supplies are important for irrigation, hydro-electricity generation and a variety of manufacturing and industrial processes. All are vital to the cultural, social and economic well-being of people and communities in Canterbury and New Zealand. Canterbury currently contributes 58% of New Zealand’s hydro-electricity generation capacity and contains over 70% of its irrigated agricultural land.

The land and soils that sustain the biodiversity of flora and fauna on which we all depend are reliant on sustainable land management. The condition of the land on which we build our communities and our infrastructure provides for our well-being, health and safety.
Land also provides places for people to live, and to establish and operate businesses and industry, including soils for primary industry and gravel and minerals for infrastructure and building materials. The importance of managing induced erosion of soil and land for urban development have long-been recognised in New Zealand. The risks and effects of contaminating land from the spill or discharge of hazardous substances, and the potential effects on people, property and infrastructure from inundation, erosion, slippage or liquefaction of land, are also part of managing land resources.

Land and water, and the ecosystems and habitats they support, form a complex, interdependent environment that people and communities must both utilise and sustain. As our uses of land and water continue to increase or intensify, our past approaches to managing our land and water are no longer sufficient. In parts of the region, fresh water and land resources no longer support the values and uses they once did. The interconnectivity of water and land within catchments is recognised in the Ngāi Tahu philosophy of ki uta ki tai – from the mountains to the sea. Activities such as water takes, or damming or discharges upstream will affect the flow and quality of water downstream as well as coastal processes, such as the transport of sediment to the coast and flows needed to open river mouths or flush hāpua.

Since the RMA came into force in 1991 there has been significant change in the quality and availability of water resources, and many new issues have arisen. If we want to manage Canterbury’s land and water resources to provide for all our values and uses while also sustaining our natural environment, we need to continue and, in some areas refine, our approaches to managing them. The paragraphs in Section 1.2 describe the most significant issues we face with managing water and land resources in Canterbury.

1.1.2 Legal Rights and Responsibilities

Fresh water is a public resource or “commons”, and the allocation and management of fresh water is primarily the function of regional councils. This is reflected in sections 13 to 15 of the RMA, under which no person may use water (other than for firefighting, reasonable domestic and stockwater supplies), discharge contaminants into water, or undertake activities in the bed of a lake or river, unless allowed by a rule in a regional plan or by resource consent.

A resource consent does not convey ownership of water to the consent holder. Rather it is a permission to take, use, dam or divert water, or discharge contaminants, for the purposes, and subject to any conditions, set out in the resource consent. The maximum duration for which any resource consent can be issued for these activities under the RMA is 35 years, although they are often issued for a significantly shorter duration. A resource consent is also subject to any other limitations imposed by statute, including the powers of the consent authority to review consent conditions or cancel resource consents.

One of the challenges in managing fresh water in Canterbury is balancing the need for certainty for consent holders about the on-going permission and conditions under which they may take and use water or discharge contaminants, and the need to respond to changing conditions in catchments and values of and demand for water. Certainty about the ability to both exercise and renew a water permit is important in facilitating investment in irrigation and associated land uses (as recognised in sections 104(2A) and 124-124C of the RMA). There is no guarantee however, under the RMA that a water

1 282.1 Aggregate Group
Proposed Canterbury Land & Water Regional Plan: Decisions Version

permit will be replaced when it expires, on the same or similar conditions as previously granted. Difficult situations arise when older water permits expire that were granted under earlier legislation, or in times when the intensity of land use and catchment conditions differed from today.

In contrast to water, section 9 of the RMA allows any person to undertake any use of their land (other than subdivision) unless it contravenes a rule in a regional or district plan. However, there is still the requirement under the RMA to promote the sustainable management of natural and physical resources; including sustaining the potential of land resources to meet the reasonably foreseeable needs of present and future generations.

Promoting sustainable management also includes a duty under the RMA on every person to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried out by or on behalf of the person (section 17 RMA).

1.2 Land and Water Resources Management Issues – the Need for an Integrated Approach

The issues relating to the management of land and water resources in Canterbury are many, varied and interrelated. Competing demands for water, issues arising from interconnected land and water resources, effects of land-use, and hazards arising from natural and human-induced processes all point to the need for integrated and consistent management.

1.2.1 Competing demands for water

Fresh water is essential for a variety of values and uses, for example, drinking-water and stockwater; customary uses and food supplies; contact and non-contact recreation; irrigation, hydro-generation, industrial and other economic activities. We rely on fresh water for our social, cultural and economic well-being and our way of life.

These values and uses create competing demands between maintaining in-stream natural and ecological values and the need to abstract or use water for other activities. Competition also occurs between individuals undertaking the same activities, for example, between irrigators, and between different uses, such as irrigation, food and livestock processing, hydro-electricity generation and recreation.

The effect of these differing and often competing demands for fresh water occurs at two levels:

• the effects of individual activities on for example, a fresh water body, or land area with important ecological values or cultural significance, or effects of activities on one another such as the location of intakes or bores in close proximity to other intakes or bores, or discharge sites; and
• the cumulative effects of abstractions and discharges on the flow, level or quality of water in fresh water bodies.

Some of the most common examples of competing demand needing to be managed are outlined below.

The flows needed to sustain ecosystem and riverine health are the same flows of clean, reliable water most valued for community drinking and stockwater supplies and ‘run-of-
High quality fresh water is fundamental for aquatic ecosystem health, drinking-water supplies, customary uses and contact recreation. It is also important for maintaining the mauri, natural character and amenity values of water bodies. The largest community water supply is for Christchurch and is drawn predominantly from the Christchurch confined aquifer system. It is of such high quality that no treatment is needed. Some other communities close to Christchurch also rely on untreated groundwater, such as Kaiapoi, Lincoln, Rolleston and Prebbleton. Many other townships and small communities rely on surface water or combined surface water and groundwater takes that can be of a lower quality and are relatively expensive to treat due to the small number of users.

In rural areas, individual properties often rely on private water supplies which receive no treatment. For sources of drinking-water to be of an acceptable quality requires careful management of land uses and other activities that may affect surface and groundwater quality. Deteriorating water quality also affects the use of surface water bodies for customary uses, and contact recreation and economic activities including primary industry.3

Demand for additional water for more irrigation or more reliable irrigation, and hydro-electricity generation, is likely to continue in Canterbury, particularly if New Zealand moves to greater reliance on renewable hydro-electricity generation. Climate change predictions also indicate:

- more variable rainfall within any year and increases in summer temperatures,
- decreases in winter rainfall on the east coast providing less groundwater recharge, and
- increases in rain in the alps and less snow.

If the region becomes drier and warmer then more irrigation will be needed to maintain existing outputs from the land. Additional irrigation can compete with hydro-electricity generation, although if storage is provided then they can be complementary.

Most rivers and streams in Canterbury are at or near full allocation for reliable ‘run-of-river’ takes. Similarly, many groundwater zones in the region are at or over allocation limits for abstraction. The cumulative effects of abstraction of groundwater can reduce groundwater levels, in turn affecting the reliability of supply in shallower bores and flows in spring fed streams.

Additional demand for abstraction may be able to be met by harvesting and storing water, particularly from alpine catchments. Canterbury’s alpine rivers contain water that is potentially available for harvest and storage, having freshes at times when irrigation demand is highest on the Canterbury Plains. Harvesting and storing water has its challenges. Alpine rivers are ecologically unique having very high natural character, recreation and wilderness values. Harvesting and storing water is designed to relieve pressure on rivers in periods of low flow by taking water during freshes. These freshes

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2 106.12 CCC
3 319.6 Deer Ind & Deer Farmers
4 169.4 NZTA
and floods, however, maintain the health of rivers and their ecosystems. They enable ecosystems to recover after periods of low flow and flush algal growth, shift sediment and mobilise the river bed, and remove invading exotic plants such as lupin, broom and willows. The ideal freshes to harvest and store water for irrigation are also often the freshes highly valued for protecting the mauri of rivers including mahinga kai and for in-stream values such as angling, kayaking, and jet-boating.

Another competing use of water is for the disposal and dilution of discharges of contaminants. Rivers, wetlands and groundwater are natural conduits for the movement of water from land, and have long been used for the disposal of stormwater and waste products. These can have severe adverse effects on water quality and in turn on in-stream values.

1.2.2 Issues arising from interconnected water and land resources

Issues arising from the interconnectivity of water, and the use of land and water include:

- effects of activities on parts of the environment that are not in the immediate vicinity of the site, and
- cumulative effects of activities on the environment over space and time, including lag effects and bio-accumulation.

Canterbury’s hydrogeology means that surface water is strongly connected to groundwater, both for water quality and quantity. Lowland spring-fed streams and many wetlands are fed from groundwater. The flow and water quality in spring-fed streams directly reflects groundwater levels and groundwater quality, such that high nitrate levels in groundwater means high nitrate levels in these streams. Braided rivers lose surface flow to, and gain surface flow from, groundwater along their reaches. As a result, the abstraction of groundwater can reduce the flows and levels of water in rivers, streams and wetlands, and the abstraction of surface water can also reduce groundwater recharge. Managing the seasonal and long-term cumulative effects of groundwater abstraction on surface flows in lowland streams and inland basins is challenging because the effects from any single abstraction are sometimes not fast or significant enough to show an immediate effect on surface flow and localised variation in effects can occur.\(^5\)

Water quality in unconfined groundwater areas is vulnerable where: discharges of contaminants leach down through the permeable gravels; surface water recharging groundwater is contaminated; and where excavations reduce the distance between the ground surface and groundwater such that spills or discharges of contaminants can rapidly get into groundwater.

Water quality in confined aquifers has a much higher level of natural protection because the confining layers have very low permeability, and because there is an upwards pressure gradient causing an upwards movement of water. Collectively these two attributes help prevent the downward movement of contaminants. Excessive abstraction can reverse this pressure gradient allowing contaminants to move downwards. Excessive groundwater abstraction can also allow the seawater-fresh water interface in an aquifer to move landwards of the coast.

\(^5\) 19.2 Ellesmere ISI
Groundwater abstracted from confined aquifers is replaced by water moving in from the adjacent unconfined aquifer. Confined aquifers generally have high quality water, but this could be reduced in the long term if the adjacent unconfined groundwater is contaminated.

Fresh water bodies in urban areas are particularly vulnerable to contamination from land uses that discharge contaminants into stormwater systems as these often discharge into local streams or rivers. Most modern industrial activities have appropriate filtering and treatment systems for stormwater while many residential areas do not, in particular older residential areas where homes, commercial activities and roads discharge stormwater via kerb and channel directly into fresh water systems. Common pollutants include: swimming pool or spa pool water; detergents and chemicals from outdoor cleaning; pet faeces; paint; garden sprays; oil from roads and car parks; and fine particles of heavy metals from vehicle brakes and tyres.

Land use, soil type, slope, drainage patterns and groundwater levels also influence how contaminants run-off or leach into fresh water. Intensification of farming, particularly with irrigation, has the potential to increase nutrient losses to water bodies. Forestry attenuates flash flooding, reduces soil erosion and improves aquatic habitat through the majority of its 30 year rotation. The risk of nutrient loss is also increased where: land uses are not well-managed; rainfall is higher; soils are shallow and porous; or where soil is poorly drained and surface run off occurs.

Today, our ability to abstract, convey and apply water over large distances means that high water demand land uses can occur in areas of low rainfall and where ecosystems are adapted to drier, less nutrient rich conditions. Care must be taken in managing land use change to avoid the drying of wetland areas, wetting areas of dry habitat through changing water levels and land drainage patterns, or enriching habitats adapted to low nutrient conditions, for example, high country streams and wetlands.

In dry upper catchments, changing the vegetation cover from short to tall vegetation, for example, to large forestry plantations, can significantly reduce low flows in rivers and streams as a result of trees intercepting rainfall and evaporating it into the atmosphere. This can increase the severity, duration and frequency of low flows, affecting in-stream values, and reducing the reliability of supply to existing abstractors.

The removal of the vegetation cover, particularly trees in erosion prone catchments, can lead to higher levels of sediment flowing downstream, affecting water quality, and in turn, in-stream values.

Adding to the complexity of managing the inter-connectivity of land and water is the lag effect where nutrients or other contaminants discharged to land can take many years to move down through the soil and underlying gravels into groundwater. This makes the management of non-point source discharges more difficult as the extent to which today’s water quality problems are caused by previous or current land use practices is unclear.

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6 320.2 Fed Farmers (Combined Canty)
7 317.1 ANZCO
1.2.3 Issues relating to soil conservation, gravel resources and biodiversity

Land sustains the ecosystems on which humans ultimately depend. We have a responsibility to ensure there is sufficient natural resource capacity in land and soils to provide for the needs of present and future generations.

**Conservation of Soils**

Cultivating soil and modifying vegetation cover on both arable plains\(^8\) land and hill and high country are important activities in providing for the social, cultural and economic well-being of people and communities. But it is also important to manage land uses and practices including vegetation clearance, earthworks and forestry harvesting where they adversely affect soil quality or induce or exacerbate soil erosion. Induced soil erosion at rates greater than new soil formation, and long term reductions in soil quality, reduce the sustainability of farming activities, and the ability of the land to support a good vegetation cover. In addition, accelerated erosion from land use resulting in deposition of sediment in rivers and lakes can have a major impact on aquatic ecosystems and in-stream values.

Maintaining a vegetation cover that is effective at preventing induced erosion is the most cost-effective form of management whether in the hill and high country or on arable plains\(^9\) land. For example, deep-rooting vegetation binds soils on slopes, and shelter belts reduce the susceptibility of soil to wind erosion on arable plains\(^10\) land. The application of water and nutrients can assist in maintaining effective vegetative cover on the Canterbury plains.\(^11\)

The life-supporting capacity of soil resources and their productive potential can also be limited if soil becomes contaminated by toxic or hazardous substances, particularly those that are persistent and immobile. There is a strong legislative focus on managing the use and storage of hazardous substances and disposal of hazardous waste to avoid endangering health and safety for people. The role of the LWRP is to ensure that the use of chemicals, spillage or disposal of hazardous waste does not result in contaminants entering or leaching into fresh water. It is also important to make sure hazardous substances do not contaminate soil, or where soil or land is already contaminated, the contaminants are contained or removed, so they do not contaminate water or other land, or affect people’s health.

**Quarrying (including Gravel Extraction) and Mining\(^12\) Outside of Riverbeds**

Land outside of riverbeds supplies rock, gravel, and other minerals for the roading and construction industries. The excavations made by quarrying gravels in unconfined groundwater areas increase the risk of groundwater contamination because activities in the bottom of the pit are closer to groundwater. This risk is greatest where quarrying occurs in areas of shallow groundwater. The risks of quarrying itself on groundwater quality are generally well managed. Rather, it is what the pits are used for after completion of quarrying that is the greatest concern.

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\(^8\) 19.3 Ellesmere ISI
\(^9\) 19.3 Ellesmere ISI (consequential change)
\(^10\) 19.3 Ellesmere ISI (consequential change)
\(^11\) 320 Fed Farmers (Combined Canty)
\(^12\) 245.2 Fulton Hogan
Quarrying, mining and extractive\textsuperscript{13} activities need to be appropriately located and managed to avoid, remedy or mitigate adverse effects on water quality, and sites appropriately managed or rehabilitated once extraction ceases.

**Biodiversity, Wetland, and Riparian Margins**  
Significant modification of vegetation and habitats has occurred and continues to occur\textsuperscript{14} in Canterbury as a result of changing land use. Polynesian fires converted large areas of the Canterbury Plains from forest to tussock grassland. The last 160 years of European settlement and development of land for farming, townships, and settlement has caused extensive changes in vegetation cover across the region, and loss of indigenous flora and fauna.

Wetlands, riparian margins and other areas of indigenous vegetation create habitats for indigenous fauna and have important natural character values. These areas are culturally significant to Ngāi Tahu, as well as being important in defining the uniqueness and identity of New Zealand for all. It is recognised that some exotic vegetation also provides habitat value for significant indigenous fauna.\textsuperscript{15}

Vegetation helps to sustain the land and is a useful tool for managing the effects of land use. For example, riparian margins, if wide enough and comprising appropriate vegetation, can perform an important role in stabilising riverbanks, filtering out sediment running off the land, and reducing levels of nitrogen and other contaminants entering water bodies. Wetlands can also filter sediment and contaminants, although introducing significant quantities for treatment into a natural wetland will most likely change the wetland’s functioning and values. Appropriately managed artificial wetlands and swales can be very successful at removing sediment and certain contaminants, and are increasingly being incorporated into urban design for stormwater treatment from roads and into the design of effluent treatment facilities because direct discharges to water are inappropriate.

### 1.2.4 Natural hazards

Natural hazards arise where natural processes or events impact on the human use or occupation of an area. Significant natural hazards in Canterbury can arise from floods in rivers and streams, erosion and seismic activity. Activities in the beds of lakes and rivers, on floodplains, and on slopes are all important but when people locate themselves, their property, infrastructure, and their activities in these areas they can be subject to loss or damage from natural events. Sometimes our activities increase the risk of natural processes being triggered, for example cutting into a hill to build a road can destabilise the slope above. Some areas of land are more prone to the effects of seismic activity, for example rockfall, subsidence or liquefaction. Part of promoting the sustainable management of natural and physical resources requires managing the natural hazard risk to an acceptable level.

With regard to natural hazards, the Regional Council has a role in:

- Managing these natural hazards – through controlling activities that may exacerbate the risk of natural hazards;

\textsuperscript{13} Consequential amendment (94.8 Waimakariri DC)
• Responding to a natural hazard event – through playing a role in the emergency responses to natural hazards; and
• Aiding recovery from the effects of a natural hazard event – by enabling activities to occur that are required to facilitate recovery.

Seismic Activity
The most significant natural hazard event to occur within the Canterbury region in recent history has been the series of seismic events experienced within greater Christchurch from the year 2010 onwards. The impacts of the earthquakes are well documented with significant social, economic, infrastructural, environmental and cultural impacts.

The damage caused by these events to natural and physical resources included substantial destruction of buildings, damage to infrastructure and services, widespread land damage, land slips and rockfall. The effects of the seismic activity on land and water has included the re-emergence of springs, sedimentation from liquefaction processes, land subsidence and changes to bed levels and banks of water bodies. Local and central government have responsibilities to manage and respond to the effects of seismic activity.

Flooding
Land on the floodplains of rivers and the shores of lakes are valued for settlement and farming, because of the proximity to water and flatter, fertile soils. Some of the flooding risk may be managed by stopbanks, groynes, flood control plantings and gravel extraction and vegetation removal to maintain the flood carrying capacity of a river. Many of Canterbury’s rivers have naturally aggrading beds, therefore targeted extraction can have benefits for flood management. While these flood management activities are necessary, they also need to be managed because they can cause their own adverse effects.

Activities in Beds of Lakes and Rivers, including Gravel Extraction
People and livestock need to cross river beds, and bridges, pipes, pylons, flood protection works and other infrastructure must pass alongside, through or over river and lake beds. Such activities need to be managed to ensure that bed conditions are maintained to provide for the ecological, cultural, recreational and amenity values associated with them. Braided river beds are particularly important because they provide habitat for several indigenous birds that only breed on open gravel areas.

The accumulation of gravel in Canterbury’s foothill and alpine river beds reduces their flood carrying capacity, so removal is important for flood management. Removal of gravel also provides an important source of material for roading, construction, and infrastructure which provides social and economic benefits. Small quantities are often taken for farm related activities, such as farm tracks, but most is used for construction and roading. Demand for gravel is expected to increase with the rebuilding of greater Christchurch following the 2010-2011 earthquakes.

The rate and location at which gravel is removed needs to be well managed because if extraction is greater than the rate of gravel recharge erosion of the bed and banks will occur. Removing gravel close to bridge piles, stopbanks or other structures can undermine them. As with other activities in the beds of lakes and rivers, care needs to be
taken to ensure gravel removal does not significantly adversely affect water quality, the habitats of aquatic ecosystems and nesting birds, or any cultural, recreational or amenity values of the river.

Unstable Slopes

Hill and high country areas are also important land resources for a variety of activities, including farming, forestry, and residential development on part of the Port Hills around Christchurch. Slopes can be vulnerable to erosion or slippage, depending on their aspect, type of bed rock and soil. Loess-covered hills are vulnerable to rill and tunnel gully erosion and maintaining a good vegetation cover is essential. Urban development on the loess covered Port Hills needs careful management of stormwater during subdivision earthworks development, and subsequently from individual properties and roads. Soft-rock hill areas are vulnerable to deep-seated erosion where the failure surface is well below the ground surface, but the risks can be reduced by having a deep rooted vegetation cover. Earthworks and vegetation clearance in such areas need to be carefully managed.

1.2.5 Need for Integrated and Consistent Management of Water and Land Uses

Because of the interconnectivity described above between surface water and groundwater, between confined and unconfined aquifers, and between land use and water quality, it is essential that land and water resources and land and water use are managed in an integrated and consistent manner within a regional framework. It is no longer effective to look just at the effects of individual activities isolated from the catchments or groundwater zones within which they occur. Rather the cumulative effects of all types of activities need to be considered. Taking an integrated approach will allow competing demands to be more equitably and effectively managed, and better achieve the outcome of sustainable management of land and water.

1.2.6 Managing New and Existing Activities

The RMA requires particular consideration be given to existing activities in the allocation of natural resources. The RMA requires all resource consents to be considered subject to Part 2 of the RMA, and gives the consent authority the power to review consent conditions in particular circumstances. In managing water in catchments that are not under stress it is still possible to recognise and provide for existing activities in those catchments. Where abstractions or discharges are over-allocated, alternative management techniques are needed, and any over-allocation has to be phased out within a defined timeframe. For applicants seeking a replacement consent, the RMA provides particular recognition through sections 124-124C and s104(2A) which states that the consent authority must have regard to the value of the investment of the existing consent holder.

Existing infrastructure associated with large-scale irrigation and hydro-electricity generation schemes is recognised as part of the existing environment and has effects that last throughout the period that the structure exists for. When resource

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19 150.4 Winstone Aggregates
20 250.2 TrustPower
21 188.2 Synlait Farms
22 196.1 Genesis, Mitchell evidence
consents expire for this infrastructure and associated water abstractions and discharges,\textsuperscript{23} the activity must be reassessed as if new even when there is no practical alternative to continuing to use the existing infrastructure. In these cases, rather than debating whether the infrastructure should exist at all, a more useful approach is to focus on improving the efficiency, and reducing the environmental effects, of taking and using the water.

1.3 Key Management Responses for Land and Water

The management of land and water in Canterbury involves a series of regulatory and non-regulatory strategies and actions, of which the LWRP is the key regulatory part. The major responses to managing land and water in Canterbury can be classified into three areas:

- Key partnerships and stakeholders involved in managing land and water;
- Key approaches for managing land and water; and
- The statutory planning framework for managing land and water under the RMA, and the position of the LWRP in that framework.

1.3.1 Key Partnerships

The successful management of land and water requires partnership and collaboration. Issues are interconnected and complex, and different groups and individuals have overlapping responsibilities. The Canterbury Regional Council (CRC) shares responsibilities with Ngāi Tahu, with territorial authorities, and with many other organisations and local communities. These partnerships and the CWMS help provide a collaborative and integrated approach to ensuring sustainable management of our land and water resources.

Ngāi Tahu

TŪRANGAWAEWAE

The following sections outline the Ngāi Tahu’s right to participate meaningfully in the management of the natural resources within the Canterbury Region.

\textit{Mana Whenua}\textsuperscript{24}

The term mana whenua describes the authority to make decisions concerning the resources and people of a given takiwā. Mana Whenua can also be used as a metaphor for those who hold that authority.

The entire Canterbury region lies within the traditional boundaries of Ngāi Tahu\textsuperscript{25} which run south from Te Pari-nui-o-Whiti (White Bluffs) on the East Coast, around the southern coastline and off-shore islands and then back up the West Coast to Kahurangi Point (between Karamea and Farewell Spit). Ngāi Tahu is the largest \textit{iwi} (tribe) in the South Island, comprising of hundreds of hapū (sub-tribes) and whānau (extended families) who continue to express their \textit{mana whenua} within their respective areas (takiwā) through the following key actions:

\textsuperscript{23} 250.2 TrustPower

\textsuperscript{24} The underlining of terms in this section is a formatting style carried over from the pLWRP Volume 1 and does not indicate a change.

\textsuperscript{25} The term ’Ngāi Tahu’ literally means “the descendants of Tahu” and refers to the collective of families (whānau) who descend from the 5 primary hapū (sub-tribes) of Ngāi Tahu as described in Section 2 of the Te Rūnanga o Ngāi Tahu Act (1996), namely: Ngāti Kurī, Ngāi Tūāhuriri, Ngāti Irakehu, Ngāi Te Ruahikihiki & Ngāti Huirapa.
Proposed Canterbury Land & Water Regional Plan: Decisions Version

(a) Protection and perpetuation of their whakapapa (genealogy);
(b) Continued occupation of their ancestral lands (ahi-kā-roa);
(c) Continued use of traditional and contemporary natural resources (mahinga kai);
(d) Taking responsibility to protect and maintain the mauri (vitality) of their environment for the benefit and enjoyment of future generations.

Environment Canterbury recognises Ngāi Tahu’s mana whenua through its relationship and consultation with Ngā Rūnanga of the Canterbury region and Te Rūnanga o Ngāi Tahu (see below).

Te Tiriti o Waitangi / The Treaty of Waitangi

The Crown first recognised and provided for Ngāi Tahu’s mana whenua in 1840 with the signing of the Treaty of Waitangi / Te Tiriti o Waitangi. With respect to the right to exercise authority over natural resources, Article II of the Treaty / Te Tiriti states:

English Text:
“Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession…” (emphasis added).

Maori Text:
“Ko te Kuini o Ingarani ka wakarite ka wakaae ki Ngā Rangitira ki Ngā hapu – ki Ngā tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa…” (same emphasis added).

Translation:
“The Queen of England agrees to protect the chiefs, the sub-tribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures…” (same emphasis added).

Sale & Purchase of Ngāi Tahu Land

The legitimacy of Ngāi Tahu’s mana whenua in the South Island was reiterated through the contracts for sale and purchase of traditional Ngāi Tahu lands to the Crown from 1844 to 1864, including (within the Canterbury region):

- The Canterbury Purchase 1848
- The Port Cooper Purchase 1849
- The Port Levy Purchase 1849
- The Akaroa Purchase 1856
- The North Canterbury Purchase 1857
- The Kaikōura Purchase 1859

In total, the Crown purchased around 34.5 million acres of Ngāi Tahu land (80% of the South Island and more than half of the land mass of NZ) for just over £14,750. While this amounted to less than a penny per acre, it was encumbered with a number of commitments that included setting aside ‘adequate’ reserves for the present and future needs of Ngāi Tahu’s present and future needs.
The amount of land reserved was to have equated to approximately 10% of the land sold – that is, nearly 3.5 million acres – however, only 35,757 acres were ever set aside. Ngāi Tahu were left with only about one-thousandth of their ancestral land and over 3.4 million acres short of the land that the Crown had agreed to reserve.

**Mandated Representatives**

Following the confinement of Ngāi Tahu property rights to native reserves, local Ngāi Tahu communities begun to establish ‘rūnanga’ (i.e. an assemble or council) to facilitate the representation of their rights and interests in the evolving new system of local governance and resource management.

The above figure shows the names and locations of the ten papatipu marae within the Canterbury region as well as their primary hapū and representative Rūnanga. Contact details for each Rūnanga can be found at http://www.ngaitahu.iwi.nz/.

Marae were (re)built at the heart of these communities. They were bastions of Ngāi Tahu’s tikanga and kawa (customs, laws, protocols) and came to be known as “papatipu marae”; that is, the marae based communities in which flax roots Ngāi Tahu were born, nurtured and raised.
With the settlement of the Ngāi Tahu’s historic Treaty grievance in 1996 and the enactment of the Te Rūnanga o Ngāi Tahu Act, the tribe re-structured itself again under the auspices of one tribal rūnanga (Te Rūnanga o Ngāi Tahu) and 18 regional rūnanga (Ngā Rūnanga o Ngāi Tahu).

The former was established to give the tribe a legal identity and, where prudent, represent the entire tribal collective of Ngāi Tahu Whānui. It has also become the ‘iwi authority’ for Ngāi Tahu for the purposes of the RMA. The later were established to represent the rights and interests of local whānau internally within the new tribal structure and externally with the likes of local and regional government agencies within their respective takiwā. Ngā Rūnanga have come to be known as ‘Papatipu Rūnanga’, but only because of their relationship to the papatipu marae communities they represent.

Legislative Requirements
Under the RMA, Environment Canterbury is required to consult with Ngāi Tahu in respect of the management of natural and physical resources of the Canterbury region, including the preparation of regional plans.

Environment Canterbury therefore maintains a relationship with Ngāi Tahu through both Te Rūnanga and Ngā Rūnanga with interests in the Canterbury region.

KAITIAKITANGA

The Ngāi Tahu’s framework for managing natural resources has evolved from a distinct Polynesian world view which acknowledges that people are simply part of the world around them and not masters of it. It then developed through more than 40 generations of collective experience in Te Waipounamu.

The following paragraphs introduce and briefly outline the central tenets of that framework. They are intended to provide a starting point for greater understanding of what drives Ngāi Tahu resource management processes and policies in the hope that more effective collaboration can be achieved with all those responsible for managing Canterbury’s natural resources today.

Whakapapa

Whakapapa (genealogy) is the central pillar of the framework, setting out and effectively explaining the relationships between the various elements of the world around us, including human beings.

Mana Whenua

As described earlier, mana whenua is the right to exercise authority over a particular area, its resources and its people. Mana (respect, standing, authority) is passed on via whakapapa and is protected and secured through the on-going exercise of one’s rights to

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26 The term ‘Ngāi Tahu Whānui’ literally means “the length and breadth of Ngāi Tahu”. It acknowledges the expansive relationships across all streams of Ngāi Tahu whakapapa (genealogy), particularly with respect to earlier South Island tribes – Rapuwai, Hawea, Waitaha and Ngāti Mamoe – whose lineage continues to live within many present Ngāi Tahu whānau.

27 Unlike English, the Māori language has two definitive particles (the) – ‘te’ and ‘ngā’. “Te” is singular (e.g. the house) and “ngā” is plural (i.e. the houses).
resources in a manner consistent with tikanga. Inevitably, with mana comes responsibility.

_He tukemata anō tō te taonga._
_Even wealth frowns at times._

**Kaitiaki**

Traditionally, kaitiaki were the non-human guardians of the environment (e.g. birds, animals, fish and reptiles) which, in effect, communicated the relative health and vitality of their respective environments to local tohunga (experts) and rangatira (leaders) who were responsible for interpreting the ‘signs’ and making decisions accordingly. In essence, there is no real difference to scientific practices of today, which continue to use specific indicator species and observe their behaviours to measure the state of the environment.

**Mauri**

Mauri is often described as the ‘life force’ or ‘life principle’ of any given place or being. It can also be understood as a measure or an expression of the health and vitality of that place or being. The notion embodies the Ngāi Tahu’s understanding that there are both physical and metaphysical elements to life and that both are essential to our overall well-being. It also associates the human condition with the state of the world around it. Mauri, therefore, is central to kaitiakitanga; that is, the processes and practices of active protection and responsibility by Mana Whenua for the natural and physical resources of the takiwā.

Mauri can change either naturally or through intervention and Ngāi Tahu use both physical and spiritual indicators to assess its relative strength. Physical indicators include, but are not limited to, the presence and abundance of mahinga kai fit for consumption or cultural purpose (e.g. disease free bull-kelp that can be used for the long-term storage of preserved foods). Spiritual indicators are the kaitiaki referred to in the previous section. They are often recalled in kōrero pūrākau (oral traditions) to explain the intrinsic connection between the physical and metaphysical realms of our world.

**Wāhi Tapu & Wāhi Taonga**

Wāhi tapu are places of particular significance that have been imbued with an element of sacredness or restriction (tapu) following a certain event or circumstance (e.g. death). Wāhi tapu sites are treated according to local customs (tikanga & kawa) that seek to ensure that the tapu nature of those sites is respected. Of all wāhi tapu, urupā (burial sites) are considered to be the most significant.

Wāhi taonga are “places treasured” due to their high intrinsic values and critical role they have in maintaining a balanced and robust ecosystem (e.g. spawning grounds for fish, nesting areas for birds and fresh water springs). They are prized because of their capacity to shape and sustain the quality of life experience and provide for the needs of present and future generations.

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28 This proverb advises that the accumulation of wealth will inevitably invite the envy of others as well as the responsibility for generosity to others. (Ngā Pepeha a Ngā Tipuna: The Sayings of The Ancestors. Mean & Grove. Victoria University Press 2001. ISBN 864733992)
Ki Uta Ki Tai
The principle of Ki Uta Ki Tai (from mountains to sea) reflects the holistic nature of traditional resource management, particularly the inter-dependent nature and function of the various elements of the environment within a catchment.

Mauri ora ana te wai, kirimaia ai te kai, ki uta ki tai
Quality water flowing, abundant foods growing, mountains to sea.

Mahinga Kai
The Ngāi Tahu Whānui Claims Settlement Act 1998 describes mahinga kai as “the customary gathering of food and natural materials and the places where those resources are gathered.” Mahinga kai are central to Ngāi Tahu’s culture, identity and relationship with landscapes and waterways of Te Waipounamu.

Wakawaka
Access to mahinga kai was managed through the division of natural resources (lakes, rivers, islands, etc) into wakawaka, defined areas within which a particular whānau had exclusive rights to “work the food” (mahi ngā kai) and responsibilities to uphold the associated cultural values.

Nohoanga
Traditional nohoanga (seasonal ‘camp’ sites) were found throughout Te Waipounamu, giving Ngāi Tahu access to mahinga kai from season to season. Their value was recognised in the Canterbury Purchase agreement (Kemp’s Deed) 1848 which reserved and protected both nohoanga and mahinga kai for the present and future needs of Ngāi Tahu whānau in Canterbury.

"Ko o matou kainga nohoanga ko o matou mahinga kai me waiho marie mo matou mo a matou tamariki mo muri iho i a matou, a ma to Kawana e whakarite mai hoki tetehi wahi mo matou a mua ake nei, a te wahi e ata ruritia ai te whenua a Ngā Kai Ruri."

The Te Rūnanga o Ngāi Tahu Act 1996 identifies 72 traditional nohoanga sites throughout the Ngāi Tahu takiwā, providing tribal members with exclusive, albeit temporary rights to occupy.

Fenton Reserves & Entitlements
A significant determination was made 1868 by Judge Fenton when an order was made for water flow to be maintained to five native reserves within the Canterbury region: Taerutu, Waimaiaia, Torotoroa, Te Aka Aka, Pukatahi and Te Houriri. Known as the Fenton Reserves, these areas were essentially fishing easements awarded in accordance with Kemp’s Deed to help ensure on-going access by the beneficial owners to the associated waterways and their mahinga kai.

As part of the Ngāi Tahu Ancillary Claims settlement, Fenton Entitlements were created to provide the Fenton reserve owners the opportunity to occupy land close to waterways in order to facilitate access to them for the lawful fishing and gathering of other natural resources. While the right to occupy is temporary (up to 210 days per year), the associated right to fish in a part of the adjacent waterway is exclusive.
Mātaitai & Taiapure
Since settlement, Ngāi Tahu have also established a number of customary fisheries protection areas (i.e. mātaitai and taiapure) under the Fisheries Act 1996 and the Fisheries (South Island Customary Fishing) Regulations 1999. The intent of these legislative mechanisms is to give effect to the obligations stated in the Treaty of Waitangi Fisheries Claims Settlement Act 1992 and enable Tangata Tiaki (i.e. local Ngāi Tahu fisheries managers) to exercise greater rangatiratanga (sovereignty) over customary fishing grounds.

Rāhui
A rāhui is a temporary prohibition placed on an area or resource as either (a) a conservation measure, or (b) a means of social and political control. With respect to the former, a rāhui will effectively separate people from any ‘polluted’ area of land or water, preventing the ability to harvest potentially contaminated products from these areas.

Rāhui are initiated by someone of rank and were placed and lifted with appropriate karakia (ceremony) by a tohunga (experts).

Iwi Management Plans
Ngāi Tahu has set out its resource management values, issues, objectives and policies in a number of “iwi management plans” throughout the Canterbury region. These documents have been prepared in order to facilitate the exercise of Ngāi Tahu’s rangatiratanga (chieftainship) over their lands, villages and all their treasures as per Article II of the Treaty/Te Tiriti, including the exercise of their kaitiaki responsibilities as Mana Whenua.

Local authorities must take Iwi Management Plans into account when preparing regional or district plans under the RMA.

Statutory Acknowledgement Areas
The Ngāi Tahu Claims Settlement Act 1998 restored Ngāi Tahu ownership to several areas of great tribal significance and which were not deemed to be included as part of the Crown’s land purchase, including but not limited to the beds of Te Waihora/Lake Ellesmere and Muriwai/Cooper’s Lagoon in Canterbury, as well as many reserve areas.

The Act also identified many other areas of significance to Ngāi Tahu as Areas of Statutory Acknowledgement. Those Areas of Statutory Acknowledgement that lie within Canterbury are listed in Schedule 19 of this Plan. The Areas of Statutory Acknowledgement do not form a comprehensive list of all areas of significance and value to Ngāi Tahu whānui; and they do not of themselves confer any form of ownership of the areas upon Ngāi Tahu whānui. However, the importance of those areas is recognised by the Crown and must be recognised by consent authorities when deciding on notification and affected party status under the RMA.

CONCLUSION
The above has introduced the central tenets and some of the principal processes and mechanisms by which Ngāi Tahu came to manage the natural resources of Te Waipounamu. While the nature of this approach is distinctly Māori, the intent - sustainable management - is clearly shared with wider New Zealand culture and has been reflected in Part II of the RMA. In order to bring both cultural perspectives together in the overall management of Canterbury’s lands and water resources, this Plan has sought to

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29 Cl 16 – correcting a typographical error
integrate and weave Ngāi Tahu’s values throughout. The result will be a region so much richer for its inclusiveness.

*He waka kōtuia, kahore e tukutukua ngā mimira.*
*A waka bound correctly will not come apart in rough seas.*

**Territorial Local Authorities**

District and regional council functions for managing natural resources under the RMA often overlap, particularly in relation to effects of land uses on water bodies, natural hazards and hazardous substances.

As well as the direct overlap of functions, the decisions District Councils make in their district plans about where and how land uses can occur, impact directly on the demand for water and the nature of the discharges of stormwater, sewage and other contaminants into catchments. The sensitivity of fresh water bodies to nutrient enrichment and the state of fresh water resources will, in turn, influence the appropriateness and management of existing and future land use activities in catchments.

Working together, the Regional Council and territorial authorities can most effectively manage the interface of land uses and fresh water resources. The establishment of the ten Water Management Zone Committees under the CWMS, as joint committees of the Regional Council and the relevant territorial authority, is a significant step to facilitate closer liaison. Key stakeholders include representatives from community and environmental groups, relevant industry groups including farmers and those in hydro-generation. The *Canterbury Regional Policy Statement 2013* (RPS 2013) emphasises integrated management of land uses and water quality and quantity between the Regional Council and territorial local authorities.

**Christchurch Earthquake Recovery Authority (CERA)**

The Christchurch Earthquake Recovery Authority (CERA) was established as a new government department in April 2011, to lead and coordinate the ongoing recovery effort following the Canterbury earthquakes, consistent with the purposes, functions and powers established in the Canterbury Earthquake Recovery Act 2011.

The purpose of the Canterbury Earthquake Recovery Act 2011 includes providing appropriate measures to enable recovery, to enable a focussed, timely and expedited recovery, and to restore the social, economic, cultural and environmental well-being of greater Christchurch communities. CERA’s role ceases in April 2016, but recovery activities will continue beyond this time. This Plan will play a key part in the earthquake-related management of land and water resources.

**Department of Conservation**

The Department of Conservation’s functions are set out in section 6 of the Conservation Act 1987 and these functions, although different to that of the Regional Council, are often aimed toward consistent outcomes. In particular, functions with respect to the management of fresh water ecosystems, biodiversity and fish passage overlap. In addition, the Department administers significant Crown land holdings in the region, including the catchments of the alpine rivers and many of the lakes.
The Department of Conservation is the leading central government agency responsible for the conservation of New Zealand’s natural and historic heritage. Its legislative mandate is the Conservation Act 1987 and other key statutes such as the National Parks Act 1980 and Reserves Act 1977.

The Department’s key functions as set out in the Conservation Act are:
- to manage land and other natural and historic resources;
- to preserve as far as practicable all indigenous freshwater fisheries, protect recreational fisheries and freshwater habitats;
- to advocate conservation of natural and historic resources;
- to promote the benefits of conservation (including Antarctica and internationally);
  to provide conservation information; and
- to foster recreation and allow tourism, to the extent that use is not inconsistent with the conservation of any natural or historic resource.

In Canterbury, the Department’s role involves management of large areas of the High Country, including two National Parks, a National Reserve, numerous Conservation Parks, as well as smaller conservation areas and reserves on the Canterbury Plains and Banks Peninsula/Horomaka.

The Department also manages protected species such as birds, bats and lizards under the Wildlife Act 1953.

The Department’s general freshwater function is outlined in section 6(ab) of the Conservation Act 1987: “To preserve so far as is practicable all indigenous freshwater fisheries, and protect freshwater fisheries and freshwater fish habitats”.

The Conservation General Policy (2005) outlines, in sections 4.1 and 7, the Department’s national policy with regard to freshwater.

The Department is also responsible for two key Regulations concerning freshwater.

First, the Freshwater Fisheries Regulations 1983 which regulate fish passage and enable the Department to require fish passes or screens where new structures impede the natural movement of fish upstream or downstream of any natural waterbody. The Regulations also enable various pest fish to be declared noxious so that they can be managed.

Secondly, the Department administers the Whitebait Fishing Regulations 1994 which set the rules for whitebait/inanga fishing in Canterbury.

In addition, Statutory Management Plans are prepared under the Conservation Act 1987 and National Parks Act 1980. These management plans include the Canterbury Conservation Management Strategy, the Arthurs Pass and Aoraki/Mt Cook National Park Plan, and various Conservation Management Plans. The Department and Ngāi Tahu have also jointly prepared the Te Waihora Management Plan (2004) to give effect to the Ngāi Tahu Claims Settlement Act 1998.

31 120.1 DOC
1.3.2 Key Approaches

The CWMS was developed to foster a more collaborative approach to water management in the region. Prior to its development pressure on Canterbury’s water resource increased significantly and with this emerged a highly adversarial approach to allocation and management of water that has resulted in sub-optimal outcomes.

The CWMS is based on collaboration and integrated management to maximise opportunities for the community, environment and economy within an environmentally sustainable framework. The CWMS encompasses the interests and perspectives of many stakeholders and interest groups considering social, cultural and environmental perspectives in managing water resources.

The CWMS includes a set of planning priorities for guiding the allocation of water to particular types of uses. These are:

- First order priorities - environment, customary use, community supplies and stock water; and
- Second order priorities - irrigation, renewable electricity generation, recreation and amenity.

The CWMS focuses on delivering a set of quantified outcome targets by specific dates. The outcome targets are in the following areas:

- Ecosystem health and biodiversity
- Natural character, processes and ecological health of braided rivers
- Kaitiakitanga
- Drinking-water
- Recreational and amenity opportunities
- Water use efficiency
- Irrigated land area
- Energy security and efficiency
- Indicators of regional and national economies
- Environmental limits

The 10 zone committees are joint committees of the Regional Council and the relevant territorial authority, and membership includes local iwi and community representatives. The Regional Committee is a committee of Environment Canterbury. It focuses on regional issues, and has representatives from each zone committee. The regional and each zone committee are charged with preparing an implementation programme (RIP and ZIP) of actions to address fresh water management issues for the region or their zone. Each committee seeks to develop solutions for its own zone, facilitates community involvement and debate, keeps relevant councils informed, and works collaboratively with neighbouring zone committees and the Regional Committee.

The CWMS is prepared under the Local Government Act 2002 (LGA)\(^{32}\) and cannot override the RMA or the statutory policy statements and plans prepared under the RMA. However, many of the fundamental concepts in the CWMS are integral to promoting sustainable management of water under the RMA in Canterbury and where this is the case they have been incorporated into the objectives and policies of the RPS 2013 and the LWRP. The vision and principles of the CWMS are a matter which the Council must have particular

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\(^{32}\) Cl 16 - Minor amendment – “Local Government Act 2002” seldom used – abbreviation deleted.
regard to in making decisions on a regional plan (s63 of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 (ECan Act)). The statutory water management documents are discussed in Section 2.

Through the CWMS process, two important concepts have developed in the approach to managing water in Canterbury:

• parallel processes and
• gifts and gains.

The concept of parallel process is based on the management of land and water to achieve a range of social, cultural, environmental, and economic outcomes, essentially all at the same time. For example, at the same time as water storage and water efficiency options are being pursued, so to are actions to deal with environmental issues. The parallel process approach is an objective in the RPS 2013. It reflects the sustainable management concept of s5(2) of the RMA, of using and developing resources while simultaneously sustaining them for future generations and addressing any adverse effects that result.

The gifts and gains approach - putting something back (the gift) for what is taken (the gain), is used by some zone committees to develop solutions of interconnected land and water management to meet the principles of the CWMS. In short, it is unlikely that any one project or activity could fully deliver on all outcomes sought through the CWMS or Part 2 of the RMA, so multiple approaches are needed.

1.3.3 Statutory Planning for Managing Land and Water, and the Role of the Land and Water Regional Plan

The primary legislation for managing natural resources in New Zealand, including land and water, is the RMA, except for land that is managed under the Conservation Act 1987 and the statutes in the First Schedule to that Act. The RMA promotes the sustainable management of natural and physical resources. This involves managing the resources of the Canterbury Region in ways that provide for the needs of current and future generations. The LWRP must also give effect to the objectives and policies specified in any operative national policy statement. Currently there are three national policy statements (NPS). The LWRP has been prepared to give effect to these documents as required by the RMA. In doing this, it has been recognised that no NPS takes precedence over any other and that any resolution of conflict between competing objectives and policies within Canterbury may be informed by the provisions of the RPS 2013 and the LWRP. The National Policy Statement for Freshwater Management (“Freshwater NPS”) requires regional councils to address the over-allocation of water in catchments for abstraction or discharges. Regional plans must give effect to the Freshwater NPS. The NPS for Renewable Electricity Generation requires that regional councils recognise and provide for the national significance of renewable generation activities, including having particular regard to the maintenance of the generation output of existing renewable generation activities.

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33 Cl 16 - Minor amendment – improves certainty.
34 196.2 Genesis, Mitchell evidence
Regional and district councils all have functions set out under the RMA with powers and duties to exercise those functions. The RMA provides for a series of planning instruments for managing natural and physical resources, including land and water. Figure 1 shows the hierarchy of planning instruments relating to land and water under the RMA, and the relationship between them.

Section 30 of the RMA gives regional councils some specific functions around the control of the use of any land (including the beds of lakes and rivers) for the purposes of soil conservation, water quality, water quantity and the maintenance of ecosystems in water bodies, the avoidance or mitigation of natural hazards, and the prevention or mitigation of effects from the use, storage, transport or disposal of hazardous substances. Regional councils also have functions around controlling the planting of plants in the beds of lakes and rivers, the maintenance of indigenous biological diversity and the integration of strategic infrastructure and land use.

District councils, under section 31 of the RMA, have more general functions to control the effects of the use, development or protection of land. Close co-operation is needed between the Regional Council and district councils in relation to the respective regional and district plans to ensure complementary approaches that avoid duplication.
In addition, a regional plan cannot be interpreted or applied in a way that is inconsistent with the “Recovery Strategy for Greater Christchurch Mahere Haumanutanga o Waitaha” ("Recovery Strategy"), which came into effect on 1 June 2012.

Sections 3-8 of the Recovery Strategy have statutory effect under the Christchurch Earthquake Recovery Act 2011. The Recovery Strategy forms part of, and is read together with RMA plans. The Recovery Strategy prevails where there is any inconsistency.

Regional councils also have functions relating to land and water under other legislation. In particular, the Biosecurity Act 1993,35 that manages the control of plant and animal pests. This is done through the Regional Pest Management Strategy.

35 Cl 16 – Minor amendment – improves certainty.
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Section 2 - How the Plan Works & Definitions

The LWRP contains objectives, policies and rules as required under section 67(1) of the RMA. The objectives, policies and rules in this Plan manage land, water and biodiversity within the region in conjunction with other non-statutory methods. They are designed to assist with implementing consistent with the vision and principles in the CWMS.

This Plan operates at two levels. There is a region-wide section, which contains the objectives, policies and rules that apply across the region. There are also ten sub-regional sections. Each part of the region is covered by one and only one sub-regional section.

The sub-regional sections contain policies and rules which are specific to the catchments covered by that section. The policies and rules in the sub-regional sections implement the region-wide objectives in the Plan in the most appropriate way for the specific catchment or catchments covered by that section. Where the Plan contains policies and rules on the same subject matter, the more specific sub-regional provision will take precedence, except in relation to Policies 4.2 to 4.10. Policy 4.1 will also take precedence unless catchment specific outcomes are specified in the Sub-regional Section. 36

2.1 Objectives

The objectives in this Plan identify the resource management outcomes or goals for land and water resources in Canterbury region, to achieve the purpose of the RMA. The objectives form a comprehensive suite of outcomes to be attained implemented by the policies, rules and other methods.

While the objectives form a comprehensive suite of outcomes for the region, the individual provisions can conflict with one another. For this reason, no single objective should be read in isolation. Assessing whether an activity is appropriate requires an overall broad judgement to be made as to how it fits within the overall scheme of this Plan and provides for the achievement of the environmental outcomes sought for the Canterbury Region. 37

2.2 Policies

The policies implement the Plan’s objectives, as required under section 67(1)(b) of the RMA. The Plan contains two forms of policies.

The Plan first lists strategic policies, which apply to all activities. These key policies provide an overall direction for the integrated management of land and water. The strategic policies are followed by more specific policies which apply to activities. These policies are ‘outcome-based’ policies, identifying the outcomes sought from the management of land and water resources. These guide decision-making on resource consent applications as well as providing the rationale for the rules, and the status which is given to activities in the rules.

As with the objectives, the policies are intended to apply as a comprehensive suite, and must be read and considered together.

36 Consequential amendment (196.3 Genesis)
37 196.3 Genesis
2.3 Rules

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

The rules have the force and effect of regulations in statute, which means they are legally binding.

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

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

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

To make it easier to apply for resource consents and to reduce the number of separate resource consents required to undertake any particular activity, this Plan has, where practicable, adopted the concept of ‘rule bundling’. Rule bundling is used in this Plan to combine several permissions which may be required under section 9 and sections 13 to 15 of the RMA into one rule. One application for resource consent can therefore be made under the bundled rule. The and the CRC will assess and determine the component activities separately, in accordance with the provisions of the RMA relevant to that activity, and any resource consents granted will specify the relevant provisions of the RMA under which the different resource consents have been issued. Resource consents for activities that would otherwise contravene sections 13 – 15 need to expressly allow the relevant activity by reference to the relevant provision.

2.4 Regional and Sub-regional Sections

This Plan operates at two levels. There is a region-wide section, which contains the objectives, policies and rules that apply across the region. There are also ten sub-regional sections. Each part of the region is covered by one and only one sub-regional section.

The sub-regional sections contain policies and rules which are specific to the catchments covered by that section. The policies and rules in the sub-regional sections apply instead of, or in addition to, policies or rules in the region-wide section. They implement the region-
wide objectives in the Plan in the most appropriate way for the specific catchment or catchments covered by that section.  

2.45 Fresh Water Objectives

The objectives in Section 3 and Policies 4.1 – 4.6 in this Plan form the ‘fresh water objectives’ for Canterbury Region, as described by the Freshwater NPS. The objectives in the Plan provide the narrative outcomes sought to be achieved for, or from, fresh water across the whole of the Canterbury region.

The specific fresh water in-stream outcomes (numeric and descriptive) to achieve the Plan’s objectives are set out in Table 1 to Policy 4.1. Where they have been collaboratively determined at a catchment scale, the specific freshwater outcomes (numeric and descriptive) are included in a sub-regional section.

2.56 Limits

Limits as required by the Freshwater NPS, are included in the rules to this Plan.

Limits in the Plan are set to achieve the Plan’s objectives and the in-stream fresh water outcomes described in Table 1 to Policy 4.1, or in the relevant sub-regional section.

The Plan’s limits either:
1. Set out the maximum amount of a resource that can be allocated to those using the resource within a catchment; or
2. Control activities by:
   (a) Permitting activities that the Council has determined can cumulatively occur while still ensuring that the objectives and the in-stream fresh water outcomes sought by the Plan will be achieved;
   (b) Prohibiting activities that the Council has determined will not enable the objectives and the in-stream fresh water outcomes sought by the Plan to be achieved;
   (c) Requiring resource consents for activities where the Council has determined that a case-by-case assessment is required to assess whether the objectives and the in-stream fresh water outcomes sought by the Plan will be achieved.

Water quantity limits determined at a catchment level, in consultation with stakeholders, are included in the relevant sub-regional sections. Where catchment surface water limits have not been established a regional methodology sets out the limits to be applied. Groundwater quantity limits are set for all groundwater allocation zones in the Canterbury region. Water quality limits are set in Schedule 8.

The region-wide nitrogen limits in Section 5 of the Plan are designed to move from a regime of little or no statutory management of diffuse non-point source discharges of nutrients to a statutory regime that requires ‘good management practice’ across the region. Where good management practice will not result in the Plan’s objectives and the in-stream fresh
water outcomes being met, then a comprehensive catchment management regime for managing both diffuse and point-source discharges will be included by way of plan change into sub-regional sections. 46

2.67 Over-allocation

Over-allocation is determined for the purpose of this Plan where a resource:
1. has been allocated to users beyond a limit set by a rule in this Plan; or
2. is being used to a point where an in-stream fresh water outcome described in a sub-regional section; or
3. where the Objectives in Section 3 or Policies 4.1 – 4.6 Table 1 to Policy 4.1 47 is are not being met.

In the case of nutrients an assessment of whether the regional in-stream outcomes in the Objectives in Section 3 and Policies 4.1 – 4.6 Table 1 to Policy 4.1 48 are being met is shown in the Planning Maps.

Surface and groundwater quantity allocation status is determined using Schedule 13 ‘Requirements for implementation of water allocation regimes’ to this Plan.

Except for essential community drinking 49 water supplies and discharges, this Plan will not provide for new activities where a catchment is determined to be over-allocated.

Where a lake, river or aquifer is over-allocated, sub-regional sections to this Plan will describe the targets, timeframes and mechanisms to be implemented, in addition to the region-wide policies and rules, to address over-allocation.

2.78 Development and review of sub-regional sections

Policies 4.9 to 4.10 detail how and when a sub-regional section will be developed, what parts of this LWRP are able to be changed and what matters must be considered. In addition, Appendix 2 to the RPS 2013 contains direction for the development of sub-regional sections. 50

Priority for the development and review of sub-regional sections is to be given to catchments where the regional in-stream fresh water outcomes described in the Objectives in Section 3 and Policies 4.1 – 4.6 Table 1 to Policy 4.1 51 are not being met.

Additional policies and rules included in the sub-regional sections are the most efficient and effective way of achieving the region-wide objectives for a particular catchment.

The policies and rules included in the sub-regional sections are to assist with delivering the sustainable water management priority outcomes identified collaboratively by zone committees under the CWMS. 52

46 320.7 Fed Farmers (Combined Canty)
47 Consequential amendment
48 Consequential amendment
49 326.12 Horticulture NZ
50 245.7 Fulton Hogan
51 Consequential amendment
52 Consequential amendment
The process for establishing or reviewing catchment specific fresh water in-stream outcomes and the limits, in a sub-regional section, will be carried out either in accordance with the Council White Paper titled “Preferred Approach for Managing the Cumulative Effects of Land Use on Water Quality in the Canterbury Region 2012”, and any subsequent updates, or will be undertaken using an equivalent process that ensures the biophysical, cultural, social and economic consequences of establishing catchment specific in-stream outcomes and setting limits are collaboratively assessed with stakeholders and the community. The intention of the region-wide limits is not to introduce any preconception of what limits should be determined at the catchment level. It is vital that communities in those catchments openly consider social, bio-physical, economic and cultural costs and benefits under a range of limits specific to that catchment before deciding on a desired end point. In this way, communities can determine the best solutions for their catchments.53

Where a catchment is not meeting the Plan’s objectives, in addition to the collaboratively established catchment’s fresh water in-stream outcomes and the corresponding limits will be set out in the policies and rules in the relevant sub-regional section, where a catchment is not meeting the Plan’s objectives, that the sub-regional section will also describe the targets, timeframes and mechanisms to be implemented, in addition to the region-wide policies and rules, to address over-allocation.54

2.89 Relationship with other regional plans controlling land and water

In the future this Plan will manage all land and water activities (that can be controlled by a regional council) in the Canterbury region. At the time of notifying this Plan there are a number of separate regional plans that control specific aspects of land and water separately. These plans continue to operate separately from this Plan until they are reviewed, or a catchment specific collaborative process is undertaken to review limits. At that point they are to be incorporated into this Plan. In the interim, Under s67(4) of the RMA a regional plan must not be inconsistent with any other separate regional plan on the same subject matter. Therefore,55 any objective, policy or rule on the same subject matter in any relevant separate plan prevails over those contained in this Plan; as detailed below:

<table>
<thead>
<tr>
<th>Regional Plan</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Hurunui and Waiau River Regional Plan</td>
<td>The Proposed Hurunui and Waiau River Regional Plan has objectives, policies and rules to manage fresh water resources in the Hurunui, Waiau and Jed River Catchments. It includes objectives, policies and rules on surface and groundwater allocation and the effects of land use on water quality in the area covered by the Proposed Hurunui and Waiau River Regional Plan. Any objective, policy or rule on the same subject matter in the Proposed Hurunui and Waiau River Regional Plan prevails over the objectives, policies and rules contained in this Plan.</td>
</tr>
<tr>
<td>Opihi River Regional Plan</td>
<td>The Opihi River Regional Plan has objectives, policies and rules relating to the taking or diverting of surface water and discharge to surface water or onto land where the discharge may enter surface water in the area covered by the Opihi River Regional Plan. Any objective, policy or rule on the same subject matter in the Opihi River Regional Plan prevails over the objectives, policies and rules contained in this Plan.</td>
</tr>
</tbody>
</table>

53 315.1 DairyNZ
54 Cl 16 - Minor amendments – improve clarity.
55 221.105 Meridian
<table>
<thead>
<tr>
<th>Plan</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pareora Catchment Environmental Flow and Water Allocation Regional Plan</td>
<td>The Pareora Catchment Environmental Flow and Water Allocation Regional Plan has objectives, policies and rules relating to the taking or diverting of surface and ground water and discharge to surface water or onto land where the discharge may enter surface water in the area covered by the Pareora Catchment Environmental Flow and Water Allocation Regional Plan. Any objective, policy or rule on the same subject matter in the Pareora Catchment Environmental Flow and Water Allocation Regional Plan prevails over the objectives, policies and rules contained in this Plan.</td>
</tr>
<tr>
<td>Waimakariri River Regional Plan</td>
<td>The Waimakariri River Regional Plan has objectives, policies and rules relating to the taking or diverting of surface water and discharge to surface water (excluding the Styx River catchment) or onto land where the discharge may enter surface water (excluding the Styx River catchment) in the area covered by the Waimakariri River Regional Plan. The Waimakariri River Regional Plan also has rules relating to sewage tank effluent, animal effluent, land drainage water, aquifer or bore test water, water tracers, cooling water, stormwater and swimming pool water. Except for policies and rules in the sub-regional sections of the proposed Land and Water Regional Plan that specifically address the repair of earthquake damaged land on individual sites used for residential activities, any objective, policy or rule on the same subject matter in the Waimakariri River Regional Plan prevails over the objectives, policies and rules contained in this Plan. The regional rules for water quality in the Waimakariri River Regional Plan do not apply in the Styx River catchment.</td>
</tr>
<tr>
<td>Waipara Catchment Environmental Flow and Water Allocation Regional Plan</td>
<td>The Waipara Catchment Environmental Flow and Water Allocation Regional Plan has objectives, policies and rules relating to the taking or diverting of surface and ground water and discharge to surface water or onto land where the discharge may enter surface water in the area covered by the Waipara Catchment Environmental Flow and Water Allocation Regional Plan. Any objective, policy or rule on the same subject matter in the Waipara Catchment Environmental Flow and Water Allocation Regional Plan prevails over the objectives, policies and rules contained in this Plan.</td>
</tr>
<tr>
<td>Waitaki Catchment Water Allocation Regional Plan</td>
<td>The Waitaki Catchment Water Allocation Regional Plan has objectives, policies and rules relating to the allocation of water. By virtue of section 14 of the Resource Management (Waitaki Catchment) Amendment Act 2004 it is the Regional Plan for the allocation of water in that part of the Waitaki Catchment that is within the Canterbury Region taking or diverting of surface water and discharge to surface water or onto land where the discharge may enter surface water in the Waitaki Catchment Water Allocation Regional Plan. Any objective, policy or rule on the same subject matter in the Waitaki Catchment Water Allocation Regional Plan prevails over the objectives, policies and rules contained in this Plan and any inconsistency between the Plans must be interpreted in favour of the Waitaki Catchment Water Allocation Regional Plan.</td>
</tr>
<tr>
<td>Regional Coastal Environment Plan</td>
<td>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.</td>
</tr>
</tbody>
</table>

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56 221.105 Meridian
57 221.105 Meridian
58 167.1 CRC

2-6 18 January 2014
### 2.910 Definitions, Translations and Abbreviations

#### Definitions

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

<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstraction</td>
<td>means the taking of water from a water body or the diverting of water outside of the bed of a river, lake or artificial watercourse.</td>
</tr>
<tr>
<td>Aerobic decomposition and aerobically composted</td>
<td>means organic waste that has decomposed in the presence of air or oxygen.</td>
</tr>
<tr>
<td>Agrichemical</td>
<td>means any substance, or mixture of substances, <em>(including approved adjuvants)</em>, whether inorganic or organic, man-made or naturally occurring, modified or in its original state that is used to eradicate, or control flora and fauna. It excludes oral nutrition compounds, vertebrate pest controls and fertilisers.</td>
</tr>
<tr>
<td>Alpine river</td>
<td>means the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata and Waitaki Rivers which all have catchments that extend back to the Main Divide.</td>
</tr>
<tr>
<td>Animal effluent</td>
<td>Animal effluent means faeces and urine from animals other than humans, including associated process water, wash-down water, contaminants and sludge excluding solid animal waste.</td>
</tr>
<tr>
<td>Annual exceedance probability (AEP)</td>
<td>means the chance of a natural hazard event of a given size or larger occurring in any one year.</td>
</tr>
</tbody>
</table>
| Annual or seasonal volume or annual or seasonal allocation volume | means:  
1. in relation to a water permit, the total amount of water authorised by a water permit over a specified period in each year, or, in the case of an annual volume, a one year period (01 July to 30 June in the following year); and  
2. in relation to an allocation block limit, the total amount of water that is available for allocation from that block over a specified period. |

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59. 246.4 NZ Pork Industry Board
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| Applicant                     | **a)** in sections 37A, 40, 41B, 41C and 42A means —  
  
  *i.* for the purposes of a review of consent conditions, the consent holder; or  
  
  *ii.* for any matter described in section 39(1) except for section 39(1)(c), the person who initiates matter;  
  
  **b)** in section 96, means the person who —  
  
  *i.* initiates a matter described in section 39(1)(b) or (d); or  
  
  *ii.* holds a resource consent referred to in section 39(1)(c); or  
  
  *iii.* initiates a requirement for a designation;  
  
  **c)** in Part 6AA, has the meaning given in Section 141.  
  
| Aquatic life                  | **a)** means any species of plant or animal life that, at any stage in its life history, must inhabit water, whether living or dead; and  
  
  **b)** includes seabirds (whether or not in the aquatic environment).  
  
| Aquifer 1                     | means the uppermost aquifer of the Coastal Confined Gravel Aquifer System as shown on the Planning Maps.  
  
| Archaeological site           | means a site listed on the New Zealand Archaeological Association’s Archaeological Site Recording Scheme website.  
  
| Artificial lake               | means a lake created by human action. It includes any lake created as a result of damming a river, constructing an impoundment on land, or excavating land, but excludes detention and retention basins for stormwater, for dewatering purposes, factory waste and washdown water and oxidation ponds and other artificial water bodies used to treat human or animal waste.  
  
| Artificial watercourse        | means a watercourse that is created by human action. It includes an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal channel. It does not include artificial swales, kerb and channelling or other watercourses designed to convey stormwater.  
  
| Audit                         | means an assessment of the performance of a farming activity against the objectives and targets of a Farm Environment Plan, and includes identifying any non-compliance with the Farm Environment Plan, details of any action to remedy instances of non-compliance, and an overall grading based on the assessment of the property.  
  
| Available sewerage network   | means a community or territorial authority reticulated sewerage system where:  
  
  1. a pipeline passes within 50 m of the property boundary;  
  
  2. the network operator will accept the wastewater from the property; and  
  
  3. the distance from the network to the building from which wastewater is generated is less than 100 m.  

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60 Redundant definition  
61 Redundant definition  
62 19.8 Ellesmere ISI
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
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</thead>
</table>
| Bed                  | means the space of land extending between the outward extremities of any stopbank or any flood protection vegetation, as shown on the maps which form part of the CRC Flood Protection and Drainage Bylaw 2013, and where there is no stopbank or flood protection vegetation or relevant map in the CRC Flood Protection and Drainage Bylaw 2013, means:  
  a) in relation to any river –  
    i. ...,  
    ii. ..., the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and  
  b) in relation to any lake, except a lake controlled by artificial means,  
    i. for the purposes of esplanade reserves, esplanade strips, and subdivision, ..., the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;  
    ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and  
  c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and  
    ....                                                                                                                                                                                                                                                                          |
| Benefits and costs   | includes benefits and costs of any kind, whether monetary or non-monetary                                                                                                                                                                                                                                                                     |
| Best practicable     | in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to –  
  a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and  
  b) the financial implications, and the effects on the environment, of that option when compared with other options; and  
  c) the current state of technical knowledge and the likelihood that the option can be successfully applied                                                                                                                                                        |
| option               |                                                                                                                                                                                                                                                                                                                                            |
| Biological diversity | means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems                                                                                                                                                              |
| Bio-solids           | means the processed solid waste products from a wastewater treatment system, means sewage or sewage sludge derived from a sewage treatment plant, that does not include animal effluent or products derived from industrial wastewater treatment plants, and that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land.                                                                 |

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63 270.66 Fonterra  
64 Redundant definition  
65 Redundant definition  
66 246.5 NZ Pork Industry Board
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bore</td>
<td>means a structure or hole in the ground constructed for the purpose of: 1. investigating or monitoring conditions below the ground surface; or 2. abstracting liquid substances from the ground; or 3. discharging liquid substances into the ground, but excludes test pits and soak holes.</td>
</tr>
<tr>
<td>Braided river</td>
<td>means any river with multiple successively divergent and rejoining channels separated by gravel islands.</td>
</tr>
<tr>
<td>Changed (in terms of Rules 5.42 to 5.45)</td>
<td>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 Overseer nutrient model for the 12 months preceding 1 July in any year and expressed as kilograms per hectare per year.</td>
</tr>
<tr>
<td>Cleanfill</td>
<td>means material that, when buried, will have no adverse effects 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: 1. combustible, putrescible, degradable or leachable components; 2. hazardous substances; 3. products or materials derived from hazardous waste treatment, hazardous waste stabilisation, or hazardous waste disposal practices; 4. materials that may present a risk to human or animal health, such as medical and veterinary waste, asbestos, or radioactive substances; or 5. liquid waste.</td>
</tr>
<tr>
<td>Climate change</td>
<td>means a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods</td>
</tr>
<tr>
<td>Coastal marine area</td>
<td>means the foreshore, seabed and coastal water, and the air space above the water – a) of which the seaward boundary is the outer limits of the territorial sea; b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of – i. 1 kilometre upstream from the mouth of the river, or ii. The point upstream that is calculated by multiplying the width of the river mouth by 5</td>
</tr>
</tbody>
</table>

67 167.3 CRC  
68 Redundant definition
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community or network utility operator stormwater system</td>
<td>means a stormwater system owned and operated by a group, territorial authority or company comprising swales, drains, channels, wetlands, infiltration basins or pipework and other treatment devices, which may include detention ponds, for the treatment of stormwater prior to a discharge to land, groundwater, surface water or connecting to a reticulated stormwater system. 69</td>
</tr>
<tr>
<td>Community wastewater treatment system</td>
<td>means a wastewater treatment system owned and operated by a group, institution, territorial authority or company that primarily treats domestic effluent and serves more than one site, but does not include the pipework and sewers running from individual sites to the collection and treatment system.</td>
</tr>
<tr>
<td>Community drinking-water supply</td>
<td>means a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than 501 people with drinking-water for not less than 60 days each calendar year.</td>
</tr>
<tr>
<td>Community Water Supply</td>
<td>means water taken primarily for group drinking-water supply and includes group drinking-water supply, and community drinking-water supply, but that may also be used for other purposes such as supply to institutional, industrial, processing, stockwater, or amenity irrigation use and fire-fighting activities. 71</td>
</tr>
<tr>
<td>Conditions</td>
<td>in relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions. 72</td>
</tr>
<tr>
<td>Confined aquifer</td>
<td>means an aquifer overlain by a low permeability or impermeable layer where the water in the aquifer is under pressure.</td>
</tr>
<tr>
<td>Consent authority</td>
<td>means a regional council, a territorial authority, or a local authority that is both a regional council and a territorial authority, whose permission is required to carry out an activity for which a resource consent is required under this Act. 73</td>
</tr>
<tr>
<td>Construction</td>
<td>includes all forms of building activity and infrastructure construction and maintenance. 74</td>
</tr>
<tr>
<td>Contact recreation</td>
<td>means human recreation activity where people have direct contact with, or are partly or fully immersed in, the water of a river or lake. It includes activities such as boating, bathing, paddling, swimming, and fishing.</td>
</tr>
</tbody>
</table>

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69 See reticulated
70 154.3 New Zealand Defence Force
71 86.2 Hurunui DC; 317.31 ANZCO
72 Redundant definition
73 Redundant definition
74 169.15 NZTA
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| Contaminant         | includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat –  
  a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or  
  b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged |
| Contaminated land   | means land that has a hazardous substance in or on it that –  
  a) has significant adverse effects on the environment; or  
  b) is reasonably likely to have significant adverse effects on the environment |
| Controlled activity | If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a controlled activity, a resource consent is required for the activity and —  
  a) the consent authority must grant a resource consent except if —  
    i. section 106 applies; or  
    ii. section 55(2) of the Marine and Coastal Area (Takutai Moana) Act 2011 applies; and  
  b) the consent authority’s power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and  
  c) the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan |
| Dam                | means a structure used or to be used for the damming of any water, or waterbody where the structure is the full width of the waterbody and includes stormwater treatment ponds, sediment retention ponds and temporary impoundments used during site dewatering. It excludes bridges, intake bunding or structures for water takes provided the structures for water takes are not the full width of a waterbody culverts except any culverts which have a mechanism that can be used to completely block the flow of water through the culvert, and any activities involved in the enhancement, creation or restoration of wetlands. |
| Damming            | means the impounding of water by a dam |

75 Redundant definition  
76 197.87 RDRML  
77 197.87 RDRML  
78 197.87 RDRML
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| Defence against water           | means any structure or equipment, including any bund, weir, spillway, floodgate, bank, stopbank, retaining wall, rock or erosion protection structure, groyne, vegetation (including anchored tree protection) or reservoir, that is designed to have the effect of stopping, diverting, controlling, restricting or otherwise regulating the flow, energy or spread of water, including floodwaters, in or out of a water body, artificial watercourse, or artificial lake. For the purposes of this definition, dams are excluded.  
79 245.12 Fulton Hogan                                                                 |
| Dewatering                      | means the abstraction of groundwater so as to lower the water table for the period of time required to enable excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.                                                                                                                                   |
| Discharge                       | means emit, deposit, and allow to escape  
80 Redundant definition                                                                 |
| Discharge permit                | a consent to do something (other than in a coastal marine area) that otherwise would contravene section 15  
81 Redundant definition                                                                 |
| Discrepancy for the measurement period | means the volume identified when a stock reconciliation process has been carried out and there is either an identified discrepancy of 0.5% (all locations except the Christchurch Groundwater Protection Zone as shown on the Planning Maps) or 100 litres (within the Christchurch Groundwater Protection Zone as shown on the Planning Maps) or any confirmed product loss. |
| Discretionary activity          | if an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity and— a) the consent authority may decline the consent or grant the consent with or without conditions; and b) if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan  
82 Redundant definition                                                                 |
| District                         | in relation to a territorial authority— a) means the district of the territorial authority as defined in accordance with the Local Government Act 2002 but, except as provided in paragraph (b), does not include any area in the coastal marine area; b) includes, for the purposes of section 89, any area in the coastal marine area  
83 Redundant definition                                                                 |
| District plan                    | a) means an operative plan approved by a territorial authority under Schedule 1; and b) includes all operative changes to the plan (whether arising from a review or otherwise)  
84 Redundant definition                                                                 |

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18 January 2014  2-13
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disturbed land</td>
<td>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, soil disturbance undertaken by a mine or quarry operation, cultivation and grazing, and foundation works for structures.</td>
</tr>
<tr>
<td>Diversion</td>
<td>means the deflection of water from its natural course, but remaining within the bed or the banks of the water body, or artificial lake or artificial watercourse. — If the water leaves the bed even for a short distance, this Plan considers that the water has been “taken” and subsequently “discharged”. For the purpose of this Plan taking water from the bed of any watercourse, even if only for a short distance before it is returned, is considered a take and discharge.</td>
</tr>
<tr>
<td>Down- plains</td>
<td>means those areas eastward of State Highway 1 in the Ashburton River, Ashburton-Lyndhurst, Chertsey, Levels Plain, Mayfield-Hinds, Orari-Opihi, Rakaia-Selwyn, Rangitata-Orton, Selwyn-Waimakariri and Valetta groundwater zones.</td>
</tr>
<tr>
<td>Drain</td>
<td>includes any artificial watercourse that has been constructed for the purpose of land drainage of surface or subsurface water and can be a farm drainage channel, an open race or subsurface pipe, tile or mole drain, or culvert.</td>
</tr>
<tr>
<td>Drainage system or land drainage system</td>
<td>means a surface or subsurface pipe or channel or canal system for the collection, transfer and discharge elsewhere of surface or subsurface water.</td>
</tr>
<tr>
<td>Drawdown</td>
<td>means either: 1. lowering of water levels stored behind a dam or other water control structure; or 2. localised decline of a water table; or 3. localised decline in water pressure due to pumping.</td>
</tr>
<tr>
<td>Dwelling house</td>
<td>means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited.</td>
</tr>
</tbody>
</table>

85 314.3 Holcim
86 245.10 Fulton Hogan
87 297.15 Blakely Pacific
88 169.19 NZTA
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| Earthworks | means the excavation of, and/or filling with topsoil, subsoil, sediments, rock and/or other underlying materials on which the soil is formed. Earthworks include, but are not limited to, the construction and maintenance of roads, tracks, firebreaks and landings, and ground shaping (recontouring), root raking and blading. Earthworks excludes:  
(a) cultivation of the soil for the establishment of crops or pasture;  
(b) digging of postholes for the construction of fences;  
(c) works for research and monitoring such as coring, water bores and the use of piezometers;  
(d) ripping in of water pipes or cables; and  
(e) establishment, maintenance and/or enhancement of wetlands, domestic gardens or amenity planting.  
(f) harvesting of horticultural crops.  
| Ecological health | refers to the condition of an ecosystem and its ability to function normally and support the life-forms and processes naturally associated with it.  
| Ecosystem | means a system of interacting terrestrial and/or aquatic living organisms within their natural and physical environment.  
| Ecosystem services | means the physical functioning of a fresh water body that enables ecosystems, including people and communities to exist, and includes such things as flow variability, floodways, ponding and peak flow buffering and includes the goods and services provided by healthy ecosystems, including medicinal plants, clean water and air, and protection from extreme natural events.  
| Efficiency | means that for any given level of output inputs are minimised; and includes both technical, dynamic and allocative efficiency.  
| Environment | includes —  
(a) ecosystems and their constituent parts, including people and communities; and  
(b) all natural and physical resources; and  
(c) amenity values; and  
(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraph to (c) or which are affected by those matters.  

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89 94.3 Waimakariri DC  
90 347.27 Fish & Game  
91 106.17 CCC  
92 106.93 CCC  
93 192.6 Irrigation NZ and others  
94 Redundant definition  
95 131.9 HWPL  

18 January 2014 2-15
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing resource consent</td>
<td>means:</td>
</tr>
<tr>
<td></td>
<td>1. an existing resource consent which has been given effect to;</td>
</tr>
<tr>
<td></td>
<td>2. an existing resource consent which has not been given effect to and has not lapsed; and</td>
</tr>
<tr>
<td></td>
<td>3. an expired resource consent continuing to be exercised under s124 of the RMA.</td>
</tr>
<tr>
<td>Exploration</td>
<td>means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning</td>
</tr>
<tr>
<td>Farm Environment Plan Auditor</td>
<td>means a person who can provide evidence of at least 5 years’ professional experience in the management of pastoral, horticulture or arable farm systems and holds has either:</td>
</tr>
<tr>
<td></td>
<td>1. a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture and a Certificate of Completion in Advanced Sustainable Nutrient Management in New Zealand Agriculture from Massey University; or</td>
</tr>
<tr>
<td></td>
<td>2. a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture from Massey University and can provide evidence of at least 5 years professional experience in the management of pastoral, horticulture or arable farm systems; or</td>
</tr>
<tr>
<td></td>
<td>3. such other qualification that has been approved by the Chief Executive of the Canterbury Regional Council as containing adequate instruction and assessment on agricultural sciences and nutrient management, a tertiary qualification in agricultural sciences and can provide evidence of at least 5 years professional experience in nutrient management for pastoral, horticulture or arable farm systems.</td>
</tr>
<tr>
<td>Farming enterprise</td>
<td>means an aggregation of parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit for the purpose of nutrient management.</td>
</tr>
</tbody>
</table>

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96 Cl 16 – Minor amendment – improved grammar  
97 Redundant definition  
98 187.93 Synlait Milk  
99 244.13 Waihora Ellesmere Trust  
100 19.13 Ellesmere ISI  
101 19.12 Ellesmere ISI  
102 Consequential amendments arising from 347 Fish & Game and 320 Federated Farmers re nutrient management provisions
<table>
<thead>
<tr>
<th>Word</th>
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</tr>
</thead>
</table>
| Fertiliser              | **means:**  
|                         | 1. a solid or fluid substance or biological compound, or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of any of the following:  
|                         | (a) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, or sodium as major nutrients;  
|                         | (b) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, or selenium as minor nutrients;  
|                         | (c) fertiliser additives to facilitate the uptake and use of nutrients; or  
|                         | (d) soil conditioners to alter the physical characteristics of soil; and  
|                         | 2. includes non-nutrient attributes of the materials used in fertiliser; but  
|                         | 3. does not include;  
|                         | (a) substances that are plant growth regulators that modify the physiological functions of plants; or  
<p>|                         | (b) any raw or composted biological waste product that is not able to be registered under the Agricultural Compounds and Veterinary Medicines Act 1997. |
| Field capacity          | means the moisture content of soil when the addition of further water would result in saturation and/or drainage of water from the soil. |
| Flood carrying capacity | means the ability of a river to carry flood flows within its bed without overtopping its banks. |
| Flood control structure | means any structure designed and built for the purpose of directing the passage of water away from land. |
| Flood control vegetation | means trees or shrubs planted for the purpose of defending against erosion of a riverbank, berm, or structure. |
| Flood protection works  | means any flood control structure or flood control vegetation. |
| Flow sensitive catchment | means those catchments sensitive to flow reduction as a result of a change in the vegetation cover from short to tall vegetation, based on their limited ability to sustain flows during rainless periods means the catchment of a river which is dependent on rainfall as its main source of flow, has limited ability to store water, and where evapotranspiration can be expected to exceed precipitation between December and April resulting in very low flows in summer and autumn compared with mean flows. |
| Fresh water             | means all water except coastal water and geothermal water. |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Fully allocated</td>
<td>means, in the case of allocation of surface water, at the relevant limit specified in the environmental flow and allocation regime in Sections 6 to 15 and means, in the case of groundwater, at the relevant limit for the groundwater allocation zone in Sections 6 to 15.</td>
</tr>
<tr>
<td>Gallery</td>
<td>means a horizontal underground conduit of perforated or porous material for collecting shallow groundwater by infiltration. These can be some distance from a river, but usually accessing water derived from surface water. “Water infiltration gallery” and “infiltration gallery” have the same meaning.</td>
</tr>
<tr>
<td>Greywater</td>
<td>means domestic wastes from a bath, shower, basin, laundry and kitchen but excluding toilet and urinal wastes. It may contain pathogens.</td>
</tr>
<tr>
<td>Group drinking-water supply</td>
<td>means a drinking-water supply that provides more than 25 one household(^{107}) but fewer than 501 people with drinking-water for not less than 60 days each calendar year.</td>
</tr>
<tr>
<td>Groundwater</td>
<td>means all water beneath the surface of the earth contained within the saturated zone, but excludes the water chemically combined in minerals.</td>
</tr>
<tr>
<td>Hāpua</td>
<td>means a shallow lake at the termination of a river, separated from the sea by a bank of sand or shingle and includes coastal lakes which may be in the coastal marine area.</td>
</tr>
<tr>
<td>Harmful substance</td>
<td>means any substance prescribed by regulations as a harmful substance for the purposes of this definition.(^{108})</td>
</tr>
<tr>
<td>Hazardous activity or industry</td>
<td>means an activity or industry that appears on the Hazardous Activity and Industry List (HAIL) 2004. The HAIL is published as Schedule A in the Contaminated Land Management Guidelines - Ministry for the Environment (2004) updated September 2007 and is set out in Schedule 3 to this Plan.</td>
</tr>
<tr>
<td>Hazardous facility</td>
<td>means a site where hazardous substances are used, stored, handled or disposed of.(^{109})</td>
</tr>
</tbody>
</table>
| Hazardous substance     | means hazardous substances as defined in Schedule 4 Part A of this Plan\(^{110}\) includes, but is not limited to any substance—  
  a) with 1 or more of the following intrinsic properties:  
     (i) explosiveness:  
     (ii) flammability:  
     (iii) a capacity to oxidise:  
     (iv) corrosiveness:  
     (v) toxicity (including chronic toxicity):  
     (vi) ecotoxicity, with or without bioaccumulation; or  
     which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased)  
     generates a substance with any 1 or more of the properties specified in paragraph (a)                                                                                     |
<table>
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</table>
| Hazardous waste            | means waste that contains:  
1. a hazardous substance; or  
2. an infectious substance, or material known or reasonably expected to contain pathogens, including bacteria, viruses, rickettsia, parasites, fungi or recombinant micro-organisms (hybrid or mutant) that are known, or reasonably expected, to cause infectious disease in humans and animals that are exposed to them; or  
3. radioactive material that meets the definition in Section 2 of the Radiation Protection Act 1965. |
| Hill and High Country      | means all land above 600 m altitude or greater than 200\(^1\) degrees in slope.                                                                                                                        |
| Indoor intensive farming    | includes any agricultural production which is carried out primarily within buildings, including but not limited to such activities as poultry farming (excluding low density free range poultry or the keeping of fewer than 12 birds), rabbit or fitch farming, pig farming or mushroom production. For the purpose of this Plan ‘intensive farming’ excludes horticulture.\(^1\) |
| Industrial or trade premises | means—  
\(a\) any premises used for any industrial or trade purposes; or  
\(b\) any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or  
\(c\) any other premises from which a contaminant is discharged in connection with any industrial or trade process—  
but does not include any production land\(^1\) |
| Industrial or trade process | includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product\(^1\) |

\(^1\) Redundant definition
\(^1\) Redundant definition

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167.8 CRC
222.30 Corrections
Redundant definition
Redundant definition
<table>
<thead>
<tr>
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</thead>
</table>
| **Infrastructure** | *In section 30 means —*  
  a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;  
  b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;  
  c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;  
  d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person:  
  i. uses them in connection with the generation of electricity for the person’s use; and  
  ii. does not use them to generate any electricity for supply to any other person;  
  e) a water supply distribution system, including a system for irrigation;  
  f) a drainage or sewerage system;  
  g) structures for transport on land by cycleways, rail, roads, walkways, or any other means;  
  h) facilities for the loading or unloading of cargo or passengers transported on land by any means;  
  i) an airport as defined in section 2 of the Airport Authorities Act 1966;  
  j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990;  
  k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port-related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;  
  l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166[^115]  |
| **Interference effects** | means those effects of a groundwater abstraction calculated in accordance with Schedule 12 of this Plan.  |
| **Irrigation** | means the application of water to land for the purpose of assisting the production of vegetation or stock on that land, other than by naturally occurring rainfall, springs or rainfall run-off.  |
| **Irrigation application efficiency** | means the volume of water stored in the plant root zone following irrigation, as a percentage of the total volume applied.  |
| **Irrigation Scheme** | means a trust, company, incorporated society or other legal entity that holds a resource consent to take and supply water to more than one property.[^116]  |
| **Iwi authority** | means the authority which represents an iwi and which is recognised by that iwi as having authority to do so[^117]  |

[^115]: Redundant definition  
[^116]: Consequential amendment to insertion of Rules 5.60 – 5.62 – Irrigation schemes
<table>
<thead>
<tr>
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<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iwi Plan or Iwi Management Plan</td>
<td>means a management plan recognised by an iwi authority.</td>
</tr>
<tr>
<td>Kaitiakitanga</td>
<td>means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.</td>
</tr>
<tr>
<td>Kerbside collection</td>
<td>means a regular service provided by a territorial authority to collect waste from the road boundary of the property which is provided by the territorial authority and includes kerbside collection services that are undertaken by private contractors on behalf of the territorial authority. It excludes services provided by private contractors paid for directly by the property owner or occupier.</td>
</tr>
<tr>
<td>Ki uta ki tai</td>
<td>means (literally) ‘from the mountains to the sea’ and is a Ngāi Tahu concept to describe the overall approach to natural resources management by Ngāi Tahu and is a truly integrated approach.</td>
</tr>
<tr>
<td>Lake</td>
<td>means a body of fresh water which is entirely or nearly surrounded by land</td>
</tr>
<tr>
<td>Land</td>
<td>a) includes land covered by water and the airspace above land; and b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.</td>
</tr>
<tr>
<td>Land-based methods</td>
<td>means not from an aircraft or boat.</td>
</tr>
<tr>
<td>Landfill</td>
<td>means a site lawfully used for the deposition of solid and/or hazardous waste onto or into land.</td>
</tr>
<tr>
<td>Word</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Limit</td>
<td>includes any environmental flow and allocation limit regime in Sub-regional\textsuperscript{128} Sections 6 to 15 of this Plan and groundwater allocations limits in Sub-regional\textsuperscript{129} Sections 6 to 15 of this Plan and any water quality and nutrient limits in this Plan, including in the Rules in Section 5 and Schedule 8.\textsuperscript{130}</td>
</tr>
<tr>
<td>Local authority</td>
<td>\textit{means a regional council or territorial authority}\textsuperscript{131}</td>
</tr>
<tr>
<td>Mātaitai</td>
<td>\textit{means food resources from the sea and māhinga mātaitai means the areas from which these resources are gathered}\textsuperscript{132}</td>
</tr>
<tr>
<td>Mainstem</td>
<td>means, in relation to rivers, that stem of the river which flows to the sea, and applies from the source of that stem to the sea, but excludes any tributary.</td>
</tr>
<tr>
<td>Maintenance</td>
<td>means repairing and keeping a structure, land or vegetation in good and safe condition and includes upgrading and minor alterations as long as any upgrading or minor alteration does not materially\textsuperscript{133} increase the footprint, height, or external envelope of the structure\textsuperscript{134}</td>
</tr>
<tr>
<td>Mana whenua</td>
<td>\textit{means customary authority exercised by an iwi or hapū in an identified area}\textsuperscript{135}</td>
</tr>
<tr>
<td>Māori</td>
<td>means the native, indigenous, people of this country, the Takata Whenua.</td>
</tr>
<tr>
<td>Margin</td>
<td>means land immediately adjacent to the bed of a river, wetland, lake or estuary which is likely to be affected by a high water table, flooding, fluvial erosion, or sediment deposition, and often contains distinctive vegetation. The size of the margin will vary according to local site factors but may extend to the limits demarcated by natural river terraces and constructed stop banks.</td>
</tr>
<tr>
<td>Mauri</td>
<td>\textit{means essential life force or principle; a metaphysical quality inherent in all things, both animate and inanimate.}\textsuperscript{136}</td>
</tr>
<tr>
<td>Mean Annual</td>
<td>means the average, for a number of years, of the annual lowest daily flows. This is determined by selecting the lowest daily flow (average over 24 hours) for each year of record, summing those values and then dividing the total by the number of years of record.</td>
</tr>
<tr>
<td>Daily Low Flow</td>
<td></td>
</tr>
<tr>
<td>(MALF)</td>
<td></td>
</tr>
<tr>
<td>Minimum flow</td>
<td>means the flow, when measured at the relevant water flow monitoring site, at which abstractions from a water body must cease.</td>
</tr>
<tr>
<td>Mining</td>
<td>\textit{means to take, win, or extract, by whatever means, a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance; but does not include prospecting or exploration; and to mine has a corresponding meaning}\textsuperscript{137}</td>
</tr>
</tbody>
</table>

\textsuperscript{128} 167.10 CRC  
\textsuperscript{129} 167.10 CRC  
\textsuperscript{130} 167.10 CRC  
\textsuperscript{131} Redundant definition  
\textsuperscript{132} Redundant definition  
\textsuperscript{133} Redundant definition  
\textsuperscript{134} 169.27 NZTA, Kearse evidence  
\textsuperscript{135} 306.5 KiwiRail  
\textsuperscript{136} Redundant definition  
\textsuperscript{137} 358.90 Ngā Rūnanga
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mouth</strong></td>
<td>for the purpose of defining the landward boundary of the coastal marine area, means the mouth of the river either—&lt;br&gt;a) as agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority in the period between consultation on, and notification of, the proposed regional coastal plan; or&lt;br&gt;b) as declared by the Environment Court under section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative,— and once so agreed and set or declared shall not be changed in accordance with Schedule 1 or otherwise varied, altered, questioned, or reviewed in any way until the next review of the regional coastal plan, unless the Minister of Conservation, the regional council, and the appropriate territorial authority agree. 138</td>
</tr>
<tr>
<td>Municipal solid waste</td>
<td>means solid waste collected by a territorial authority and disposed of at a landfill, means any non-hazardous, solid waste from a combination of domestic, commercial and industrial sources. It includes putrescible waste, garden waste, uncontaminated bio-solids and related waste (including contaminated waste sterilised to a standard acceptable to the Department of Health). 139</td>
</tr>
<tr>
<td>National environmental standard</td>
<td>means a standard prescribed by regulations made under section 43 140</td>
</tr>
<tr>
<td>National policy statement</td>
<td>means a statement issued under section 52 141</td>
</tr>
<tr>
<td>Natural and physical resources</td>
<td>includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures 142</td>
</tr>
<tr>
<td>Natural hazard</td>
<td>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment</td>
</tr>
<tr>
<td>Natural lake</td>
<td>means a lake which is formed by natural geomorphic processes, whether modified by human activity or not, and excludes any artificially made lake or pond.</td>
</tr>
<tr>
<td>Natural state</td>
<td>means undeveloped state, shaped by natural processes rather than by human activities.</td>
</tr>
</tbody>
</table>

138 Redundant definition  
139 9.4 Envirowaste Services Ltd  
140 Redundant definition  
141 Redundant definition  
142 Redundant definition
<table>
<thead>
<tr>
<th><strong>Word</strong></th>
<th><strong>Definition</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural state water bodies</td>
<td>means rivers, lakes and natural(^{143}) wetlands within land administered for conservation purposes by the Department of Conservation.</td>
</tr>
<tr>
<td>Natural wetland</td>
<td>means a wetland which is formed by natural geomorphic processes, whether modified by human activity or not, and excludes any artificially made wetlands.(^{144})</td>
</tr>
<tr>
<td>Ngāi Tahu</td>
<td>(Kai Tahu, when written in dialect form) the tribal group holding manawhenua in Te Waipounamu, the area from Kahanuku Point on the West Coast and Te Parinui-o-Whiti (Vernon Bluffs) on the east, and all places south “until the land turns white”. “Ngāi Tahu” can refer to both the collective of Ngāi Tahu, or an individual rūnanga.(^{145})</td>
</tr>
<tr>
<td>Non-complying activity</td>
<td>If an activity is described in this Act, regulations (including a national environmental standard), a plan, or a proposed plan as a non-complying activity, a resource consent is required for the activity and the consent authority may— a) decline the consent; or b) grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.(^{146})</td>
</tr>
<tr>
<td>Non-point source(^{147}) discharge</td>
<td>means run-off or leachate from land onto or into land, a water body or the sea.</td>
</tr>
<tr>
<td>Nitrogen baseline</td>
<td>Means: (a) the discharge of nitrogen below the root zone, as modelled with OVERSEER(^{TM}), or equivalent model approved by the Chief Executive of Environment Canterbury, averaged over the period of 01 July 2009 – 30 June 2013, and expressed in kg per hectare per annum, except in relation to Rules 5.46 and 5.62, where it is expressed as a total kg per annum from the identified area of land; and (b) in the case where a building consent and effluent discharge consent have been granted for a new or upgraded dairy milking shed in the period 01 July 2009 – 30 June 2013, the calculation under (a) will be on the basis that the dairy farming activity is operational; and (c) if OVERSEER(^{TM}) is updated, the most recent version is to be used to recalculate the nitrogen baseline using the same input data for the period 01 July 2009 – 30 June 2013.(^{148})</td>
</tr>
</tbody>
</table>

\(^{143}\) Consquential amendment (94.8 Waimakariri DC)  
\(^{144}\) 94.8 Waimakariri DC  
\(^{145}\) 358.93 Ngā Rūnanga  
\(^{146}\) Redundant definition  
\(^{147}\) 169.28 NZTA  
\(^{148}\) Consequential amendment due to new nutrient rules
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen loss calculation</td>
<td>means the discharge of nitrogen below the root zone, as modelled with OVERSEER™, or equivalent model approved by the Chief Executive of Environment Canterbury, averaged over the most recent four year 01 July to 30 June period and expressed in kg per hectare per annum. If OVERSEER™ is updated, the most recent version is to be used. 149</td>
</tr>
<tr>
<td>Nutrient discharge</td>
<td>means nutrient loss from the property by surface runoff or by leaching below the root zone, the modelled discharge of nutrients using OVERSEER™. 150</td>
</tr>
<tr>
<td>Offal</td>
<td>means waste comprised of dead animal matter.</td>
</tr>
<tr>
<td>Offal pit</td>
<td>means a hole excavated in land for the purpose of disposing of offal, but does not include an on-site refuse disposal pit.</td>
</tr>
<tr>
<td>On-site refuse disposal pit</td>
<td>means a hole excavated in land for the purpose of disposing of household and farm waste.</td>
</tr>
<tr>
<td>On-site wastewater treatment system</td>
<td>means a system that receives domestic wastewater from a single site and treats and applies the wastewater to a land application system or a holding tank on the site. Such domestic wastewater includes that from facilities serving staff/employees/residents in institutional, utility, commercial and industrial establishments. 153</td>
</tr>
<tr>
<td>Organic matter</td>
<td>means all living and dead material derived from living organisms, or any compounds containing carbon as an essential component. Organic matter includes organic material from production land, industrial or trade premises, or industrial or trade processes, such as dead vegetation, organic farm waste, organic freezing works waste and organic fish processing factory waste.</td>
</tr>
<tr>
<td>Outdoor Intensively farmed stock farming</td>
<td>means: 1. cattle or deer any stock grazed on irrigated land or contained for break-feeding of winter feed crops in or adjoining the bed of a river or lake, in a wetland or adjacent to a wetland boundary; 156 2. dairy cattle, including cows, whether dry or milking, and calves, whether on irrigated land or not at hoof, in a dairy herd; 157 or 3. farmed pigs; or 4. livestock contained for break-feeding of winter feed crops in or adjacent to the bed of a river or lake, in a wetland or adjacent to a wetland boundary. 158</td>
</tr>
</tbody>
</table>

149 Consequential amendment due to new nutrient rules
150 265.9 Ravensdown
151 148.5 Mainpower
152 199.2 SCIRT
153 128.10 Meadow Mushrooms Limited
154 120.232 DOC
155 347.173 Fish & Game
156 120.11 DOC
157 364.4 RFBPS (Canty West Coast)
158 120.11 DOC

18 January 2014 2-25
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding fresh water bodies</td>
<td>means those includes hāpua, natural wetlands, natural state water bodies and high naturalness water bodies, which are listed as outstanding in Sections 6 to 15 of this Plan and water bodies subject to Water Conservation Orders.</td>
</tr>
<tr>
<td>Outstanding natural features and landscapes</td>
<td>means natural features and landscapes listed in Appendix 4 to the Canterbury RPS 2012 and any additional outstanding natural features and landscapes listed in the relevant District Plan.</td>
</tr>
<tr>
<td>Over-allocated</td>
<td>means, in the case of allocation of surface water, above the relevant limit specified in the environmental flow and allocation regime in Sections 6 to 15 of this Plan and, in the case of groundwater, above the relevant limit for the groundwater allocation zone in Sections 6 to 15 of this Plan.</td>
</tr>
<tr>
<td>Permitted activity</td>
<td>if an activity is described in this Act, regulations, including any national environmental standard, a plan, or a proposed plan as a permitted activity, a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.</td>
</tr>
<tr>
<td>Person</td>
<td>includes the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated.</td>
</tr>
<tr>
<td>Petroleum</td>
<td>means 1. any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid or solid state; 2. any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid or solid state; or 3. any naturally occurring mixture of one or more hydrocarbons (other than coal) and one or more of the following: hydrogen sulphide, nitrogen, helium or carbon dioxide.</td>
</tr>
<tr>
<td>Petroleum product</td>
<td>means a chemical that is produced as a result of refining or physical treatment of petroleum, or as a result of a chemical process in which petroleum is a reagent.</td>
</tr>
<tr>
<td>Pit toilet</td>
<td>means a toilet constructed over a hole dug in the ground surface, which human excrement is disposed directly into, without the addition of water or other waste products. It is commonly known as a “long-drop”.</td>
</tr>
<tr>
<td>Plan</td>
<td>means a regional plan or a district plan.</td>
</tr>
</tbody>
</table>

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159 169.29 NZTA  
160 Consequential amendment (94.8 Waimakariri DC)  
161 161.29 Mackenzie DC  
162 Redundant definition as is set out in Section 2 of the Plan.  
163 Redundant definition  
164 Redundant definition  
165 Redundant definition  
166 Redundant definition  
167 169.30 NZTA  
168 Redundant definition  

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<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plantation forest</td>
<td>includes all areas of trees grown for harvest or as a carbon sink forest with a density of 150 or more stems per hectare means a forest of selected species of trees that are specifically planted and managed for a carbon sink or planted and managed specifically for harvesting and production of timber or other wood based products, and includes under-story that has established beneath the canopy and areas that are demonstrated to be failed plantings from the previous rotations.</td>
</tr>
<tr>
<td>Point source discharge</td>
<td>means a discharge from a specific and identifiable outlet onto or into land, a water body or the sea.</td>
</tr>
<tr>
<td>Policy statement</td>
<td>means a regional policy statement.</td>
</tr>
<tr>
<td>Portable container</td>
<td>means one or more containers of petrol, kerosene or diesel used for refuelling and the container(s) is fixed to a vehicle, towed by a vehicle or transported by helicopter, but does not comprise part of the inbuilt fuel system required to power a vehicle or machine.</td>
</tr>
<tr>
<td>Potentially contaminated</td>
<td>means that part of a site where an activity or industry described in the list in Schedule 3 of this Plan has been or is being undertaken on it or where it is more likely than not that an activity or industry described in the list in Schedule 3 of this Plan is being or has been undertaken on it, when assessed in accordance with the methodology in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health, but excludes any site where a detailed site investigation has been completed and reported and which demonstrates that any contaminants in or on the site are at, or below, background concentrations.</td>
</tr>
<tr>
<td>Principal water supplier</td>
<td>a publicly or privately owned supplier that is the sole abstractor of water which is subsequently conveyed and distributed to constituent irrigation, community and/or stockwater schemes, hydro-electricity generators and/or other users of the water.</td>
</tr>
<tr>
<td>Production land</td>
<td>a) means any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products); b) does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals</td>
</tr>
<tr>
<td>Profile available water</td>
<td>is the difference between field capacity and wilting point and represents the total water available to a depth of 1 m expressed as millimetres of water.</td>
</tr>
</tbody>
</table>

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168 273.20 Rayonier  
169 169.32 NZTA  
170 Consequential amendment (154.33 NZDF)  
171 Consequential amendment (99.40 The Fuel Companies)  
172 197.31 RDRML  
173 Redundant definition
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| **Prohibited activity**                  | If an activity is described in this Act, regulations (including a national environmental standard), or a plan as a prohibited activity,—  
   a) no application for a resource consent may be made for the activity; and  
   b) the consent authority must not grant a consent for it.  
   174                                                                                                                                                                                                                                                                                                                                                           |
| **Property**                             | means any contiguous area of land, including land separated by a road or river, held in one or more than one ownership, that is utilised as a single operating unit, and may include one or more certificates of title.  
   175                                                                                                                                                                                                                                                                                                                                                           |
| **Proposed policy statement**            | means a proposed regional policy statement that has been notified under clause 5 of Schedule 1 but has not become operative in terms of clause 20 of Schedule 4.  
   176                                                                                                                                                                                                                                                                                                                                                           |
| **Pumping test** (also called aquifer test) | means a test made by pumping a well for a period of time and observing the change in water level or pressure in the aquifer. A pumping test may be used to determine the capacity of the well, the hydraulic characteristic of the aquifer and any interference effects.                                                                                                                                                                                                                                                  |
| **Quarrying**                            | means extracting minerals, excluding petroleum from land, and includes processes for the size reduction or screening or storage or washing of minerals.  
   177                                                                                                                                                                                                                                                                                                                                                           |
| **Reasonable mixing zone**               | means the mixing that occurs in a mixing zone as defined in Schedule 5 of this Plan.                                                                                                                                                                                                                                                                                                                                             |
| **Reasonable use**                       | when applied to the taking, diverting or using of water for irrigation means the technically efficient use of water in the particular circumstances of the activity, calculated in accordance with Schedule 10 of this Plan.                                                                                                                                                                                                                                 |
| **Reasonable use test**                  | when applied to the taking, diverting or using of water for irrigation, means a test of the technical efficiency of water use in the particular circumstances of the activity, including consideration of the water requirements for the intended land use activity; whether there are already existing resource consents for the use of water for the same area of land (either partially or totally); on-site physical factors such as soil water-holding capacity, and climatic factors such as rainfall and evaporation. It is calculated in accordance with Schedule 10 of this Plan. |
| **Recovery activities**                  | means, in the context of responding to a natural disaster event for which a regional or national state of emergency was declared, extending, repairing or improving the integrity of any land, water body or infrastructure, but excludes any discharges associated with the operation of infrastructure.                                                                                                                                                                                                                          |

174 Redundant definition  
175 318.75 Beef & Lamb  
176 169.33 NZTA  
177 286.3 Isaac Conservation Trust  
178 169.35 NZTA, 273.21 Rayonier  
179 Cl 16 – Minor amendment – term not used in this context  
180 Cl 16 – Minor amendment – term not used in this context  
181 Cl 16 – Minor amendment – improved grammar
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
</table>
| Refuse collection                | means a community or territorial authority kerbside collection system.  

  182  

| Region                           | in relation to a regional council, means the region of the regional council as determined in accordance with the Local Government Act 2002  

  183  

| Regional coastal plan            | a) means an operative plan approved by the Minister of Conservation under Schedule 1; and  

  184  

| Regional council                 | a) has the same meaning as in section 5 of the Local Government Act 2002; and  

  185  

| Regional plan                    | a) means an operative plan approved by a regional council under Schedule 1 (including all operative changes to the plan (whether arising from a review or otherwise)); and  

  186  

| Regional policy statement        | a) means an operative regional policy statement approved by a regional council under Schedule 1; and  

  187  

| Regional rule                    | means a rule made as part of a regional plan or proposed regional plan in accordance with section 68  

  188  

| Reliability of supply            | means, in relation to irrigation, the ability of the water supply to meet demand from one or more abstractors, when operating within the flow and allocation regime or the allocation limits.  

  189  

| Renewable energy                 | means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave, and ocean current sources  

| Re-refined oil                   | means used oil that has been processed to remove impurities such as particulate, metals, solvents, volatiles, sulphur and chlorine.  

| Residential or commercial purposes | means land that a relevant district plan or proposed district plan classifies as primarily for residential or commercial activities.  

| Residential, commercial or industrial purposes | means land that a relevant district plan or proposed district plan classifies as primarily for residential, commercial or industrial activities.  

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182  94.6 Waimakariri DC  

183  Redundant definition  

184  Redundant definition  

185  Redundant definition  

186  Redundant definition  

187  Redundant definition  

188  Redundant definition  

189  Redundant definition
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Restricted discretionary activity</strong></td>
<td>If an activity is described in this Act, regulations (including any national environmental standard), a plan, or a proposed plan as a restricted discretionary activity, a resource consent is required for the activity and—&lt;br&gt;a) the consent authority’s power to decline a consent, or to grant a consent and to impose conditions on the consent, is restricted to the matters over which discretion is restricted (whether in its plan or proposed plan, a national environmental standard, or otherwise); and&lt;br&gt;b) if granted, the activity must comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.</td>
</tr>
<tr>
<td><strong>Reticulated stormwater system</strong></td>
<td>means a network of pipes, swales, drains and channels which convey stormwater, wetlands and infiltration basins and treatment devices, which may include detention ponds, for the treatment of stormwater, prior to a discharge to land, groundwater, surface water or another reticulated stormwater system drains, channels or pipework operated by a community or network utility operator and that serves more than one property.</td>
</tr>
<tr>
<td><strong>Riparian margin</strong></td>
<td>means the land within the following distances of the bed of any lake, river or wetland boundary:&lt;br&gt;1. In Hill and High Country land or and land shown as High Soil Erosion Risk zoned LH2 on the Planning Maps – within 10 m and 20 m.&lt;br&gt;2. In all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country land zoned LH1 on the Planning Maps – within 5 m to 10 m.</td>
</tr>
<tr>
<td><strong>River</strong></td>
<td>means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</td>
</tr>
<tr>
<td><strong>Rule</strong></td>
<td>means a district rule or a regional rule.</td>
</tr>
<tr>
<td><strong>Seasonal High Water Table</strong></td>
<td>means, at the time the activity is established, the highest elevation that the water table has reached between the months of June and August inclusive.</td>
</tr>
<tr>
<td><strong>Settlement</strong></td>
<td>means land that a relevant district plan or proposed district plan classifies as primarily for residential, commercial, industrial, institutional or recreational activities, a permanent or temporary place where people live.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seven Day Mean Annual Low Flow (7DMALF)</td>
<td>is determined by adding the lowest seven day low flow for every year of record and dividing by the number of years of record (in any year the seven-day low flow is the lowest average flow sustained over seven consecutive days).</td>
</tr>
<tr>
<td>Significant indigenous biodiversity</td>
<td>means areas or habitats that meet one or more of the criteria in Appendix 43 to the Canterbury RPS 2012.</td>
</tr>
</tbody>
</table>
| Site | means:  
1. the smaller of an area of land or volume of space with defined boundaries, whether legally or otherwise described, comprised in a single allotment or any other legally defined parcel of land:  
   (a) held in a single certificate of title; or  
   (b) for which a separate certificate of title could be issued without further consent; and  
2. in the case of land subdivided under the cross lease or company lease systems, site shall mean an area of land exclusively restricted to the control of users of that land; and  
3. in the case of land subdivided under the Unit Titles Act 2010, site shall mean an area of land or volume of space containing a principal unit or a proposed unit in a unit plan, together with its accessory units.  
“Site” shall also include the access to the site. |
| Sludge | means sludge from the treatment of human effluent means a semi-liquid residue that settles to the bottom of pipes, tanks and systems used in on-site and community wastewater systems. |
| Soil | means the loose material on the earth’s surface in which terrestrial plants grow and includes sand, silts, clays and any intermixed organic material. |
| Soil conservation | means avoiding, remedying, or mitigating soil erosion and maintaining the physical, chemical, and biological qualities of soil. |
| Soil moisture deficit | is the amount of water required to restore the soil to its field capacity. |
| Solid animal waste | means solid waste of animal origin, including manure, but does not include dead animals or animal parts. |
| Solid waste | 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, recycling or recovery cannot be applied. |

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199 161.30 Mackenzie DC  
200 CI 16 - Minor amendment – updated document  
201 188.98 Synlait Farms Limited  
202 Redundant definition  
203 167.11 CRC  
204 Minor amendment
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stock holding area</td>
<td>means an area of land in which the construction of the holding area or stocking density precludes maintenance of pasture or vegetative groundcover, and is used for confining livestock for more than 30 days in any 12 month period or for more than 10 consecutive 24-hour days at any time. For the avoidance of doubt, this definition includes; milking platforms, feedpads, wintering pads, and farm raceways used for stock holding purposes during milking; but excludes sheep and cattle yards constructed on pasture or bare soil.</td>
</tr>
<tr>
<td>Stock reconciliation</td>
<td>means a stock monitoring process involving a review of cumulated variances between the quantities of sales, use, receipts and stock on-hand, based on an established inventory control system and may include a Product Loss Investigation Procedure (PLIP).</td>
</tr>
<tr>
<td>Stormwater</td>
<td>means runoff that has been channelled, diverted, intensified or accelerated by human modification of the land surface or runoff from the external surface of any structure as a result of precipitation and includes entrained contaminants and sediment including that generated during construction or earthworks.</td>
</tr>
<tr>
<td>Stream depleting groundwater</td>
<td>means groundwater abstraction that has a direct, high, medium or low stream depletion effect, calculated in accordance with Schedule 9 of this Plan.</td>
</tr>
<tr>
<td>Stream depletion effect</td>
<td>means the impact of groundwater abstraction on surface water flow, calculated in accordance with Schedule 9 of this Plan.</td>
</tr>
<tr>
<td>Structure</td>
<td>means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.</td>
</tr>
<tr>
<td>Surface water or surface water body</td>
<td>means water above the ground surface and within a lake, river, artificial watercourse or wetland, but does not include water in the sea, snow or rain or water vapour in the air. When a distance to a surface water body is being considered, it means the distance to the bed of a lake, river, artificial watercourse or to the boundary of a wetland (see wetland boundary definition).</td>
</tr>
<tr>
<td>Surrendered</td>
<td>means the partial or full surrendering of a resource consent in terms of section 138 of the RMA.</td>
</tr>
<tr>
<td>Swale</td>
<td>means a shallow depression on the land surface, that is covered in grass or other vegetation, that is natural or man-made and that serves to collect and drain overland stormwater runoff.</td>
</tr>
<tr>
<td>Tangata whenua</td>
<td>in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area.</td>
</tr>
<tr>
<td>Te Rūnanga o Ngāi Tahu</td>
<td>means the body corporate of Ngāi Tahu Whānui as established under Section 6 of the Te Rūnanga o Ngāi Tahu Act 1996.</td>
</tr>
</tbody>
</table>

205 320.115 Fed Farmers (Combined Canty)
206 255 Murchison
207 Redundant definition
208 Redundant definition

18 January 2014
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telemetered</td>
<td>means the transfer of data to the CRC or its agent via electronic means in real-time or near real-time or regularly.</td>
</tr>
<tr>
<td>Territorial authority</td>
<td>means a city council or a district council named in Part 2 of Schedule 2</td>
</tr>
<tr>
<td>Trench</td>
<td>means a long narrow excavation for the purpose of installing or replacing utility pipelines, drainage, irrigation, service connections, electricity and telecommunication cables or on-site utilities such as lighting systems.</td>
</tr>
<tr>
<td>Unconfined aquifer</td>
<td>means an aquifer that lacks an overlying layer of fine sediment, and is not under pressure.</td>
</tr>
<tr>
<td>Unit</td>
<td>in relation to any land, means a part of the land consisting of a space of any shape situated below, on, or above the surface of the land, or partly in one such situation and partly in another or others, all the dimensions of which are limited, and that is designed for separate ownership; and includes a future development unit (also defined in section 5(1) of the Unit Titles Act 2010)</td>
</tr>
<tr>
<td>Up-plains</td>
<td>means those areas westward of State Highway 1 in the Ashburton River, Ashburton-Lyndhurst, Chertsey, Levels Plain, Mayfield-Hinds, Orari-Opihi, Rakaia-Selwyn, Rangitata-Orton, Selwyn-Waimakariri and Valetta groundwater zones.</td>
</tr>
<tr>
<td>Used oil or waste oil</td>
<td>means a petroleum or synthetically derived oil where the physical or chemical properties of the oil have changed (due to use or contamination) such that the oil is not suitable for its original purpose. Used oil or waste oil does not include re-refined oil.</td>
</tr>
<tr>
<td>Vegetation</td>
<td>includes all plants and seeds, fruit or parts thereof, live or dead, standing, fallen, windblown, cut, broken, pulverised, sawn, or harvested, natural or disturbed.</td>
</tr>
<tr>
<td>Vegetation clearance</td>
<td>means removal of vegetation by physical, mechanical, chemical or other means except burning by fire but excludes: (a) cultivation for the establishment of crops or pasture; (b) clearance for the establishment or maintenance of utilities or structures; (c) removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy; (d) clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings; or (e) domestic gardening and the maintenance of amenity planting.</td>
</tr>
<tr>
<td>Vertebrate toxic agent</td>
<td>means a trade name product used to kill, control or limit the viability of vertebrate pests (such as rabbits, possums). Vertebrate toxic agents include products that have a negative effect on reproduction but do not include attractant or repellent substances that are not toxic.</td>
</tr>
</tbody>
</table>

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209 Redundant definition  
210 146.9 Ashburton DC  
211 Redundant definition  
212 347.30 Fish & Game  
213 94.10 Waimakariri DC  

18 January 2014
<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste or other matter</td>
<td>means materials and substances of any kind, form, or description. 214</td>
</tr>
<tr>
<td>Wastewater</td>
<td>means liquid waste (and liquids containing waste solids) from domestic, industrial or commercial premises, including, but not limited to, toilet wastes, grey water (household wastewater from kitchens, bathrooms and laundries), sullage and trade wastes and excludes stormwater.</td>
</tr>
</tbody>
</table>
| Water                         | a) means water in all its physical forms whether flowing or not and whether over or under the ground:  
                                | b) includes fresh water, coastal water, and geothermal water:  
                                | c) does not include water in any form while in any pipe, tank, or cistern                                                              |
| Water body                    | means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area |
| Water conservation order     | means an order made under section 214 for any of the purposes set out in section 199 and that imposes restrictions or prohibitions on the exercise of regional councils’ powers under paragraphs (e) and (f) of section 30(1) (as they relate to water) including, in particular, restrictions or prohibitions relating to—  
                                | a) the quantity, quality, rate of flow, or level of the water body; and  
                                | b) the maximum and minimum levels or flow or range of levels or flows, or the rate of change of levels or flows to be sought or permitted for the water body; and  
                                | c) the maximum allocation for abstraction or maximum contaminant loading consistent with the purposes of the order; and  
                                | d) the ranges of temperature and pressure in a water body. 215                                                                        |
| Water permit                  | a consent to do something (other than in a coastal marine area) that otherwise would contravene section 14. 216                      |
| Water race or water supply race | means a type of artificial watercourse used for the managed conveyance of water often, but not exclusively, for stockwater or irrigation purposes and excludes any drain.                                           |
| Water supply strategy         | means a written document that includes strategies to reduce water demand during times when minimum flow or water level restrictions are in effect. It may be a part of territorial authority bylaw or asset management plan. |
| Water users group             | means a group of users with existing authorisations to take water, voluntarily grouped together to collectively manage the water resource allocated to them, primarily during times of restriction. |
| Weir                          | means a dam erected across a river to raise the level of the water.                                                                     |

214 99.33 The Fuel Companies  
215 Redundant definition  
216 Redundant definition
<table>
<thead>
<tr>
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<th>Definition</th>
</tr>
</thead>
</table>
| Wetland                | **includes:**  
|                        | 1. wetlands which are part of river, stream and lake beds;  
|                        | 2. natural ponds, swamps, marshes, fens, bogs, seeps, brackish areas, mountain wetlands, and other naturally wet areas that support an indigenous ecosystem of plants and animals specifically adapted to living in wet conditions, and provide a habitat for wildlife;  
|                        | 3. coastal wetlands above mean high water springs;  
|                        | **but excludes:**  
|                        | (a) wet pasture or where water temporarily ponds after rainfall;  
|                        | (b) artificial wetlands used for wastewater or stormwater treatment except where they are listed in Sections 6 to 15 of this Plan;  
|                        | (c) artificial farm dams, drainage canals and detention dams; and  
|                        | (d) reservoirs for firefighting, domestic or community water supply.  
|                        | includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. |
| Wetland boundary       | means the point in the transition from wetland to dryland where wetland plant species occur at more than four times their ungrazed height apart. Wetland edge has a similar meaning. |
| Wetted bed             | means the area of the bed of a lake or river that is at or below the water level at a particular point in time. |

**Abbreviations**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7DMALF</td>
<td>Seven-day mean annual low flow</td>
</tr>
<tr>
<td>AEP</td>
<td>Annual Exceedance Probability</td>
</tr>
<tr>
<td>BPO</td>
<td>Best practicable option</td>
</tr>
<tr>
<td>CERA</td>
<td>Christchurch Earthquake Recovery Authority</td>
</tr>
<tr>
<td>CMA</td>
<td>Coastal marine area</td>
</tr>
<tr>
<td>CRC</td>
<td>Canterbury Regional Council</td>
</tr>
<tr>
<td>CWMS</td>
<td>Canterbury Water Management Strategy</td>
</tr>
<tr>
<td>ECan Act</td>
<td>Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010</td>
</tr>
<tr>
<td>Freshwater NPS</td>
<td>National Policy Statement for Freshwater Management 2011</td>
</tr>
<tr>
<td>g/m³</td>
<td>Grams per cubic metre</td>
</tr>
<tr>
<td>HSNO</td>
<td>Hazardous Substances and New Organisms Act 1996</td>
</tr>
<tr>
<td>kg</td>
<td>Kilograms</td>
</tr>
<tr>
<td>L/s</td>
<td>Litres per second</td>
</tr>
<tr>
<td>LGA</td>
<td>Local Government Act 2002</td>
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<td>LWRP</td>
<td>Land and Water Regional Plan</td>
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217 347.31 Fish & Game, 73.14 Castle Ridge Station Ltd  
218 Minor amendment
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Definition</th>
</tr>
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<tbody>
<tr>
<td>m</td>
<td>Metres</td>
</tr>
<tr>
<td>m²</td>
<td>Square metres</td>
</tr>
<tr>
<td>m³</td>
<td>Cubic metres</td>
</tr>
<tr>
<td>m³/day</td>
<td>Cubic metres per day</td>
</tr>
<tr>
<td>MALF</td>
<td>Mean annual low flow</td>
</tr>
<tr>
<td>mg/m³</td>
<td>Milligrams per cubic metre</td>
</tr>
<tr>
<td>mm</td>
<td>Millimetres</td>
</tr>
<tr>
<td>NPS</td>
<td>National Policy Statement</td>
</tr>
<tr>
<td>RCEP</td>
<td>Regional Coastal Environment Plan</td>
</tr>
<tr>
<td>RMA</td>
<td>Resource Management Act 1991</td>
</tr>
<tr>
<td>RPS 2012 2013</td>
<td>Canterbury Regional Policy Statement 2012-2013</td>
</tr>
<tr>
<td>ug/m³</td>
<td>Micrograms per cubic metre</td>
</tr>
</tbody>
</table>

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219 CI 16 – Minor amendment – to correct year reference
220 Consequential change - redundant abbreviations removed
Section 3 - Objectives

The Objectives of this Plan must be read in their entirety and considered together. In any particular case some Objectives may be more relevant than others, but in general no single Objective has more importance than any other.

3.1 Land and water are managed as integrated natural resources to recognise and enable the relationship of Ngāi Tahu and their culture, and traditions, customary uses and relationships with land and water with the water and land of Canterbury is protected.

3.7 The mauri of lakes, rivers, hapua and natural wetlands is maintained or restored and they are suitable for use by Ngāi Tahu and the community.

3.2 Water and land are recognised as an integrated resource embracing the philosophy and practice management applies the ethic of ki uta ki tai – from the mountains to the sea – and land and water are managed as integrated natural resources, thus recognising the connections between land, groundwater, surface water and coastal waters, recognising the connectivity between surface water and groundwater, and between fresh water, land and the coast.

3.3 Infrastructure of national or regional significance Nationally and regionally significant infrastructure is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, on-going maintenance, repair, development and upgrading.

3.4 A regional network of water storage and distribution facilities provides for sustainable, wise efficient and multiple use of water.

3.5 Land uses continue to develop and change in response to socio-economic and community demand while remaining consistent with the CWMS targets.

3.6 Water is recognised as essential to all life and is respected for its intrinsic values.

3.7 Fresh water is managed prudently as a shared resource with many in-stream and out-of-stream values.

221 270.8 Fonterra
222 Original objective 3.3, 358.95 Ngā Rūnanga
223 358.94 Ngā Rūnanga
224 Original objective 3.16, 209.9 NT Property
225 196.13 Genesis, Original objective 3.9
226 Original objective 3.21
227 Original objective 3.1
228 358.103 Ngā Rūnanga
3.8 The quality and quantity of water in fresh water bodies and their catchments is managed to safeguard the life-supporting capacity of ecosystems and ecosystem processes, including ensuring sufficient flow and quality of water to support the habitat and feeding, breeding, migratory and other behavioural requirements of indigenous species, nesting birds and, where appropriate, trout and salmon.  

3.8A 3.14 High quality fresh water is available to meet actual and reasonably foreseeable needs for community drinking water supplies.

3.9 Abstracted water is shown to be necessary and reasonable for its intended use and any water that is abstracted is used efficiently.

3.10 Water is available for sustainable abstraction or use to support a variety of economic and social and economic activities and maximum social and economic benefits are obtained from maximised by the efficient storage, distribution and use of the water made available within the allocation limits or management regimes which are set in this Plan which is available for abstraction.

3.11 Water is recognised as an enabler of the economic and social wellbeing of the region.

3.12 3.22 When setting and managing within limits, regard is had to community outcomes for water quality and quantity are met through managing limits.

3.13 3.12 Groundwater continues to provide resources remain a sustainable source of high quality water which is available for abstraction while supporting base flows or levels in surface water bodies, springs and wetlands and avoiding salt-water intrusion for flows and ecosystem health in surface water bodies and for abstraction.

3.14 3.5 Outstanding fresh water bodies and hāpua and their margins are maintained in a healthy state or are improved where degraded their existing state or restored where degraded.

3.15 3.13 Those parts of lakes and rivers that are valued by the community for recreation are suitable for contact recreation.
3.16 3.8 The health of ecosystems is maintained or enhanced in lakes, rivers, hāpua and wetlands. Freshwater bodies and their catchments are maintained in a healthy state, including through hydrological and geomorphic processes such as flushing and opening hāpua and river mouths, flushing algal and weed growth, and transporting sediment.  

3.17 3.10 The significant indigenous biodiversity values, mahinga kai values, and natural processes of rivers, wetlands and hāpua are protected.  

3.18 3.6 The significant indigenous biodiversity values of natural wetlands, wetlands and hāpua are protected and wetlands in Canterbury that contribute to cultural and community values, biodiversity, water quality, mahinga kai, or ecosystem services are enhanced. Water cleansing and flood mitigation are maintained.  

3.19 3.9 The existing natural character values of alpine rivers, freshwater bodies, including braided rivers and their margins, wetlands, hāpua and coastal lagoons, are protected.  

3.20 3.20 Gravel in riverbeds is extracted to maintain floodway capacity and to provide resources for building and construction and maintenance, while maintaining the natural character of braided rivers and not adversely affecting water quality, ecosystems or their habitats, access to or the quality of mahinga kai or causing or exacerbating erosion. Extraction of gravel from riverbeds maintains flood-carrying capacity, protects infrastructure and provides a resource to enable development.  

3.21 3.18 The risk of flooding or erosion of land or damage to structures is not exacerbated by the diversion of water, erection, placement or failure of structures, the removal of gravel or other alteration of the bed of a lake or river or the removal of vegetation or natural defences against water does not exacerbate the risk of flooding or erosion of land or damage to structures.  

3.22 The risk and effects of natural hazards. The effectiveness of both man-made natural hazard protection infrastructure, and wetlands and hāpua as natural water retention areas, is maintained to reduce the risk of and effects from natural hazards, including those arising from seismic activity and climate change are reduced through protecting the effectiveness of natural hazard protection infrastructure, wetlands and hāpua.

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238 358.95 Ngā Rūnanga  
239 Original objective 3.6, 265.15 Ravensdown  
240 Original objective 3.6, 265.15 Ravensdown  
241 358.95 Ngā Rūnanga  
242 358.107 Ngā Rūnanga  
243 Original objective 3.18  
244 Original objective 3.19, 358.106 Ngā Rūnanga
3.23 3.19 Soils are healthy and productive, and human-induced erosion and contamination are minimised. The mauri and the productive quality and quantity of soil are not degraded. 245

3.24 3.23 All activities operate at a good environmental practice or better to optimise efficient resource use and protect the region’s fresh water resources from quality and quantity degradation. 246

245 Original objective 3.17, 358.104 Ngā Rūnanga
246 Original objective 3.23, 347.60 Fish & Game
## Section 4 – Policies

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<th>Page Number</th>
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<td>Damming and Diversion of Water Bodies</td>
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<td>4.49 – 4.64</td>
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<td>4.70 – 4.71</td>
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<td>Sharing Water in Times of Restriction</td>
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<td>Consent Duration, Lapse Periods and Giving Effect to Water</td>
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<td>Permits</td>
<td></td>
<td></td>
</tr>
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<td>Flow Sensitive Catchments</td>
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<td>4.96 - 4.98</td>
<td>4-32</td>
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</tbody>
</table>
Section 4 - Policies

The Policies of this Plan implement the Objectives in Section 3 and must be read in their entirety and considered together.

Where the Plan contains Policies in Section 4 and in the relevant Sub-regional Section on the same subject matter, the more specific sub-regional Policy will take precedence, except in relation to Policies 4.2 to 4.10. Policy 4.1 will also take precedence unless catchment specific outcomes are specified in the Sub-regional Section. 247

Strategic Policies

4.1 Lakes, rivers, wetlands and aquifers will meet the fresh water outcomes set in Sections 6 to 15 within the specified timeframes. 248 If outcomes have not been established for a catchment, then each type of lake, river or aquifer will should meet the outcomes set out in Table 1 by 2030. 249

4.2 The management of lakes, rivers, wetlands and aquifers will take account of the fresh water outcomes, water quantity limits and the individual and cumulative effects of land uses, discharges and abstractions in order to will meet the water quality limits set in Sections 6 to 15 or Schedule 8 and the individual and cumulative effects of abstractions will meet the water quantity limits in Sections 6 to 15 freshwater outcomes in accordance with Policy 4.4. 250

4.3 Surface water bodies are managed so that:
   (a) toxin producing cyanobacteria do not render rivers or lakes unsuitable for recreation or human and animal drinking-water;
   (b) fish are not rendered unsuitable for human consumption by contaminants;
   (c) the natural colour of the water in a river is not altered;
   (d) the natural frequency of hāpua, coastal lakes, lagoons and river openings is not altered;
   (e) the passage for migratory fish species is maintained unless restrictions are required to protect populations of native fish;
   (f) reaches of rivers are not induced to run dry, thereby maintaining the natural continuity of river flow from source to sea, and
   (g) variability of flow, including floods and freshes, is maintained to avoid prolonged “flat-lining” of rivers; to facilitate fish passage; and to mobilise bed material. 253

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247 Consequential amendment (196.3 Genesis)
248 250.29 TrustPower
249 250.29 TrustPower
250 Consequential amendment
251 320.14 Fed Farmers
252 93.13 CDHB, Fletcher evidence
253 Shifted from Tables 1a and 1b

18 January 2014
4.4 Groundwater is managed so that:
(a) groundwater abstractions do not cause a continuing long-term decline in mean annual groundwater levels or artesian pressures;\(^{254}\)
(b) the individual and cumulative rate, duration and volume of water pumped from bores is controlled so as to prevent seawater contamination;
(c) the rate and duration of individual abstractions is controlled to ensure that individually or cumulatively, localised pressure reversal does not result in the downward movement of contaminants;
(d) in any location where an overall upwards pressure gradient exists, restrict the taking of groundwater so that at all times the overall upward pressure difference is maintained between any one aquifer and the next overlying aquifer; and
(e) overall water quality in aquifers does not decline.\(^{255}\)

4.3 The discharge of contaminants to water or the damming, diversion or abstraction of any water or disturbance to the bed of a fresh water body shall not diminish any values of cultural significance to Ngāi Tahu.

Note: See Statutory Acknowledgements and other relevant information in Schedules 18 to 23 of this Plan, the Ngāi Tahu Freshwater Policy and Iwi Management Plans.\(^{256}\)

4.54 Water is managed through the setting of limits to safeguard maintain\(^{257}\) the life-supporting capacity of ecosystems, support customary uses, and provide for group or community drinking-water supplies\(^{258}\) and stock drinking-water supplies\(^{259}\), as a first priority and to meet the needs of people and communities for water for irrigation, hydro-electricity generation and other economic activities and to maintain river flows and lake levels needed for recreational activities, as a second priority.

4.65 In high naturalness water bodies listed in Sections 6 to 15, the damming, diverting or taking of water is limited to that for individual or community stock or drinking-water and water for the operation and maintenance of existing\(^{260}\) infrastructure.

4.76 Where a water quality or quantity limit is set in Sections 6-15 Resource consents for new activities will generally\(^{261}\) not be granted if the granting would cause a water quality or quantity the limit set in Schedule 8\(^{262}\) or Sections 6 to 15 to be breached or further over-allocation to occur. Replacement consents may be granted to:

\(^{254}\) 358.111 Ngā Rūnanga
\(^{255}\) Bowden Environmental (submission on Policy 4.49), 347.48 Fish & Game
\(^{256}\) 358.212 Ngā Rūnanga
\(^{257}\) 120.42 DOC
\(^{258}\) 161.4 Mackenzie DC
\(^{259}\) 146.17 Ashburton DC
\(^{260}\) 358.114 Ngā Rūnanga
\(^{261}\) 347.71 Fish & Game
\(^{262}\) 131.3 HWPL
(a) Allow the continuation of existing activities at the same or lesser rate or scale, provided the consent contains conditions that contribute to the phasing out of the over-allocation within a specified timeframe; or

(b) Exceed the allocation limit to a minor extent and in the short-term if that exceedance is part of a proposal to phase out the over-allocation within a specified timeframe included in Sections 6 to 15 of this Plan. 263

4.7 Where over-allocation of water for abstraction from surface water catchments and groundwater zones or nutrient discharges has been determined, a regime will be established in Sections 6 to 15 that provides methods and a timeframe to eliminate the over-allocation. 264

4.88 The harvest and storage of water for new irrigation or new hydro-electricity generation schemes contribute to or do not frustrate the attainment of the regional concept for water harvest, storage and distribution set out in Schedule 16, or the priority outcomes expressed in the relevant ZIP, or a water quantity limit set in sections 6 to 15. 267

263 250.32 Trustpower, Turner evidence; 313.10 Kennaway Park, Thurston evidence; 209 Ngai Tahu Property Ltd, Cowie evidence

264 358.215 Ngā Rūnanga

265 196.19 Genesis, Mitchell evidence

266 196.19 Genesis, Mitchell evidence

267 200.43 EDS
### Table 1a Freshwater Outcomes for Canterbury Rivers

<table>
<thead>
<tr>
<th>Management unit</th>
<th>Sub-unit</th>
<th>Ecological health indicators</th>
<th>Macrophyte indicators</th>
<th>Periphyton indicators</th>
<th>Siltation indicator</th>
<th>Microbiological indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>QMCI (min score)</td>
<td>Dissolved oxygen (min saturation)</td>
<td>Temperature (°C)</td>
<td>Emergent macrophytes (max cover of bed) (%)</td>
<td>Total macrophytes (max cover of bed) (%)</td>
</tr>
<tr>
<td>Natural state</td>
<td></td>
<td>Rivers are maintained in a natural state</td>
<td>50</td>
<td>10</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Alpine - upland</td>
<td></td>
<td>5 - 6</td>
<td>90</td>
<td>20</td>
<td>No value set</td>
<td>No value set</td>
</tr>
<tr>
<td>Alpine - lower</td>
<td>urban</td>
<td>3.5</td>
<td>20</td>
<td>No value set</td>
<td>No value set</td>
<td>50</td>
</tr>
<tr>
<td>Hill-fed - upland</td>
<td></td>
<td>4 - 5</td>
<td>60</td>
<td>20</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>Hill-fed - lower</td>
<td>urban</td>
<td>3.5</td>
<td>20</td>
<td>No value set</td>
<td>No value set</td>
<td>200</td>
</tr>
<tr>
<td>Lake-fed</td>
<td></td>
<td>6</td>
<td>20</td>
<td>No value set</td>
<td>No value set</td>
<td>200</td>
</tr>
<tr>
<td>Banks Peninsula</td>
<td></td>
<td>4 - 5</td>
<td>60</td>
<td>20</td>
<td>30</td>
<td>20</td>
</tr>
<tr>
<td>Spring-fed - upland</td>
<td></td>
<td>6</td>
<td>20</td>
<td>No value set</td>
<td>No value set</td>
<td>200</td>
</tr>
<tr>
<td>Spring-fed - lower basins</td>
<td>5</td>
<td>30</td>
<td>30</td>
<td>No value set</td>
<td>No value set</td>
<td>200</td>
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<tr>
<td>Spring-fed - plains</td>
<td>urban</td>
<td>3.5</td>
<td>30</td>
<td>No value set</td>
<td>No value set</td>
<td>200</td>
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<tr>
<td>All river management units</td>
<td></td>
<td>Toxin producing cyanobacteria shall not render the river unsuitable for recreation or animal drinking water.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fish shall not be rendered unsuitable for human consumption by contaminants in a river.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The natural colour of the water in a river shall not be altered.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Natural frequency of hāpua, coastal lake, lagoon and river openings is not altered.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Passage for migratory fish species is maintained unless restrictions are required to protect populations of native fish.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Natural continuity of river flow is maintained from source to sea, without reaches being induced to run dry.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Variability of flow, including floods and freshes, avoids &quot;flat-lining&quot;, enables fish passage and mobilises bed material.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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268 C116 – Minor amendment – better aligns with Freshwater NPS
269 Fish & Game
270 Fish & Game
*Key:
QMCI = quantitative macroinvertebrate community index
SFRG = Suitability for Recreation Grade from Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas 2003
Table 1b Freshwater Outcomes for Canterbury Lakes

<table>
<thead>
<tr>
<th>Management unit</th>
<th>Ecological health indicators</th>
<th>Eutrophication indicator</th>
<th>Visual quality indicator</th>
<th>Microbiologic indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dissolved Oxygen [min] (%)</td>
<td>Lake SPI* [max grade]</td>
<td>Trophic Level Index (TLI)* [max score]</td>
<td>Colour</td>
</tr>
<tr>
<td></td>
<td>Hypo-limnion</td>
<td>Temp [max] (ºC)</td>
<td>Epilimnion</td>
<td></td>
</tr>
<tr>
<td>Natural state</td>
<td>Lakes are maintained in a natural state</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large high country lakes</td>
<td>Excellent</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small to medium sized high country lakes</td>
<td>High</td>
<td>Māori Lakes and Lakes Emily, Emma and Georgina</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other small to medium sized high country lakes</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Coastal lakes</td>
<td>Moderate</td>
<td>Coopers Lagoon/Muriwai</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other coastal lakes</td>
<td></td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Artificial lakes - on-river</td>
<td>High</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Artificial lakes – others</td>
<td>Suitable for the purpose of the lake</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All lake management units</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Key:
TLI = Trophic Level Index from: Protocol for Monitoring Trophic Levels of New Zealand Lakes and Reservoirs (Report by Lakes Consulting, March 2000)
SFRG = Suitability for Recreation Grade from: Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment, June 2003

271 Cl16 – Minor amendment – better aligns with Freshwater NPS
### Table 1c: Freshwater Outcomes for Canterbury Aquifers

<table>
<thead>
<tr>
<th>Management unit</th>
<th>Subunit</th>
<th>Appearance &amp; Palatability</th>
<th>Health-indicators</th>
<th>Groundwater pressure</th>
<th>Groundwater levels</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Guideline value for any aesthetic determinand [DWSNZ*]</td>
<td>Nitrate-nitrogen Concentration (mg/L)</td>
<td>Escherichia coli [median concentration of organisms per 100ml of water]</td>
<td>All other inorganic or organic determinands of health significance [DWSNZ*] (% Max Acceptable Value)</td>
</tr>
<tr>
<td>Coastal Confined Gravel Aquifer System</td>
<td>Water quality in each aquifer is maintained at least in the state recorded or reasonably deduced in the three years prior to 1 November 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconfined gravel aquifers</td>
<td>Shallow groundwater predominantly recharged by soil drainage</td>
<td>Water quality is maintained at least in the state recorded or reasonably deduced in the three years prior to 1 November 2010</td>
<td>$\leq 11.3$</td>
<td>$\leq 5.6$</td>
<td>$\leq 1$</td>
</tr>
<tr>
<td>Deep groundwater predominantly recharged by rivers</td>
<td>Within the Guideline value</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Key*

DWSNZ = Drinking-water Standards for New Zealand 2005

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272 89.31 Bowden Environmental – see also revised policies
Sub-regional Section Development

4.9 Reviews of sub-regional sections will:
(a) be in accordance with Appendix 2 of the RPS 2013; and
(b) identify and provide for the social, economic, cultural and environmental values of each catchment; and
(c) have particular regard to collaboratively developed local water quality and quantity outcomes and methods, and timeframes to achieve them, including through setting limits and targets; and 273
(d) establish methods and a timeframe to phase out any over-allocation where over-allocation of water for abstraction from surface water catchments or groundwater zones or nutrient discharges has been determined. 274

4.10 Reviews of sub-regional sections will not make any changes to the Objectives or Policies 4.1-4.10 of this Plan, except that catchment-specific outcomes and limits may be developed to implement the objectives and policies of this Plan. 275

4.11 Acknowledging the pivotal role of good management practices in the sustainable management of the Region’s water bodies, good management practice will be codified and introduced into this Plan by way of a plan change on or before 30 October 2016. 276

Activity and Resource Policies

Discharge of contaminants to land or to water

4.129 There are no direct discharges to surface water bodies or groundwater of:
(a) untreated sewage, wastewater (except as a result of extreme weather related overflows or system failures) 277 or bio-solids;
(b) solid or hazardous waste or solid animal waste;
(c) animal effluent from an effluent storage facility or a stock holding area;
(d) organic waste or leachate from storage of organic material; and
(e) untreated industrial or trade waste.

4.1310 For other discharges of contaminants into or onto land where it may enter water or 278 to surface water bodies or groundwater (excluding those passive discharges to which Policy 4.26 applies), the effects of any discharge are minimised by the use of measures that:
(a) first, avoids the production of the contaminant;
(b) secondly, reuses, recovers or recycles the contaminant;

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273 320.229 Fed Farmers (Combined Canty)
274 56.3 Mr Alec Baxter
275 347.13 Fish & Game 358.87 Ngā Rūnanga
276 Revised as-notified Policy 4.28
277 106.32 CCC
278 347.75 Fish & Game
279 99.36 Oil Companies
(c) thirdly, reduce minimise\textsuperscript{280} the volume or amount of the discharge; or
(d) finally, wherever practical utilise land-based treatment, a wetland constructed to treat contaminants or a designed treatment system prior to discharge; and
(e) in the case of surface water,\textsuperscript{281} results in a discharge that after reasonable mixing\textsuperscript{282} meets the receiving water standards in Schedule 5.

4.14\textsuperscript{A} Any discharge of a contaminant into or onto land where it may enter groundwater (excluding those passive discharges to which Policy 4.26 applies)\textsuperscript{283} shall:
(a) will not exceed the natural capacity of the soil to treat or remove the contaminant; and
(b) will not exceed available water storage capacity of the soil; and
(c) where meeting (a) and (b)\textsuperscript{284} this is not practicable, the discharge will:\textsuperscript{285}
   (i) meet any nutrient limits allowance in Schedule 8\textsuperscript{286} or Sections 6 to 15 of this Plan; and
   (ii) utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable; and
   (iii) ensure\textsuperscript{287} 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; and
   (iv) not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic, cultural or recreational use or water unsuitable as a source of potable water or for agriculture; and
   (v) not raise groundwater levels so that land drainage is impeded. and
(c) where meeting (a) and (b)\textsuperscript{284} this is not practicable, the discharge will:\textsuperscript{285}
   (i) meet any nutrient limits allowance in Schedule 8\textsuperscript{286} or Sections 6 to 15 of this Plan; and
   (ii) utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable; and
   (iii) ensure\textsuperscript{287} 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; and
   (iv) not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic, cultural or recreational use or water unsuitable as a source of potable water or for agriculture; and
   (v) not raise groundwater levels so that land drainage is impeded. and
   (vi) not have any adverse effects on the drinking water quality of the groundwater, including any risk to public health.

4.14\textsuperscript{A} The disposal of domestic effluent and wastewater shall be managed so as to avoid any adverse effect that is more than minimal on surface and ground waters. Where residential density exceeds 1.5 dwellings per hectare and the total population is greater than 1000 persons, community reticulated systems should be promoted. Alternatively, other measures should be promoted to reduce adverse effects on water bodies from effluent disposal systems, including secondary treatment systems and septic tank warrants of fitness.\textsuperscript{288}

\textsuperscript{280} 270.14 Fonterra
\textsuperscript{281} 239.34 Fertiliser Assn
\textsuperscript{282} 146.21 Ashburton DC
\textsuperscript{283} 99.37 Oil Companies, Le Marquand evidence
\textsuperscript{284} 358.147 Ngā Rūnanga
\textsuperscript{285} 358.147 Ngā Rūnanga
\textsuperscript{286} Consequential amendment (Fish & Game)
\textsuperscript{287} 358.147 Ngā Rūnanga
\textsuperscript{288} 93 CDHB, Fletcher evidence
Stormwater and community wastewater systems

4.1512 In urban areas, the adverse effects on water quality, aquatic ecosystems, existing uses and values of water and public health from the cumulative effects of sewage, wastewater, industrial or trade waste or stormwater discharges are avoided by:

(a) all sewage, industrial or trade waste being discharged into a reticulated system, where available;

(b) all stormwater being discharged in accordance with a stormwater management plan, where one has been consented; 289

(c) the implementation of contingency measures to minimise the risk of a discharge from a wastewater reticulation system to surface water in the event of a system failure or overloading of the system beyond its design capacity; and

(d) any reticulated stormwater or wastewater reticulation system installed after 11 August 2012 is designed and managed to avoid sewage discharge into surface water.

4.1613 Any public reticulated stormwater system for any urban area shall be managed in accordance with a stormwater management plan that addresses the following matters:

(a) the management of all discharges of stormwater into the stormwater system; and

(b) for any public reticulated stormwater system established after 11 August 2012, including any extension to any existing public reticulated stormwater system, the discharge of stormwater being subject to a land-based or designed treatment system, or wetland treatment prior to any discharge to a lake or river; and

(c) how any discharge of stormwater, treated or untreated, into water or onto land where it may enter water meets or will meet the water quality outcomes and standards and limits for that waterbody set out in Table 1, Schedules 5 and 8 and Sections 6 to 15, or Table 1 (whichever applies); and

(d) The management of the discharge of stormwater from sites involving the use, storage or disposal of hazardous substances; and

(e) Where the discharge is from an existing local authority network, demonstration of a commitment to progressively improve the quality of the discharge to meet condition (c) as soon as practicable but no later than 2025. 297

4.1714 Stormwater run-off volumes and peak flows are managed so that they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or risks to human safety. 298
Earthworks, land excavation and deposition of material into land over aquifers

4.1815 The discharge of sediment and other contaminants to surface water from earthworks, including roading, works in the bed of a river or lake, land development or construction, is avoided, and if this is not achievable, the best practicable option is used to minimise the discharge to water.

4.1816 The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated sites is avoided or minimised by ensuring that:

(a) activities are sited, designed and managed to avoid the contamination of groundwater;
(b) existing or closed landfills and contaminated sites are managed and monitored where appropriate to minimise any contamination of groundwater; and
(c) there is sufficient thickness of undisturbed sediment in the confining layer over the Coastal Confined Aquifer System to prevent the entry of contaminants into the aquifer or an upward hydraulic gradient is present which would prevent aquifer contamination.

Soil stability

4.2017 On erosion-prone land, any medium and large-scale earthworks, harvesting of forestry or other clearance of vegetation is undertaken in a manner which minimises the exposure of soil to erosion, controls sediment run-off and re-establishes vegetation cover as quickly as possible.

4.2118 In the Hill and High Country, the use of vegetation burning as a land management tool avoids:

(a) induced soil erosion; and
(b) the destruction of natural wetlands or other sites or areas of significant indigenous biodiversity value or cultural significance to Ngāi Tahu; and
(c) the removal of resilient and intact vegetation cover, resulting in land becoming susceptible to the establishment of plant pest species; and
(d) adverse effects on regionally significant infrastructure.

4.2219 Sedimentation of water bodies as a result of land clearance, earthworks and cultivation is avoided or minimised by the adoption of control methods and technologies, such as maintaining continuous vegetation cover adjacent to water bodies, or capturing

299 313.17 Kennaway Park Joint Venture Partnership
300 59.14 Dr Hugh Thorpe
301 Consequential amendment (94.8 Waimakariri DC)
302 263.33 Transpower, West evidence
303 238.1 SRS New Zealand Limited
304 197.21 RDRML
surface run-off to remove sediment and other contaminants or by methods such as direct drilling crops and cultivation that follows the contours of a paddock.

Protect sources of human drinking-water

4.2320 Any water source used for drinking-water supply is protected from any discharge of contaminants that may have any actual or potential adverse effect on the quality of the drinking-water supply including its taste, clarity and smell and group and community drinking water supplies are protected so that they align with the CWMS drinking-water targets and meet the drinking-water standards for New Zealand.

Hazardous Substances & hazardous activities

4.2421 The discharge of a hazardous substance to water, or onto or into land where it may enter water, to control a plant or animal pest or other unwanted organism only occurs:
(a) if the substance is registered under the Hazardous Substances and New Organisms Act 1996 for use against the target organism;
(b) if adverse effects on non-target organisms, Ngāi Tahu cultural values, or the use and consumption of water by humans or livestock are avoided as far as practicable; and
(c) where good management practices are used to minimise the risk of accidental discharge to water.

4.2522 Unless the substance is approved under the Hazardous Substances and New Organisms Act 1996 to be applied onto land or into water, activities involving the use, storage or discharge of hazardous substances will be undertaken using the best practicable measures option to:
(a) as a first priority, avoid the discharge (including accidental spillage) of hazardous substances onto land or into water, including reticulated stormwater systems; and
(b) as a second priority, ensure, where there is a residual risk of a discharge of hazardous substances including any accidental spillage, it is contained on-site and does not enter surface water bodies, groundwater or stormwater systems.

4.2623 Any discharges of hazardous substances from contaminated land, including existing and closed landfills, are shall be managed to ensure there are no adverse effects beyond

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305 197.21 RDRML
306 268.12 Waimate DC
307 268.12 Waimate DC
308 268.12 Waimate DC
309 326.24 Horticulture NZ
310 Cl 16 – Minor amendment – improved grammar
311 Cl 16 – Minor amendment – improved grammar
312 Cl 16 – Minor amendment – improved grammar
the site boundary on people’s health or safety, on human or stock water supplies, or on surface water are avoided.

4.2724 Landfills and other waste collection or disposal sites are designed and sited to avoid the contamination of groundwater or surface water either through the direct discharge of hazardous substances to water or the leaching of contaminants into or onto land where they may enter water.

4.28 The disposal of sludge from the treatment of human effluent:
   (a) does not contaminate any drinking-water supply;
   (b) avoids adverse effects on people’s health or safety, on human or stock water supplies and on surface water beyond the site boundary;
   (c) does not restrict activities on adjoining properties;
   (d) avoids creating a dust nuisance on adjoining properties.

4.29 Where an on-site effluent treatment and disposal system is to be installed to treat and dispose of human effluent the system proposed will:
   (a) effectively treat and dispose of human effluent, given the conditions of the site;
   (b) avoid adverse effects on people’s health or safety, on human or stock water supplies and on surface water beyond the site boundary;
   (c) not restrict activities on adjoining properties;
   (d) allow sufficient distance between the discharge from the on-site system and other discharges, wells or groundwater to avoid elevation of groundwater levels to an extent that land drainage is impeded.

4.3026 New cemeteries are not located in areas away from areas where they may be subject to inundation from surface water bodies or in areas with groundwater less than 3 m below the ground surface.

Livestock Exclusion from Water Bodies

4.3126 To avoid Damage to the bed or banks of water bodies, sedimentation and disturbance of the water body, direct discharge of contaminants, and degradation of aquatic ecosystems is avoided by:
   (a) excluding intensively farmed stock is excluded from lakes, rivers water bodies and wetlands; and

313 263.1 Transpower West evidence; and others
314 167.15 CRC
315 358.149 Ngā Rūnanga
316 358.149 Ngā Rūnanga
317 Cl 16 – Minor amendment – improved grammar
318 Cl 16 – Minor amendment – improved grammar
319 167.16 CRC
320 Cl 16 – Minor amendment – improved grammar
321 Cl 16 – Minor amendment – improved grammar
322 31.1 RFBPS (Ashburton)
(b) excluding stock is excluded from swimming, salmon spawning and other sensitive water body areas and the water body bed and banks closely upstream of these areas; and sites.

c) limiting access to wetlands and the banks or andbeds of lakes and rivers to by other stock is limited to stock species that prefer to avoid water and at stocking rates that avoid evident damage.

4.32 Adverse effects arising from stock access occurring under Policy 4.31(c) on water clarity and colour, bank stability, or riparian vegetation cover are minimised through the design and construction of stock crossing points and the management of stock grazing and stock movements across water bodies.

**Discharges of Collected Animal Effluent**

4.33 Any system to store, treat and dispose of animal effluent onto land has sufficient storage capacity to avoid the need to dispose of effluent when soil moisture or weather conditions may result in effluent run-off into surface water or leaching into groundwater and to avoid fugitive discharges in the case of equipment or system failure.

**Nutrient Management discharges – General**

4.34 The loss of nitrogen nutrients from any farming activity to water is minimised through first by:

(a) raising awareness of the nitrogen nutrient losses from farming by requiring monitoring and record-keeping on existing farms of modelled nutrient loss;

(b) secondly supporting the use of industry articulated farming activities that have nutrient losses operating at good practice or better; and

(c) and finally, introducing, through plan changes to Sections 6 to 15 of this Plan, nutrient discharge allowances to achieve collaboratively agreed catchment-based water quality outcomes requiring the provision of information on modelled nutrient loss from farming activities to enable better decision-making.

4.35 All Where a load limit or nutrient discharge allowance has been set in Sections 6 to 15 of this Plan, farming activities will shall achieve the nutrient load limit and nutrient discharge allowance for the catchment in Sections 6 to 15 of this Plan.

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323 Cl 16 – Minor amendment – improved grammar
324 31.1 RFBPS (Ashburton)
325 31.1 RFBPS (Ashburton)
326 31.1 RFBPS (Ashburton)
327 31.1 RFBPS (Ashburton)
328 73.10 Castle Ridge Station Ltd
329 Cl 16 – Minor amendment – improved certainty
330 Several submissions were used to develop these policies including Beef & Lamb (318), Fed Farmers (Combined Canty) (320), Fish & Game (347), Ngā Rūnanga (358), Fonterra (270), DairyNZ (315) and the Fertiliser Assn (239).
4.36 Sustainable farming practices are promoted in all areas by:
(a) enabling very small farming operations or farms with minimal nutrient discharges to be undertaken without requiring the record-keeping of modelled nutrient loss;
(b) recognising that there may be limited increases in the loss of nutrients from farming activities in areas where regional water quality outcomes are at risk of not being met, that are shown by an Orange colouring on the Series A Planning Maps, provided that regional water quality outcomes will still be met; and
(c) encouraging industry and irrigation scheme-based initiatives to improve land and water use practices for farming activities, reduce nutrient loss and nutrient discharges, and facilitate land use consenting, including irrigation scheme-wide initiatives, reporting and auditing of their constituent farms.

4.37 Prevent any increase in the loss of nutrients from farming activities in areas where region-wide water quality outcomes are not being met, that are shown by a Red colouring on the Series A Planning Maps and in Lake Zones as shown on the Series A Planning Maps.

4.38 Require the adoption of the best practicable options to minimise the loss of nutrients from farming activities in areas where region-wide water quality outcomes are at risk of not being met, that are shown by an Orange colouring on the Series A Planning Maps.

4.39 Irrespective of the nutrient allocation status of a catchment as shown on the Series A Planning Maps, to allow the following discharges, provided the design and management of the discharge treatment system minimises the discharge of nutrients that may enter water:
(a) wastewater discharge from a marae;
(b) community wastewater treatment schemes; or
(c) wastewater discharge from a hospital, a school or other education institution; or
(d) on-site domestic wastewater discharges.

4.40 Farm Environment Plans are used as a primary means of identifying and delivering good environmental practice across a range of farm activities, including nutrient loss management, efficient and effective use of water for irrigation, riparian management, stock movements across waterways, offal and farm rubbish pits, the storage and application of effluent and fertiliser use.

4.41 Applications for resource consents for farming activities will be accompanied by a Farm Environment Plan that has been prepared in accordance with Schedule 7 and the conditions of any resource consent granted will specify:
(a) procedures and criteria for the timely review and updating of the Farm Environment Plan;
(b) a requirement to meaningfully implement the Farm Environment Plan;
(c) monitoring and information provision; and
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 to 15 of this Plan, nutrient discharge allowances to achieve collaboratively agreed catchment-based water quality outcomes.

4.29 Priority will be given to collaborative catchment management processes to introduce plan changes to set nutrient discharge allowances where regional water quality outcomes are not being met, as shown on the Planning Maps, and in the interim risks to the environment from the loss of nitrogen to water will be managed through compliance with industry articulated good practice or, in the absence of any such articulation, granting, subject to conditions, or refusing applications for resource consents.

**Nutrient Discharges – Region-wide policies**

4.30 Until 1 July 2017 the loss of nitrogen to water from existing farming activities will be 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.

4.31 Minimise the loss of nitrogen to water from any change in farming activities in an area coloured red on the Planning Maps, by demonstrating 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 or the nitrogen discharges from the property are a significant and enduring reduction from existing levels.

4.32 To minimise the risk of the outcomes in Policy 4.1 not being achieved, where there is no industry articulated good industry practice nitrogen discharge limit for a particular industry sector included in this Plan prior to 1 July 2017 then all farming activities in that industry sector will be required to obtain a resource consent to continue the farming activity and any proposal will be required to demonstrate 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 or the nitrogen discharges from the property are a significant and enduring reduction from existing levels.

4.33 Prior to 1 July 2017, to minimise the risk of the outcomes in Policy 4.1 not being achieved, the loss of nitrogen to water from any change in farming activities in an area coloured green, orange or light blue on the Planning Maps, will be managed through resource consent conditions requiring, as a minimum, the preparation and implementation of a Farm Environment Plan and the regular audit of that plan.

Several submissions were used to develop these policies including Beef & Lamb (318), Fed Farmers (Combined Canty) (320), Fish & Game (347), Ngā Rūnanga (358), Fonterra (270), DairyNZ (315) and the Fertiliser Assn (239).
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.

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.

**Nutrient discharges – sub-regional chapters**

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 to 15 of this Plan, the loss to water of nutrients from land uses in the catchment will be reduced to achieve the nutrient load limit for the catchment.

**Damming and Diversion of Water Bodies**

4.39 Wetlands in the beds and margins of lakes and rivers are managed as an integral part of lakes and rivers.

*Note: Abstraction, earthworks or structures, are not subject to any additional rules that manage wetlands.*

4.40 In hāpua, coastal lakes, lagoons and natural wetlands, the damming, diversion or taking of water is limited to the temporary diversion of water as part of maintaining infrastructure, pest management, or habitat restoration or enhancement work, or the artificial opening of hāpua to assist in fish migration, achieving other conservation outcomes, customary uses, or to avoid land inundation.

4.41 The damming or diversion of any alpine or hill-fed river or high naturalness water body identified in Section 6 to 15 does not have more than a minimal adverse effect on adversely affect:

(a) values of significance to Ngāi Tahu associated with the mainstem;

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332 Several submissions were used to develop these policies including Beef & Lamb (318), Fed Farmers (Combined Canty) (320), Fish & Game (347), Ngā Rūnanga (358), Fonterra (270), DairyNZ (315) and the Fertiliser Assn (239).

333 348.12 Ms Jane Demeter

334 Consequential amendment (94.8 Waimakariri DC)

335 245.40 Fulton Hogan
(b) the passage of floods and freshes needed to maintain river processes, ecosystem health and the removal of vegetation encroaching onto the bed of the mainstem;
(c) sediment transport within the river and to the coast;
(d) fish passage; and
(e) downstream water quality;
(f) the ecological values of the river and its margins;\(^\text{336}\)
(g) threatened native riverbed populations and significant indigenous biodiversity; and\(^\text{337}\)
(h) recreation activities.\(^\text{338}\)

4.452 Any alteration to the level of any natural lake that was unmodified as at 11 August 2012 is within its natural range (averaged over not less than five years).

4.463 The adverse effects of in-stream damming on high naturalness water bodies other than those identified in Policy 4.44 will be avoided as a first priority, and where adverse effects are unable to be avoided, they will be remedied or mitigated. Identified in Sections 6 to 15 shall be avoided; and on any other river complies with the environmental flow and allocation regime for that catchment and any adverse effects from the damming on flow variability in the river, sediment flows and nourishment of the coast, aquatic ecosystems, fish passage, indigenous flora and fauna, the habitat of nesting birds in braided rivers, any sites or values of significance to Ngāi Tahu, and any recreational or amenity values are, as a first priority, avoided or, where unable to be avoided, are remedied or mitigated.\(^\text{339}\)

4.474 Small-scale diversions of water within the beds of lakes, rivers or adjoining wetlands are provided for as part of:
(a) establishing, maintaining or repairing infrastructure;
(b) removing gravel or other earthworks; or
(c) undertaking minor flood or erosion control or repair works and the diversion is occurring within the boundaries of a site\(^\text{340}\) or an individual’s property and there are no potential adverse effects that are more than minimal\(^\text{341}\) on any other person, their property, or any ecological, cultural, recreational or amenity values of the fresh water body;
(d) emergency rural fire fighting purposes;\(^\text{342}\) or
(e) maintaining intakes for animal drinking water.\(^\text{343}\)

4.485 Any dam or infrastructure for the storage of water is sited, designed, constructed and operated to minimise any risk of overspill, leakage, slips or other dam failure, provides for
the diversion of floodwaters, and any associated risk of inundation or other adverse effects on people, communities or their property.

**Abstraction of Water**

4.49 Enable the taking of water for community drinking-water supply uses 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 limit provided a water supply strategy is in place and the water supply is so managed as to restrict the use of water from those supplies during periods of low flow or water levels.

4.50 Where the rate of take or volume of water consented for abstraction from a catchment exceeds the environmental flow and water allocation limit 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 water supply 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 that:

(i) a reduction in over-allocation is enabled through the replacement resource consent being for no more than 90% of the previously consented rate of take and annual or seasonal volume unless there is a method and defined timeframe to phase out over-allocation set out in the relevant Sub-regional Section of this Plan; and

(ii) there are significant and enduring improvements in the efficiency of water use and reductions in any adverse effects; or

(iii) it is demonstrated that the existing use of water is efficient and that the efficiency is enduring.

4.51 In recognition of their national benefits, existing hydro-electricity generation, and irrigation schemes and principal water supplier schemes and their associated water takes, use, damming, diverting and discharge of water are to be considered recognised as a part of the existing environment.

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344 Combined Councils, Whyte evidence;
345 Combined Councils, Whyte evidence
346 317.31 ANZCO, Ensor evidence
347 192.31 Irrigation NZ, Curtis evidence
348 86.2 Hurunui DC
349 Combined Councils
350 98.21 Ms Hilary Iles
351 Fish & Game (347) – giving effect to NPS
352 187.36 Synlait Milk Limited, 188.36 Synlait Farms Limited
353 250.48 TrustPower, Turner evidence
354 221.53 Meridian
355 221.53 Meridian
356 CI 16 - Minor amendment – improves grammar
357 Cl 16 - Minor amendment – improves grammar

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4-21
consent for an existing scheme\(^{358}\) re-consenting the schemes, consideration will be given to the need for, and appropriateness of, it is expected that there will be improvements in the efficiency of water use and conveyance assessed over the life of the consent and reductions in any adverse effects on the environment\(^{359}\) flows and levels in water bodies in order to maximise the term of the consent.

4.5249 The abstraction of groundwater outside of any groundwater allocation zone in Sections 6 to 15, may occur only if the applicant can demonstrates that:

(a) the groundwater abstraction has a low is not stream depleting effect groundwater, or does not have a long-term low level\(^{360}\) hydraulic connection to contribute to the over-allocation of any surface water body which is fully or over allocated for abstraction\(^{361}\);

(b) the groundwater is not hydraulically connected to any groundwater allocation zone in Sections 6 to 15 of this Plan which is fully or over allocated for abstraction;

(c) the total amount of groundwater abstracted cannot result in any continuing long-term decline in mean annual groundwater levels or artesian pressures;\(^{362}\) and groundwater abstraction will not alter the hydraulic pressure or gradient of any other aquifer; and

(d) the cumulative average rate of abstraction does not exceed the estimated rate of recharge of the aquifer.

4.5350 Any change to a resource consent to abstract surface water for irrigation as a “run-of-river” take to a “take to storage”, is subject to the following conditions to mitigate any adverse effects:

(aa) imposition of reasonable use determined in accordance with Schedule 10;

(a) a seasonal or annual allocation limit;

(b) a maximum instantaneous rate of take;

(c) if an environmental flow and allocation limit has not been set in Sections 6 – 15\(^{364}\) a higher minimum flow if this is required to sustain ecosystem or recreation values; and

(d) if an environmental flow and allocation limit has not been set in Sections 6 – 15\(^{365}\) any required cessation required necessary\(^{366}\) to maintain flow variability and freshes in the river.

4.5451 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:

\(^{358}\) 200.80 EDS

\(^{359}\) 197.38 RDRL, Bryce evidence; 250.48 TrustPower

\(^{360}\) Consequential amendment (89.33 Bowden Environmental)

\(^{361}\) 318.22 Beef and Lamb NZ and others; Callander evidence

\(^{362}\) 89.33 Bowden Environmental, Talbot evidence

\(^{363}\) 120.166 DOC

\(^{364}\) 250.49 Trustpower, Turner evidence

\(^{365}\) 250.49 Trustpower, Turner evidence

\(^{366}\) Minor amendment to improve clarity
(a) to take water at a rate of more than 30 L/s;
(b) to take water with a minimum flow or trigger level that signifies a restriction on take;\(^{367}\) or
(c) to take water within a water users group;\(^{368}\)

shall include a condition requiring water use records to be telemetered to the Canterbury Regional Council or its nominated agent.

4.5552 The Any discharge of water resulting from moving water from one catchment or water body to another in particular\(^{369}\) does not:

(a) does not facilitate the unwanted\(^{370}\) transfer of fish species, plant pests or unwanted organisms into catchments where they are not already present;
(b) adversely affect\(^{371}\) takes into account\(^{372}\) Ngāi Tahu values;
(c) does not have a more than a minor adverse effect on adversely affect\(^{373}\) the natural character of the receiving water;
(d) does not\(^{374}\) compromise the ability of adversely affect existing drinking-water treatment systems to the extent that they are no longer able\(^{375}\) to effectively treat the water to achieve the standards set out in the Drinking-water Standards for New Zealand; and
(e) does not have a more than a minor adverse effect on adversely affect\(^{376}\) fish migration.

4.5553 Where water is introduced from outside a the catchment, the additional surface water flows are not available for abstraction unless either:

(a) a new or revised environmental flow and allocation regime is introduced through a plan change; or
(b) the existing environmental flow and allocation regime has been developed in anticipation of the additional surface water flows.\(^{377}\)

4.5754 Any abstraction of groundwater does not result in cross-contamination between aquifers or water-bearing layers that results in, or may result in, adverse effects on water quality.

4.5855 Non-consumptive groundwater takes, including the taking of heat from or adding heat to groundwater and any taking which in conjunction with other activities on a site results in a neutral or positive water balance,\(^{378}\) will not be subject to any groundwater allocation zone limits, and will generally be supported, provided the water either remains in the aquifer, or
is returned to the same groundwater allocation zone\textsuperscript{379} and is protected from contamination, other than heat.\textsuperscript{381}

4.5958 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 shall not exceed the acceptable threshold criteria described in Schedule 12, unless it can be demonstrated that there will be no more than minimal adverse effects on the yield of existing adequately penetrating bores.\textsuperscript{382}

4.6059 Surface water intakes or galleries are located so that they do not interfere with or divert surface flow away from any adverse effects resulting from their interference with or diversion of surface water from\textsuperscript{383} other existing lawfully established surface water intakes or galleries or flow recorder sites are no more than minimal.\textsuperscript{384}

4.6160 Any abstraction of surface water or stream depleting groundwater with direct, high, or moderate depletion\textsuperscript{385} is subject to conditions specifying:
(a) the maximum instantaneous rate of take;
(b) except for hydro-electricity generation activities\textsuperscript{386} a maximum volume based on reasonable use determined in accordance with Schedule 10\textsuperscript{387} over the period the water is required;
(c) a minimum flow at which abstraction ceases in accordance with the relevant flow and allocation limits;
(d) the area or property within which the water is to be used;
(e) the location of the take;
(f) the prevention of fish entering any intake, in accordance with Schedule 2\textsuperscript{388}; and
(g) when partial restrictions (when rivers are flowing above the minimum or residual flow limit but below the full sum of the minimum or residual flow and the allocation block limit) come into force; and
(h) where the water is used for irrigation, the need for, compliance with, and auditing of a Farm Environment Plan.\textsuperscript{390}

4.6261 To prevent the flow falling below a minimum flow for the catchment, due to abstraction, partial restriction regimes for surface water will shall be implemented. Regimes will be designed to:\textsuperscript{391}

\textsuperscript{379} 279.13 Aqualinc, Bubb evidence
\textsuperscript{380} Cl 16 Minor amendment – removes acronym
\textsuperscript{381} 6.1 Central Heating New Zealand Ltd
\textsuperscript{382} 187.40 Synlait Milk Limited; 279.14 Aqualinc; 320.53 Fed Farmers, Callander and Hume evidence
\textsuperscript{383} 298.11 Dairy Holdings Limited
\textsuperscript{384} 298.11 Dairy Holdings Limited
\textsuperscript{385} 19.44 Ellesmere ISI
\textsuperscript{386} 250.53 TrustPower
\textsuperscript{387} 315.23 Dairy NZ, Callander evidence; 187.41 and 188.41 Synlait, Barton evidence
\textsuperscript{388} 250.53 TrustPower
\textsuperscript{389} Minor amendment to improve clarity
\textsuperscript{390} Consequential to wider use of FEP’s
\textsuperscript{391} 4-24  18 January 2014
(a) have a single flow monitoring point for the whole catchment that all abstractors are referenced to, with additional flow monitoring points that some or all abstractors are subject to, should the hydrology of the surface water body justify it;
(b) provide for groups of water permit holders in the same sub-catchment to share water when takes are operating under partial restrictions; and
(c) **except if unless otherwise** specified in an applicable relevant sub-regional section, implement be based on a stepped or pro rata restriction regime that applies equally to all takes taking within an allocation block limit and does not induce the flow to fall below the minimum flow due to abstraction.

4.6362 Any abstraction of groundwater is subject to conditions specifying:
(a) the maximum instantaneous rate of take;
(b) a maximum seasonal volume based on reasonable use determined in accordance with Schedule 10 over the period the water is required;
(c) the area or property within which the water is to be used;
(d) the location of the abstraction;
(e) any minimum groundwater levels at which abstraction ceases if specified in Sections 6 to 15; and
(f) any other conditions to regulate the rate or volume of water that may be abstracted relative to the estimated volume of groundwater stored in a groundwater zone, if specified in Sections 6 to 15; and
(g) where the water is used for irrigation, the need for, compliance with, and auditing of a Farm Environment Plan.

4.6463 Where existing abstractors do not have a maximum seasonal or annual allocation, to impose these conditions, determined in accordance with Schedule 10, when any of the following occur:
(a) resource consent conditions are changed in accordance with Section 127 of the RMA;
(b) water permits are transferred;
(c) existing resource consents to abstract water expire and are replaced; or
(d) the consent authority determines that a review of consent conditions is required to impose seasonal or annual volumes in a catchment.

**Efficient Use of Water**

4.6566 The rate, volume and seasonal duration for which water may be taken will be reasonable for the intended use.

4.6667 Water abstraction for irrigation is managed so that:

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391 358.154 Ngā Rūnanga, McIntyre evidence
392 315 Dairy NZ, Callander evidence; 187 and 188 Synlait, Barton evidence
393 Consequential to wider use of FEP’s
394 Cl16 Minor amendment - to improve certainty
395 250.54 TrustPower, 317.34 ANZCO Foods Ltd

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(a) winter flows are available for abstraction to storage, while ensuring ecosystem recovery through the maintenance of flow variability; and

(b) unless specified otherwise, abstraction is for a defined annual volume determined in accordance with Schedule 10—the summer (Oct-Apr) irrigation season, unless specified otherwise.

4.676 Enable the spatial and temporal sharing of allocated water between uses and users, subject to the existing consent holders retaining priority access to the water during the remaining currency of those consents, and provided that the rate of taking or volume of water consented for abstraction from a catchment does not exceed the environmental flow and water allocation limit for surface water or stream depleting groundwater, or the groundwater allocation limit for that catchment.

4.67A Where the rate of taking or volume of water consented for abstraction from a catchment exceeds any water allocation limit for surface water or stream depleting groundwater, or any groundwater allocation limit for that catchment, and where:

(a) water is allocated to a consent holder for abstraction, and

(b) the water permit does not specify the period of abstraction, and

(c) the water is not required for 12 months of the year: the unused water is not to be further allocated to the consent holder or any other applicant or transferee through the granting of or backup a further water permit.

4.686 Water used for irrigation is applied using good practice that achieves an irrigation application efficiency of not less than 80%.

4.697 Systems to convey or apply fresh water are designed to maximise efficient use of water, including the improvement over time of existing systems, except where there will be an adverse effect on ecosystems or existing abstractors from a loss of recharge, taking into account:

(a) practicable options to implement any change to existing systems; and

(b) the benefits and costs of achieving a higher level of efficiency.

Transfer of Water Permits

4.707 In order to meet economic and social outcomes, reduction in water use in over-allocated catchments, improvement in the efficiency of water use, and encouragement of more effective storage and distribution of water in order to meet economic and social

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396 200.99 EDS
397 182.6 HydroServices Ltd Davoren evidence; and others
398 19.48 Ellesmere ISI
399 221.8 Meridian
400 221.8 Meridian; 556 Rangitata Water Ltd
401 59.27 Dr Hugh Thorpe, 131.35 HWPL
402 257.52 Silver Fern Farms Limited
403 221.76 Meridian, 250.257 TrustPower

4-26 18 January 2014
4.71b 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

(ba) the transferee’s water take is reasonable for their proposed use as determined under the provisions of this Plan including Schedule 10 for irrigation uses;

(c) the adverse effects of the take and use of water are the same or less, not more than minor; and

(d) that in an over-allocated surface water catchment or groundwater zone, a proportion of the allocated water is surrendered and is not re-allocated, unless there is a method and defined timeframe to phase out over-allocation set out in an applicable Sub-regional Section of this Plan.

4.71a Proposals to transfer water from one catchment to another are the subject of timely consultation with Ngā Tahu on the whakapapa of the catchments, and on the effects on natural character, water quality and ecology of the catchments.

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.

Sharing water in times of restriction

4.72d Enable water permit holders who choose to enter written agreements with other water permit holders in the same catchment or sub-catchment to temporarily share all or part of the water take authorised by their water permit during times of restrictions, provided:

(a) all water permits are subject to conditions that specify a maximum rate of take, and a daily volume, and a seasonal or annual volume;

(b) metering and telemetry of data in accordance with Policy 4.54 is undertaken for all takes;

(c) all water permits are subject to common restriction conditions, or any discrepancies in restriction conditions are addressed in the written agreement.

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404 197.44 RDRML
405 358.159 Ngā Rūnanga
406 345.19 Mr Hamish Rennie
407 Originally 4.73
408 358.159 Ngā Rūnanga
409 Now part of 4.71
410 187.51 Synlait Milk Limited, 188.51 Synlait Farm Limited, 315.28 DairyNZ
411 347.113 Fish & Game

18 January 2014  4-27
Consent Term Duration, Lapse Periods and Giving Effect to Water Permits

4.73 Resource consents to take abstract water shall be given effect to within two to three years unless a longer lapse period is justified to give effect to the consent due to the scale or complexity of the activity. For the purpose of this policy, “given effect to” requires the installation of infrastructure, water meter or flow measuring device and taking use of the water as proposed.

4.74 Resource consents for the use of land for farming activities and the associated discharge of nutrients in catchments that are within a Nutrient Allocation Zone in which water quality outcomes are not met (areas coloured Red on the Series A Planning Maps) and resource consents for water take and use in catchments or groundwater allocation zones that are over-allocated will generally be for a specified term not exceeding subject to a 15 years duration (with any nutrient losses from farming, nutrient discharges, and rates and volumes of water taken being subject to regular review under section 128(1)(a) of the RMA) if the land use and associated nutrient discharges or water take and use may impede the ability of the community to find an integrated solution to manage water quality and the over-allocation of water. The general presumption of a 15 year maximum term will not necessarily be applicable in relation to the taking and use of water for regionally significant infrastructure.

Flow Sensitive Catchments

4.75 Reduced effects arising from the interception of rainfall run-off on surface water flows in the flow sensitive catchments listed in Sections 6 to 15 is achieved by controlling the area, density and species of trees planted, except where tree-planting is required to control deep-seated soil erosion.

Site Dewatering

4.76 Localised land subsidence or other significant effects on the flows or levels of surface water or groundwater from the dewatering of construction sites or other sites, is avoided by limiting the rate or duration of pumping or other appropriate mitigation measures.

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412 182.8 HydroServices and others
413 347.116 Fish & Game
414 106.51 CCC
415 315.29 Dairy NZ, Willis evidence
416 315.29 Dairy NZ, Willis evidence; 187.53, 188.53 Synlait, Penno evidence; 256.19 Hunter Downs irrigation, Gimblett evidence; 192.42 Irrigation NZ, Curtis evidence

4-28 18 January 2014
**Groundwater Protection**

4.7756 The use of bores or galleries, including decommissioned bores, does not result in the contamination of surface water or groundwater through backflow of water, or surface water and contaminants entering bores or galleries.

4.7857 There is no backflow of contaminants from any equipment or infrastructure which is used to both irrigate land and apply effluent, agri-chemicals or nutrients.

**Hydrocarbon Exploration or Production, Including “Fracking”**

4.7977 Avoid groundwater or surface water contamination resulting from the use of chemicals, materials or additives or the escape of hydrocarbons during the exploration for, or extraction of, hydrocarbons in solid, liquid or gaseous forms is avoided.

4.8078 Any bore penetrating bedrock is cased to prevent any potential contaminants leaking into the overlying aquifers and, when decommissioned, the release of contaminants from the bedrock into the overlying aquifers; and any entry of contaminants from the land surface into the well or bore is prevented.

**Wetlands and riparian margins**

4.8179 Any take, use, damming or diversion of water, any discharge of contaminants onto land or into water, or any earthworks, structures, planting, vegetation removal or other land uses within a natural wetland boundary, do not adversely affect the significant indigenous biodiversity values of natural wetlands, hāpua, coastal lakes and lagoons, except for:

(a) a temporary and or minor adverse effect where that activity is part of installing, maintaining, operating or upgrading infrastructure, pest management, or habitat restoration or enhancement work; or

(b) the artificial opening of hāpua, coastal lakes or lagoons to assist in fish migration or achieving other conservation outcomes, customary uses, or to avoid land inundation.

4.8280 Modification of natural wetlands, hāpua, coastal lakes and lagoons may occur if the modification activity is necessary, and necessarily has to be in that location to provide for the installation, upgrading or maintenance of infrastructure and any significant effects

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417 Cl 16 – Minor amendment – new heading to improve structure
418 Cl 16 – Minor amendment – improved grammar
419 Cl 16 – Minor amendment – improved grammar
420 Consequential amendment (94.8 Waimakariri DC)
421 Fish & Game (347) – better alignment with NPS and RPS
422 Consequential amendment (94.8 Waimakariri DC)
423 358.176 Ngā Rūnanga
424 197.49 RDRML
425 Consequential amendment (94.8 Waimakariri DC)
426 306.9 KiwiRail
are offset by other improvements to or expansion of the same or another wetland, hapua, coastal lake or lagoon.

4.834 Restoration or enhancement of wetlands is encouraged provided it does not give rise to any adverse effects on other lawfully established activities, including any adverse effects on the reliability of supply of water for existing abstractors, or any inundation or erosion of other people’s property.

4.844 Wetlands and riparian planting are developed as integral parts of land drainage systems, discharges to land and water and stormwater systems networks in both rural and urban areas, to reduce the effects of those activities on water quality and to enhance indigenous biodiversity and amenity values.

4.853 Water quality, indigenous biodiversity and ecosystem health in lakes, rivers, natural wetlands, hapua, coastal lakes and lagoons are enhanced through establishing or restoring riparian planting.

Activities in Beds of Lakes and Rivers

4.864 Earthworks and structures in the beds or margins of lakes, rivers, natural wetlands, hapua, coastal lakes and, lagoons:
(a) maintain the character and channel characteristics of rivers including the variable channel characteristics of braided rivers;
(b) protect sites and areas of significant indigenous biodiversity values or of cultural significance to Ngāi Tahu; and
(c) do not preclude any existing lawful access to the bed of the lake, river, natural wetland, hapua, coastal lake, or lagoon for recreational, customary use, water intakes or supplies or flood control purposes, except where necessary to protect public health and safety.

4.875 Plant species listed in the Biosecurity NZ Unwanted Organisms Register or the Regional Pest Management Strategy are not introduced or planted in the beds or margins of lakes, rivers, hapua, coastal lakes and lagoons, or in wetlands.

4.886 Earthworks, structures, or the planting or removal of vegetation (other than by spraying) in the beds of lakes, rivers, hapua, coastal lakes and lagoons, or within a wetland boundary do not occur in flowing or standing water unless any effects on water quality, ecosystems,
or the amenity, recreational or cultural values will be minor or the effects of diverting water are more significant than the effects of the activity occurring in flowing or standing water.

4.89 Earthworks, structures (including defences against water flood control structures), vegetation planting or removal, or other activities in the beds of lakes or rivers, do not materially restrict flood flows in any river, or create or exacerbate erosion of the bed or banks of any river or the bed or margins of any lake.

4.90 Any modification of the levels of lakes which are artificially managed does not create or exacerbate significant shoreline erosion. This policy does not apply to the artificial opening of hāpua, coastal lakes or lagoons to the sea.

4.91 Land uses, and other activities in the beds or margins of lakes and rivers, do not adversely affect the stability or functioning of lawfully established erosion control or flood protection works or infrastructure.

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

Gravel Extraction

4.93 Recognise the value of gravel extraction for regionally significant construction and maintenance of infrastructure, for economic activity, for flood management purposes and for the re-build of Christchurch, and enable the maximum extraction from land without affecting groundwater quality and require remediation to avoid the risk of contamination.

4.94 Enable the extraction of gravel from land, provided adverse effects on groundwater quality are minimised and remediation is undertaken to minimise any ongoing risk of groundwater contamination.

4.95 For all gravel removal from the beds of rivers:

(a) the rate of gravel extraction does not exceed the rate of gravel recharge, except where stored gravel is available for extraction and in that case short-term extraction of stored gravel may occur at a rate that exceeds gravel recharge rates only to the point that bedloads are satisfactory for flood management purposes, gravel levels reach gravel recharge rates; and

(b) the activity is undertaken in ways which do not induce erosion (except for flood management purposes) and minimise adverse effects on adversely affect water

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436 Consequential amendment (245.12 Fulton Hogan)
437 245.46 Fulton Hogan
438 167.21 CRC
439 282.30 Aggregate Group
440 245 Fulton Hogan; 282 Aggregates Group; Murray evidence
441 59.34 Dr. Hugh Thorpe
442 282.31 Aggregates Group, Murray evidence
quality, or significant indigenous biodiversity, disturb wildlife habitat, or sites of cultural significance to Ngāi Tahu, or affect public access, and recreational values.

**Natural Hazards**

4.9692 The consequential effects of seismic activity are recognised and timely and appropriate responses to such activity are facilitated.

4.9793 Temporary adverse effects from activities required for recovery from a natural hazard event are managed to minimise the duration and scale of any adverse effects and maximise the overall benefits of the activity to the recovery. Remediation works which are necessary to enable people and communities to recover from natural hazard events (a) occur in a timely way,
(b) the works are managed to minimise their duration and scale,
(c) the works do not cause or exacerbate potential natural hazards elsewhere, and
(d) adverse effects on the environment resulting from the works are avoided, remedied or mitigated.

4.9894 In urban areas, where groundwater hydrology has changed as a result of seismic activity, including new springs and altered groundwater levels, allow site-specific remediation to occur.

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443 200.126 EDS
444 200.127 EDS
## Section 5 - Region-wide Rules

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General Rules

5.1 Any activity must comply with all applicable rules in Unless specifically stated to the contrary, any activity must comply with all the rules of Section 5 of this Plan, except:

(a) where Rule 5.5 applies; or
(b) where explicitly stated to the contrary in any other applicable rule in this Plan.  

5.2 Unless specifically stated to the contrary, Any any rule on the same subject matter in the relevant sub-regional zones in Sections 6 to 15 of this Plan prevails over the relevant rule of Section 5, except:

(a) where Rule 5.5 applies; or
(b) where explicitly stated to the contrary in any other applicable rule in this Plan.  

5.3 Notes and cross-references are included for information purposes only and do not form part of the rules and nor should they be considered a complete list.

5.4 For the avoidance of doubt, For any activity that is classified as a controlled activity or a restricted discretionary activity, the CRC includes, within the matters to which control is reserved or discretion is restricted, In consideration of applications for controlled activities or restricted discretionary activities the matters on which—

(a) control is reserved; or
(b) exercise of discretion is restricted;

include the lapse lapsing period, the duration term of the resource consent, the review of the conditions of a resource consent, the need for a bond or financial contributions, and the collection, recording, monitoring and provision of information concerning the exercise of a resource consent.

5.5 Any recovery activity that would otherwise contravene sections 9(2), 13(1), 14(2), s14(3) or s15(1) of the RMA and is not listed as a permitted activity in this Plan is a restricted discretionary activity.

The exercise of discretion is restricted to CRC will restrict discretion to the following matters:

1. The timing, term duration and scale of the activity; and
2. The adequacy of the management plan prepared in respect of the activity, and in particular, the identification of the effects and the proposed mitigation; and

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445 167.22 CRC
446 167.22 CRC
447 19.57 Ellesmere ISI
448 the financial contribution instrument is not used in any rules
449 347.133 Fish & Game
3. The extent to which the proposed activity is consistent with the objectives and policies of this Plan.

5.6 Any activity that—
(a) is not a recovery activity that would otherwise contravene sections 13(1), 14(2), s14(3) or s15(1) of the RMA; and
(b) is not a recovery activity; and
(c) is not classified by this Plan as any other of the classes of activity listed in section 87A of the RMA is not listed as a permitted, restricted discretionary, discretionary, non-complying or prohibited activity in this Plan
— is a discretionary activity.

Note: In addition to the provisions of this Plan any activity may require authority under the relevant district plan or other legislation.

On-site Wastewater

Note: In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.

5.7 The discharge of wastewater from an existing on-site domestic wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:
1. The discharge was lawfully established prior to 1 November 2013; and
2. The treatment and disposal system has not been altered or modified from that established at the time the system was constructed, other than through routine maintenance; and
3. The volume of the discharge has not been increased as a result of the addition of buildings, an alteration of an existing building, or a change in use of a building that is connected to the system; and
4. The treatment and disposal system is operated and maintained in accordance with the system's design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and

450 347.138 Fish & Game
451 226.2 NZHPT
452 226.2 NZHPT
453 167.24 CRC
5. The discharge is within the area marked “Septic tank Suitability – Area A” on the Planning Maps; and

6. The discharge is not onto or into land:
   (a) where there is an available sewerage network; or
   (b) that is potentially contaminated;
   (c) that is listed as an archaeological site; or
   (d) where the discharge would enter any surface water body; or
   (e) within 20 m of any surface water body or the Coastal Marine Area; or
   (f) within 50 m of a bore used for water abstraction; or
   (g) within a Group or Community Drinking-water supply Protection Zone as set out in Schedule 1 of this Plan; or
   (h) where there is, at any time, less than 1 m of vertical separation between the discharge point and groundwater; and

7. The discharge does not result in wastewater being visible on the ground surface; and

8. The discharge does not contain any hazardous substance.

5.8 The discharge of wastewater from an existing on-site domestic wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.7 is a restricted discretionary activity.

The CRC will restrict discretion to the following matters:
1. The effect of not meeting the condition or conditions of Rule 5.7.
2. The extent to which the proposed activity is consistent with the objectives and policies of this Plan relating to Ngāi Tahu values, human and animal health and drinking water quality.

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

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

5.89 The discharge of wastewater from a new, modified or upgraded on-site domestic wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:
1. The discharge volume does not exceed 2.14 m$^3$ per day week; and

2. The discharge is onto or into a site that is equal to or greater than 4 hectares in area; and is within the area marked “Septic tank Suitability – Area A” on the Planning Maps; and

2a. The discharge is not located within an area where residential density exceeds 1.5 dwellings per hectare and the total population is greater than 1000 persons; and

3. The discharge is not onto or into land:
   (a) where there is an available sewerage network; or
   (b) that is contaminated or potentially contaminated; or
   (c) that is listed as an archaeological site; or
   (d) in circumstances where the discharge would enter any surface water body; or
   (e) within 20 m of any surface water body or the Coastal Marine Area; or
   (f) within 50 m of a bore used for water abstraction; or
   (g) within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; or
   (h) where there is, at any time, less than 1 m of vertical separation between the discharge point and groundwater; and

4. The treatment and disposal system is designed and installed in accordance with Sections 5 and 6 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and

5. The treatment and disposal system is operated and maintained in accordance with the system’s design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of New Zealand Standard AS/NZS 1547:2012 – On-site Domestic Wastewater Management; and

6. The discharge does not result in wastewater being visible on the ground surface; and

7. The discharge does not contain any hazardous substance.

5.9.10 The discharge of wastewater from:
   (a) an existing on-site domestic wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.7; or

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460 243.1 ecoENG Limited
461 167.25 CRC
462 167.25 CRC
463 93 CDHB, Fletcher evidence
464 358.9 Ngā Rūnanga
465 Minor wording change to ensure consistency
466 Originally from notified Rule 5.8
(b) a new, modified or upgraded on-site domestic wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.8 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.7 for an existing system; and

2. The actual and potential direct and cumulative environmental effects of not meeting the condition or conditions of Rule 5.8 for a new, modified or upgraded system; and

3. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and

4. The effect of on-site domestic wastewater treatment system density in the local area including known on-site domestic wastewater treatment system failures, the material health status of the community, current groundwater quality, the nature of effects of current sewage disposal methods, treatment options available and affordability.

2. The extent to which the proposed activity is consistent with the objectives and policies of this Plan relating to Ngāi Tahu values, human and animal health and drinking-water quality.

Notification

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

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

Note: Detailed information about separation distances for on-site effluent disposal systems is available from the Institute of Environmental Science and Research. Information includes the Guidelines for separation distances based on virus transport between on-site domestic wastewater systems and wells (ESR 2010).
Swimming Pool or Spa Water

5.101 The discharge of swimming pool or spa pool water into water 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 of filter backwash water is only onto land, and the discharge does not enter any surface waterbody or wetland, including via a stormwater system; and
2. For swimming pool or spa pool water discharges that do not contain filter backwash water, the discharge may be either onto land or into water, provided:
   (a) that for all discharges:
      (i) there are no copper chemicals or flocculants, including aluminium salts, in the discharge and the concentration of sodium chloride (common salt) does not exceed 3500 g/m$^3$; and
      (ii) the swimming pool or spa pool has not been treated within the previous 14 days with a pool sanitizing agent containing chlorine, bromine, or Baquacil™; and
      (iii) the discharge does not result in water or contaminants flowing onto another site; and
   (b) that for discharges to surface water:
      (i) the discharge is not within a Group or Community Drinking-water supply Protection Zone as set out in Schedule 1; and
      (ii) for discharges to a river, the rate of flow in the river, at the point of discharge, is at least five times the rate of discharge.

5.112 The discharge of swimming pool or spa pool water into water or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.10 is a restricted discretionary activity.

The exercise of discretion is restricted The CRC will restrict discretion to the following matter:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.10 5.11.

Greywater

5.123 The discharge of greywater 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 only from a dwelling house and does not contain any waste from a toilet or any hazardous substances; and

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479 Cl 16 - Minor amendment - to ensure consistency with listed abbreviations
480 Cl 16 - Minor wording change to ensure consistency
481 358.14 Ngā Rūnanga

18 January 2014
2. The discharge is from a system that is authorised for use under the Building Act 2004; and
3. The application rate does not exceed 50 mm per day. The discharge is:
   (a) via a land application system located beneath the ground surface; and
   (b) as far as practicable, is evenly distributed and does not exceed an application rate of 50 mm per day; and
4. The discharge does not result in greywater flowing, seeping, or ponding on the surface of the ground for more than two hours; and
5. The system does not store greywater for more than 12 hours and incorporates a proprietary filter prior to discharge; and
6. The discharge does not result in water or contaminants flowing onto another site; and
7. The point of discharge is not within:
   (a) within 20 m of a surface water body or the Coastal Marine Area; or
   (b) within 20 m of a bore used for water abstraction; or
   (c) to land that is contaminated or potentially contaminated; or where an activity or industry, other than A8, listed in Schedule 3 has occurred or is occurring; or
   (d) onto or into land a site listed as an archaeological site; and
8. Where the discharge is located over an unconfined or semi-confined aquifer and the highest groundwater level is less than 2 m from the ground surface, there shall be at least 600 mm of soil or sand between the point of discharge and the seasonal high water table.

5.134 The discharge of greywater onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.12 5.13 is a restricted discretionary activity.

The exercise of discretion is restricted The CRC will restrict discretion to the following matters:
1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.12 5.13; and
2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
3. The extent to which the proposed activity is consistent with the objectives and policies of this Plan relating to Ngāi Tahu values, human and animal health and drinking water quality.
Pit and Composting Toilets

5.145 The discharge of untreated human excrement via a pit toilet onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. When a pit toilet is filled to within 0.5 m of the original land surface, or is no longer used, the content of the pit toilet is covered with at least 0.5 m of soil; and
2. Surface runoff does not enter a pit toilet; and
3. There is at least 600 mm of soil or sand between the point of discharge and the highest known groundwater seasonal high water table; and
4. The pit toilet is not:
   (a) within 20 m of a surface water body, a bore used for water abstraction or the Coastal Marine Area; or
   (b) within a Group or Community Drinking-water supply Protection Zone as set out in Schedule 1; or
   (c) within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; or
   (d) sited on unconsolidated gravels, coarse or medium sands, fissured rock or scree unless there is at least 600 mm of soil or sand placed in the base of the pit; or
   (e) onto or into land a site listed as an archaeological site.

5.156 The discharge of untreated human excrement via a pit toilet onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.14 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.14 and
2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water.

2. The extent to which the proposed activity is consistent with the objectives and policies of this Plan relating to Ngāi Tahu values, human and animal health and drinking water quality.

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490 167.26 CRC
491 Minor wording change to ensure consistency
492 358.18 Ngā Rūnanga
493 358.10 Ngā Rūnanga
494 347.138 Fish & Game
5.167 The discharge of aerobically composted material from a composting toilet onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The material discharged has been subject to aerobic decomposition for at least 12 months from the last addition of raw excrement and is worked into the soil immediately following the discharge; and

2. The discharge is not onto or into land:
   (a) that is within 20 m of a surface water body, the Coastal Marine Area, an adjacent property, or a bore used for water abstraction; or
   (b) that is within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; or
   (c) that is used for growing food crops for human consumption; or
   (d) when there is water ponding or flowing on the land soil surface; or
   (e) that is listed as an archaeological site.

Note: The composting toilet system may also require approval for use under the Building Act 2004.

5.178 The discharge of aerobically composted material from a composting toilet onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.16 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.16; and

2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water.

Dust Suppressants

5.189 The discharge of oil as a dust suppressant onto or into land in circumstances where a contaminant may enter water is a permitted activity provided either of the following conditions are met:

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495 358.19 Nga Runanga, Lynch evidence
496 Minor wording change to ensure consistency
497 Cl 16 - Minor amendment - consistent wording
498 358.20 Ngā Rūnanga
499 358.20 Ngā Rūnanga
500 347.138 Fish & Game
1. The discharge is only of vegetable oil, or of new light fuel or lubricating oil and is:
   (a) applied in a manner that does not result in pooling or runoff, with a maximum application rate not exceeding 2 litres/m\(^2\) per day and 4 litres/m\(^2\) per annum; and
   (b) not within 20 m of a surface water body, the Coastal Marine Area, a bore or soak-hole; or

2. The dust suppressant is approved under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the dust suppressant is in accordance with all conditions of the approval.  

5.1920 The discharge of oil as a dust suppressant onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.18 5.19 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matter:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.18 5.19.

Pest Control and Agrichemicals

5.201 The discharge of a vertebrate toxic agent via land-based methods onto or into land, including the bed of a lake or river, in circumstances where a contaminant may enter water, or into water, is a permitted activity provided the following conditions are met:

1. The substance and the application technique or method is approved for use under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all conditions of the approval; and

2. The discharge is not:
   (a) within 5 m of the wetted bed of a river, lake or artificial watercourse, a wetland boundary or the Coastal Marine Area; or
   (b) within 20 m of a bore used for drinking water; or
   (c) within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1.

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501 10.1 Reynolds Soil Technology
502 358.23 Ngā Rūnanga
503 321.2 Fed Farmers (High Country and Temuka)
504 317.53 ANZCO Foods Ltd
505 120.145 DOC
506 120.145 DOC
507 DOC (120) (evidence in particular)
508 Minor wording change to ensure consistency

5-12  18 January 2014
5.212 The discharge of a vertebrate toxic agent via land-based methods, onto or into land, including the bed of a lake or river, in circumstances where a contaminant may enter water, or into water, that does not meet one or more of the conditions in Rule 5.20 5.21 is a discretionary activity.

5.23 The discharge of a vertebrate toxic agent from an aircraft, onto or into land, including the bed of a lake or river, in circumstances where a contaminant may enter water, is a controlled activity provided the following conditions are met:

1. The substance and the application technique or method is approved for use under the Hazardous Substances and New Organisms Act 1996; and
2. The discharge is not:

   (a) within 20 m of the wetted bed of a river, lake or artificial watercourse that is more than 3 m wide, a wetland boundary or the Coastal Marine Area or within 20 m of a bore used for drinking water; or
   (b) within a group or community drinking water supply protection area as set out in Schedule 1.

The CRC reserves control over the following matters:

1. Measures to avoid, mitigate or remedy adverse effects on aquatic ecosystems and human or animal drinking water;
2. The provision of advice and information about the exercise of the consent to people and authorities in and adjacent to the application area; and
3. The adequacy of application methods, systems and management processes to prevent fugitive discharges and the recording of application areas.

Notification

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

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA. 511

5.24 The discharge of a vertebrate toxic agent from an aircraft, onto or into land, including the bed of a lake or river, in circumstances where a contaminant may enter water, that does not meet one or more of the conditions in Rule 5.23 is a discretionary activity. 512

5.225 The discharge of an agrichemical, or agrichemical equipment or container washwater, into or onto land, including the bed of a lake, river or artificial watercourse, in

509 321.3 Fed Farmers (High Country and Temuka)
510 317.53 ANZCO Foods Ltd
511 321.5 Fed Farmers (High Country and Temuka)
512 321.6 Fed Farmers (High Country and Temuka)
circumstances where a contaminant or water may enter water, or into a surface waterbody, is a permitted activity provided the following conditions are met:

1. The substance agrichemical and application technique or method is approved for use under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all conditions of the approval; and

2. The discharge of the agrichemicals is undertaken in accordance with Section 5 and Appendices L and S of New Zealand Standard NZS 8409:2004 Management of Agrichemicals;

3. No mixing or diluting of an agrichemical or rinsing or cleaning of containers or equipment takes place within:
   (a) 5 m of a surface water body, or a bore; or
   (b) in the bed of a river or lake, or within the Christchurch Groundwater Protection Zone as shown on the Planning Maps, or a Group or Community Drinking-water Protection Zone as set out in Schedule 1, unless:
       (i) the mixing or dilution takes place within a sealed, bunded system that will contain a volume of at least 110% of the largest spray tank to be filled; or
       (ii) the mixing or dilution is for a hand-held application technique or method; and

4. If the water used for mixing or dilution is being abstracted from a surface water body or groundwater, a backflow prevention system is in place to prevent the agrichemical from flowing back into the source water; and

5. For discharges direct to surface water, the discharge is not:
   (a) within a Group or Community Drinking-water Protection Zone as set out in Schedule 1; or
   (b) into a river or artificial watercourse within 250 m upstream or 100 m downstream, or in a lake within 250 m, of any other surface water intake.

5. Where the discharge is from an aircraft:
   (a) the discharge be carried out by a person who holds a GROWSAFE® Pilots’ Agrichemical Rating Certificate or an AIRCARETM Accreditation;
   (b) 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; and
   (c) the discharge in the bed of a river in Hill and High Country areas does not occur between the first day of September and the last day of November in any year; and

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513 358.26 Ngā Rūnanga
514 278.4 NZAAA (submission from Rule 5.25)
515 120.145 DOC
516 120.145 DOC
517 Originally Condition 6, Minor wording change to ensure consistency
518 Originally Condition 6
519 320.104 Fed Farmers (Combined Canty) submission from Rule 5.27
520 214.23 LINZ

18 January 2014
6. The discharge is not within a group or community drinking water supply protection area as set out in Schedule 1 or within 10 m of any bore used for drinking water supply.\footnote{Shifted to Condition 5(a)}

Note:
See also the rules on vegetation clearance – 5.163 – 5.174, 5.143 – 5.154

5.236 The discharge of an agrichemical, or agrichemical equipment or container washwater, into or onto land, including the bed of a lake, river or artificial watercourse,\footnote{Consequential amendment to deleting Rules 5.27 and 5.28} in circumstances where a contaminant or water may enter water, or into a surface waterbody,\footnote{358.26 Ngā Rūnanga} that does not meet one or more of the conditions of Rule 5.22 is a restricted discretionary activity.

The CRC will restrict discretion to the following matter:

5. The effect of not meeting the condition or conditions of Rule 5.25.\footnote{Consequential amendment to deleting Rules 5.27 and 5.28}

Note:
See also the rules on vegetation clearance – 5.163 – 5.174, 5.143 – 5.154.

5.27 The discharge of diquat or glyphosate to a surface water body via land-based methods is a permitted activity provided the following conditions are met:

1. The discharge is carried out by a person who holds a current GROWSAFE® Registered Chemical Applicator’s Certificate issued by the New Zealand Agrichemical Education Trust; and

2. The discharge is only incidental to the spraying of the bed or bank of a river, the bed of a lake, or an artificial watercourse, or a wetland, undertaken in accordance with Rule 5.25;

3. The discharge is not:
   (a) within a group or community drinking water supply protection area as set out in Schedule 1; or
   (b) into a river or artificial watercourse within 250 m upstream or 100 m downstream, or in a lake within 250 m, of any other surface water intake.

Note: See also the rules on vegetation clearance – 5.143 – 5.154.

5.28 The discharge of an agrichemical to a surface water body, that does not meet one or more of the conditions in Rule 5.27 is a restricted discretionary activity.
**The CRC will restrict its discretion to the following matters:**

1. Measures to avoid, mitigate or remedy unintended adverse effects on aquatic ecosystems (in addition to the intended removal of the flora or fauna by the application of the relevant agrichemical), and human or animal drinking water;

2. The provision of advice and information about the exercise of the consent to people and authorities in and adjacent to the application area; and

3. The adequacy of application methods, systems and management processes to prevent fugitive discharges and the recording of application areas.

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 relating to human and animal drinking water quality.

**Notification**

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

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.\(^{527}\)

**Offal and Farm Rubbish Pits**

*Note:*

*In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.*\(^{528}\)

5.249 The use of land for an offal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water are permitted activities provided the following conditions are met:

1. The discharge is to a pit that:
   (a) has a volume of less than 50 m\(^3\); and
   (b) is sited and designed to prevent surface runoff entering the pit; and
   (c) is designed to prevent animals from gaining access to the pit; and

2. The discharge is only of dead animals or animal parts produced on the property site\(^{529}\) where the pit is located; and

3. No more than one pit is constructed or used per 100 hectares of property area\(^{530}\) per annum; and

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\(^{527}\) DOC (120)

\(^{528}\) 226.2 NZHPT

\(^{529}\) 73.20 Castle Ridge Station Ltd

\(^{530}\) 310.24 Lincoln University
4. When any pit is filled to within 0.5 m of the original land surface, or is no longer used, the contents are covered with soil to a depth of at least 0.5 m or the pit is covered with an impermeable lid; and

5. The No discharge does not occur:
   (a) within 100 m of a surface water body, a bore used for water abstraction, the boundary of the site, or the Coastal Marine Area; or
   (b) within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; or
   (c) unless there is at least 3 m of soil or sand between the point of discharge and the seasonal high water table level 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 highest known groundwater level; or
   (d) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
   (e) onto or into land a site listed as an archaeological site; or
   (f) within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes.

Notes:
1. Nothing in this rule prevents a pit being used for both an offal pit and an on-site refuse disposal pit, if the conditions of this Rule and Rule 5.27 are met both rules are complied with.
2. Archaeological sites are protected under the Historic Places Act 1993. There may also be additional provisions for historic heritage and earthworks in the relevant district plan.
3. The discharge of carcasses and offal to land must not create a nuisance under the Health Act 1956. This means that the activity must not be offensive, likely to be injurious to health, spread disease, likely to harbour rats and other vermin, or give rise to the breeding of flies or other insects which are capable of transmitting disease.
4. If the discharge of carcasses and offal creates risks to human health it is appropriate to notify the Medical Officer of Health or Health Protection Officer for the area. Situations where this might be necessary include:
   (a) potential for microbial contamination of water supplies;
   (b) any infestations of vermin or other disease vectors; or
   (c) fallen stock left to decompose in the field where they die.
5.25 Despite Rule 5.24, the use of land to bury a single dead animal and the associated discharge onto or into land in circumstances where a contaminant may enter water are permitted activities provided the following conditions are met:

1. The dead animal cannot be disposed of in accordance with the conditions of Rule 5.24; and
2. The dead animal results from agricultural production on the same property; and
3. The dead animal is buried in a pit which does not contain any water, and is immediately and completely covered by sufficient soil or plant material so as to prevent discharge of odour to air, or other nuisance; and
4. The burial location is not within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; and
5. The burial site is at least 50 m from any:
   (a) surface water body; or
   (b) bore used for water abstraction; or
   (c) property boundary.  

5.2630 The use of land for an offal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.24 5.29 is a restricted discretionary activity where the following condition is met:

1. The disposal and discharge are the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A. 

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.24 5.29 or Rule 5.25; and
2. The actual or potential environmental effects of the discharge on the quality and safety of human and animal drinking-water on 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 human and animal drinking water quality; and
3. The quality of, compliance with, and auditing of the Farm Environment Plan.

5.2731 The use of land for an on-site refuse disposal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water are permitted activities provided the following conditions are met:

1. The discharge is to a pit:
(a) located on a site of greater than 20 ha hectares\(^{544}\) in area; and
(b) with a volume of less than 50 m\(^3\); and
(c) sited and designed to prevent surface runoff entering the pit; and
(d) designed to prevent animals from gaining access to the pit; and

2. No hazardous substances, agrichemicals\(^{545}\) or agrichemical containers are discharged; and

3. The discharge is only of refuse produced on the property site\(^{546}\) where the pit is located; and

4. No kerbside community or local authority refuse collection is available; and

5. When any pit is filled to within 0.5 m of the original land surface, or is no longer used, the contents are covered with soil to a depth of at least 0.5 m or the pit covered with an impermeable lid; and

6. The discharge does not occur:
   (a) within 100 m\(^{547}\) of a surface water body, a bore used for water abstraction, the boundary of the property site\(^{548}\) or the Coastal Marine Area; or
   (b) within a Group or Community Drinking-water supply Protection Zone\(^{549}\) as set out in Schedule 1; or
   (c) unless there is at least 3 m of soil or sand between the point of discharge and the seasonal high water table level 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 highest known groundwater level;\(^{550}\) or
   (d) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
   (e) onto or into land a site listed as an archaeological site; or
   (f) Within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes.\(^{551}\)

Notes:
1. Nothing in this rule prevents a pit being used for both an offal pit and an on-site refuse disposal pit, if the conditions of this Rule and Rule 5.24 are met both rules are complied with.\(^{552}\)
2. Archaeological sites are protected under the Historic Places Act 1993. There may also be additional provisions for historic heritage and earthworks in the relevant district plan.\(^{553}\)
5.2832 The use of land for an on-site refuse disposal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.27 5.32 is a restricted discretionary activity where the following condition is met:

1. The disposal and discharge are the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.\(^{554}\)

The exercise of discretion is restricted The CRC will restrict discretion to the following matters:

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.27 5.31; and

2. The actual or potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and 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 human and animal drinking water quality.\(^{556}\)

3. The quality of, compliance with, and auditing of the Farm Environment Plan.\(^{557}\)

Animal and Vegetative Waste

5.2933 The discharge of solid animal waste (excluding any discharge directly from an animal to land),\(^{558}\) or vegetative material containing animal excrement or vegetative material, including from an intensive farming process or industrial or trade process, 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 material does not contain any hazardous substance or hazardous waste; and

2. The material does not include any waste from a human effluent treatment process; and

3. The material is not discharged:
   (a) onto the same area of land more frequently than once every two months; or
   (b) onto land where solid animal waste, or vegetative material containing animal excrement or vegetative material from a previous application is still visible on the land surface;\(^{559}\) or
   (c) onto land when the soil moisture exceeds field capacity; or
   (d) within 20 m of a bore used for water abstraction, a surface water body not listed in Schedule 17 or the Coastal Marine Area; or
   (e) within 50 m of a surface water body listed in Schedule 17;\(^{561}\) or

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\(^{554}\) (318) Beef & Lamb
\(^{555}\) 347.126 Fish & Game
\(^{556}\) 95.10 C W & J M Trengrove
\(^{557}\) 318.39 Beef and Lamb
\(^{558}\) 270.37 Fonterra, Willis evidence
\(^{559}\) 120.149 DOC
\(^{560}\) 347.140 Fish & Game
\(^{561}\) 347.140 Fish & Game
5.304 The discharge of solid animal waste, \textit{(excluding any discharge directly from an animal to land)},\textsuperscript{563} or vegetative material containing animal excrement or vegetative material, including from an intensive farming process or industrial or trade process, 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 5.29 5.33 is a discretionary activity.

Stock Holding Areas and Animal Effluent

\textit{Note:} In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.\textsuperscript{564}

5.31 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:
   (a) within 20 m of a surface water body, a bore used for water abstraction or the Coastal Marine Area; or
   (b) within 100 m of a pre-existing dwelling or place of assembly on another property.\textsuperscript{565} and
   1.A The stock holding area is not located within a Group or Community Drinking-water Protection Zone 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 5.33 to 5.37 or an existing discharge permit; and

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.

5.32 The use of land for a stock holding area that does not meet one or more of the conditions of Rule 5.31 is a discretionary activity.

\textsuperscript{562} Minor wording change to ensure consistency
\textsuperscript{563} 270.37 Fonterra, Willis evidence
\textsuperscript{564} 226.2 NZHPT
\textsuperscript{565} 320.120 Fed Farmers, Bennet evidence
5.33 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; or
   
   (b) within 50 m of the boundary of the property; or
   
   (c) within a Group or Community Drinking-water Protection Zone as set out in Schedule 1; and

2. The collection, storage and treatment system is sealed, such that seepage into land does not exceed one millimetre per day.

5.34 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 5.33 is a discretionary activity.

5.35 The discharge of animal effluent or water containing animal effluent and other contaminants originating from a stock truck holding tank onto or into land where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The maximum volume discharged does not exceed 100 m$^3$ per property in any 12 month period; and

2. The discharge of animal effluent or water containing animal effluent and other contaminants:
   
   (a) is not within 20 m of a surface water body (other than a wetland constructed primarily to treat animal effluent); or
   
   (b) within 20 m of a bore used for water abstraction, the Coastal Marine Area, or the boundary of the property.

5.36 The discharge of animal effluent or water containing animal effluent and other contaminants originating from:

(a) a stock holding area; or

(b) a stock truck holding tank that does not meet one or more of the conditions of Rule 5.35; or

(c) an animal effluent storage facility;

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 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; and
(b) does not occur beyond the boundary of the property on which the animal effluent is generated unless the written approval of the property owner where the discharge occurs has been obtained; and
(c) is not within a Group or Community Drinking-water Protection Zone as set out in Schedule 1; and
(d) has backflow prevention installed if the animal effluent or water containing animal effluent is applied with irrigation water; and
(e) is not to contaminated or potentially contaminated land; and

2. The discharge is the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. Measures to avoid, mitigate or remedy adverse effects on aquatic ecosystems and human or animal drinking-water; and
2. Effluent and water application rates and nutrient load; and
3. The effectiveness of methods to store effluent and application rates in times of adverse weather conditions, including frozen or saturated soil, or in cases of equipment failure; and
4. The proximity of any discharge site to, and actual or potential effects on, any identified site of significant indigenous biodiversity on biodiversity; and
5. 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; and
6. The quality of, compliance with, and auditing of the Farm Environment Plan.

5.37 Any discharge of animal effluent or water containing animal effluent or other contaminants that does not meet one or more of the conditions in Rule 5.35 or Rule 5.36 or that is directly into water (other than into a wetland constructed primarily to treat animal effluent) is a non-complying activity.

5.35 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 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

566 317.39 ANZCO, Ensor evidence
2. The discharge of animal effluent or water containing animal effluent and other contaminants:
   (c) 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;
   (d) does not occur beyond the boundary of the site;
   (e) a group or community drinking water supply protection area as set out in Schedule 1;
   (f) has backflow prevention installed if the animal effluent or water containing animal effluent is applied with irrigation water; and
   (g) is not to potentially contaminated land.

The CRC will restrict discretion to the following matters:
1. Measures to avoid, mitigate or remedy adverse effects on aquatic ecosystems and human or animal drinking water;
2. Measures to store effluent and application rates;
3. Methods to store effluent and application rates in times of adverse weather conditions, including frozen ground, or in cases of equipment failure;
4. The proximity of any discharge site to any identified site of significant indigenous biodiversity;
5. The adequacy of design, construction, systems and management processes to minimise fugitive discharges from the system, including, but not limited to, any design leakage from the stockholding and effluent storage areas, flow paths and mitigation in case of equipment failure or breakage;
6. The extent to which the proposed activity is consistent with the objectives and policies of this Plan relating to Ngāi Tahu values, human and animal health and drinking water quality, including Policy 4.11.

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.

Silage Pits and Compost

5.38 The use of land for a silage pit or the stockpiling of decaying organic matter (including compost) 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$^3$; and
2. Any liquid that drains from the stockpile does not enter a surface water body, other than a wetland constructed primarily to treat animal effluent; and

567 Several submission points relied on to amend this suite of rules, including 120.151 DOC, 320.116-120 Fed Farmers (Combined Canty), and 318.39 Beef & Lamb NZ

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3. Any decaying organic matter does not originate from an industrial or trade process.\(^{568}\)

5.3937 The use of land for a silage pit or the stockpiling of other fermenting or decaying organic matter (including compost) not permitted by Rule 5.38\(^{569}\) 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\(^3\); or
1. The volume of any silage pit or stockpile is greater than 20 m\(^3\) and is not sited:
   (a) within 50 m of a surface water body, the boundary of the property site,\(^{571}\) a bore or the Coastal Marine Area; or
   (b) within a Group or Community Drinking-water supply Protection Zone area\(^{572}\) as set out in Schedule 1; or
   (c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; and
2. 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\(^{573}\) effluent; and
3. Any fermenting or decaying organic matter does not originate from an industrial or trade process.

5.4038 The use of land for a silage pit or the stockpiling of other fermenting or decaying organic matter (including compost)\(^{576}\) and any associated discharge into or onto land where a contaminant may enter water, that does not meet one or more of the conditions in Rule 5.39 5.37 is a restricted discretionary activity where the following condition is met:

1. The silage pit, stockpile, and discharge is the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.\(^{577}\)

*The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:*

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.38 5.32; and
2. The quality of, compliance with and auditing of the Farm Environment Plan.\(^{579}\)

\(^{568}\) 320.122 Fed Farmers (Combined Canty)
\(^{569}\) Consequential amendment (320.122 Fed Farmers (Combined Canty))
\(^{570}\) 347.145 Fish & Game
\(^{571}\) 73.20 Castle Ridge Station Ltd
\(^{572}\) Minor wording change to ensure consistency
\(^{573}\) Cl 16 – Minor amendment – redundant word
\(^{574}\) Consequential amendment – included within “decaying”
\(^{575}\) Consequential amendment – included within “decaying”
\(^{576}\) Consequential amendment (320.122 Fed Farmers (Combined Canty))
\(^{577}\) Beef & Lamb (318)
\(^{578}\) 358.38 Ngā Rūnanga
\(^{579}\) 364.41 RFBPS (Canty West Coast)
3. 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.\textsuperscript{580}

Note:
Rules 5.38 to 5.40 do not apply to the storage of baled and wrapped silage, whether stored in individual bales or a continuous tube.\textsuperscript{581}

Farming Nutrient Management\textsuperscript{582}

Note:
All other rules in this Plan that control discharges, including of nutrients, from farming activities to water or onto or into land in circumstances where nutrients may enter water also have to be complied with. Examples of such rules are Rules 5.29 and 5.30 relating to offal pits.

Note: The Nutrient Management Rules set out a different set of rules for each of the five Nutrient Allocation Zones that are shown on the series A Planning Maps (Lake, Red, Orange, Green and Light Blue). Overlaying the rules for each Nutrient Allocation Zone are alternative rules that may apply if nutrient management is being undertaken by an irrigation scheme or principal water supplier.

All Nutrient Allocation Zones

5.41 Notwithstanding any of Rules 5.43 to 5.59, the use of land for a farming activity is a permitted activity, provided one of the following conditions is met:
1. the property is less than 5 hectares in area; or
2. The nitrogen loss calculation for the property does not exceed 10 kg per hectare per annum and the property is not in a Lake Zone.

5.42 Where any property includes land in more than one Nutrient Allocation Zone, as shown on the Planning Maps, the rules for each Nutrient Allocation Zone apply respectively only to the part of the property within that Zone.

Red Nutrient Allocation Zones

5.43 The use of land for a farming activity is a permitted activity, provided the following conditions are met:

\textsuperscript{580} Consequential amendment
\textsuperscript{581} 329.5 CJ & AM Allen
\textsuperscript{582} 320.124 Fed Farmers (Combined Canty)
1. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone is greater than 10 kg per hectare per annum but does not exceed 20 kg per hectare per annum; and
2. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone does not increase above the nitrogen baseline.

5.44 Until the 1st of January 2017, the use of land for a farming activity is a permitted activity, provided the following conditions are met:
1. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone is greater than 20 kg per hectare per annum; and
2. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone does not increase above the nitrogen baseline.

5.45 From the 1st of January 2017, the use of land for a farming activity is a restricted discretionary activity, provided the following conditions are met:
1. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone is greater than 20 kg per hectare per annum; and
2. The nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone does not increase above the nitrogen baseline; and
3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:
1. The quality of, compliance with and auditing of the Farm Environment Plan; and
2. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land; and
3. The potential benefits of the activity to the applicant, the community and the environment; and
4. The potential effects of the land use on surface and groundwater quality and sources of drinking-water.

5.46 The use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:
1. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A; and
2. The nitrogen loss calculation for the farming enterprise does not increase above the nitrogen baseline; and
3. The properties comprising the farming enterprise are in the same surface water catchment and Nutrient Allocation Zone, as shown on the Planning Maps.

5.47 The use of land for a farming activity that does not comply with condition 3 of Rule 5.45 or condition 1 or 3 of Rule 5.46 is a non-complying activity.
5.48 The use of land for a farming activity that does not comply with condition 2 of Rule 5.43 or condition 2 of Rule 5.44 or condition 2 of Rule 5.45 or condition 2 of Rule 5.46 is a prohibited activity.

Lake Zones

5.49 The use of land for a farming activity is a controlled activity, provided the following conditions are met:

1. The nitrogen loss calculation for the part of the property within the Lake Zone does not exceed 10 kg per hectare per annum; and
2. The nitrogen loss calculation for the part of the property within the Lake Zone does not increase above the nitrogen baseline; and
3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

The CRC reserves control over the following matters:

1. The quality of, compliance with and auditing of the Farm Environment Plan; and
2. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land.

5.50 The use of land for a farming activity is a restricted discretionary activity, provided the following conditions are met:

1. The nitrogen loss calculation for the part of the property within the Lake Zone is greater than 10 kg per hectare per annum; and
2. The nitrogen loss calculation for the part of the property within the Lake Zone does not increase above the nitrogen baseline; and
3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. The quality of, compliance with and auditing of the Farm Environment Plan; and
2. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land; and
3. The potential benefits of the activity to the applicant, the community and the environment; and
4. The potential effects of the land use on surface and groundwater quality and sources of drinking-water.

5.51 The use of land for a farming activity that does not comply with condition 3 of Rule 5.49 or condition 3 of Rule 5.50 is a non-complying activity.
5.52 The use of land for a farming activity that does not comply with condition 2 of Rule 5.49 or condition 2 of Rule 5.50 is a prohibited activity.

Orange Nutrient Allocation Zones

5.53 The use of land for a farming activity is a permitted activity, provided the following conditions are met:

1. The nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not exceed 20 kg per hectare per annum and information is recorded in accordance with Schedule 7 Part D, and supplied to the Canterbury Regional Council upon request; or

2. The nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone exceeds 20 kg per hectare per annum and:
   (a) information is recorded in accordance with Schedule 7 Part D, and supplied to the Canterbury Regional Council upon request; and
   (b) the property is less than 50 hectares in area; and
   (c) The nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not increase above the nitrogen baseline;

5.54 Until 1 January 2016, the use of land for a farming activity that does not comply with Rule 5.53 is a permitted activity, provided the following condition is met:

1. The nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not increase above the nitrogen baseline by more than 5 kg per hectare per annum.

5.55 From 1 January 2016, the use of land for a farming activity that does not comply with Rule 5.53 is a restricted discretionary activity, provided the following conditions are met:

1. The nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not increase above the nitrogen baseline by more than 5 kg per hectare per annum; and

2. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. The quality of, compliance with and auditing of the Farm Environment Plan; and

2. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land; and

3. The potential benefits of the activity to the applicant, the community and the environment; and
4. The potential effects of the land use on surface and groundwater quality and sources of drinking-water.

5.56 The use of land for a farming activity that does not comply with Rule 5.54 or condition 1 of Rule 5.55 is a discretionary activity.

5.56A The use of land for a farming activity that does not comply with condition 2 of Rule 5.55 is a non-complying activity.

Green and Light Blue Nutrient Allocation Zones

5.57 The use of land for a farming activity is a permitted activity, provided the following conditions are met:
1. The nitrogen loss calculation for the part of the property within either the Green or Light Blue Nutrient Allocation Zone does not exceed 20 kg per hectare per annum and information is recorded in accordance with Schedule 7 Part D, and supplied to the Canterbury Regional Council upon request; or
2. The nitrogen loss calculation for the part of the property within either the Green or Light Blue Nutrient Allocation Zone is greater than 20 kg per hectare per annum and:
   (a) information is recorded in accordance with Schedule 7 Part D, and supplied to the Canterbury Regional Council upon request; and
   (b) the property is less than 50 hectares in area; or
   (c) the nitrogen loss calculation for the part of the property within either the Green or Light Blue Nutrient Allocation Zone does not increase above the nitrogen baseline by more than 5 kg per hectare per annum;

5.58 The use of land for a farming activity that does not comply with Rule 5.57 is a restricted discretionary activity, provided the following condition is met:
1. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:
1. The quality of, compliance with and auditing of the Farm Environment Plan; and
2. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land; and
3. The potential benefits of the activity to the applicant, the community and the environment; and
4. The potential effects of the land use on surface and groundwater quality and sources of drinking-water.

5.59 The use of land for a farming activity that does not comply with Rule 5.58 is a non-complying activity.
Irrigation Schemes

5.60 Notwithstanding Rules 5.43 to 5.59, the use of land for a farming activity is a permitted activity, provided the following conditions are met:

1. The property is irrigated with water from an irrigation scheme or a principal water supplier, and the irrigation scheme or a principal water supplier holds a discharge permit that specifies the maximum annual amount of nitrate-nitrogen that may be discharged or leached under Rule 5.62 or the discharge or leaching is a permitted activity under Rule 5.61.

Note:
If a property is irrigated with water from an irrigation scheme or principal water supplier that does not hold a discharge permit under Rule 5.62 or is not a permitted activity under Rule 5.61, then it is assessed under Rules 5.43 to 5.59.

5.61 Until 1 January 2017, the discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:

1. There is an existing consent, held by an irrigation scheme or a principal water supplier, that has conditions that specify the maximum amount or rate at which nutrients may be discharged or leached from the subject land; and
2. The consent was granted prior to 11 August 2012.

5.62 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a discretionary activity, provided the following condition is met:

1. The applicant is an irrigation scheme or a principal water supplier, or the holder of the discharge permit will be an irrigation scheme or a principal water supplier.

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

1. The nutrient loss is equal to or less than that currently authorised through conditions on a water permit to take and use water; or
2. The nutrient loss is equal to or less than the aggregation of the nutrient baseline across properties within the command area, calculated on a surface water catchment basis.

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

Note:
If the applicant is not an irrigation scheme or a principal water supplier, or the holder of the discharge permit will not be an irrigation scheme or a principal water supplier, then the discharge is assessed under Rules 5.63 to 5.64.

Incidental Nutrient Discharges

5.63 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:
1. The land use activity associated with the discharge is authorised under Rules 5.41 to 5.59; or
2. The land use activity associated with the discharge is authorised under Rules 10.1, 10.2, 11.1 or 11.1A of the Hurunui-Waiau River Regional Plan.

5.64 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA and does not meet condition 1 of Rule 5.62 or conditions 1 or 2 of 5.63 is a non-complying activity.  

5.39 Prior to 1 July 2017, the use of land for any farming activity existing at 11 August 2012 and outside of the Lake Zone shown on the Planning Maps, is a permitted activity if the following condition is met:
1. A record of the annual amount of nitrogen loss from the land, for the period from 1 July in one year to 30 June in the following year, calculated using the OVERSEER™ nutrient model, is kept and is provided to the CRC upon request.

5.40 Prior to 1 July 2017, the use of land for a farming activity existing at 11 August 2012 and within the Lake Zone shown on the Planning Maps, is a permitted activity if the following conditions are met:
1. A record of the annual amount of nitrogen loss from the land, for the period from 1 July in one year to 30 June in the following year, calculated using the OVERSEER™ nutrient model;
2. A Farm Environment Plan is prepared and implemented in accordance with Schedule 7;
3. The Farm Environment Plan is externally audited each year for the first three years by a Farm Environment Plan Auditor. Following three consecutive years of full compliance, the audit shall occur once every three years; and

583 A range of submission points have been used to develop the above provisions. In particular, the following submissions have been used to formulate the recommendations: Fish & Game (347), Beef & Lamb (318), Ngā Rūnanga (358), DOC (120), Fed Farmers (Combined Canty) (320), Fonterra (270), DairyNZ (315), and the Fertiliser Assn (239).
4. A record of the audit compliance grading and the average annual loss of nitrogen for the property is provided to the CRC by 31 August of that year.

5.41 The use of land for a farming activity that does not comply with one or more of the conditions of Rules 5.39 or 5.40 is a restricted discretionary activity.

The CRC will restrict discretion to the following matters:

1. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land;
2. The potential effects of the land use on surface and groundwater quality, sources of drinking water;
3. The contribution of nutrients from the proposed activity to the nutrient allocation status of the management zone.
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 relating to nutrient management and water quality.

Notification

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

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

5.42 Prior to 1 July 2017 the use of land for a change to an existing farming activity is a permitted activity if the following conditions are met:

1. The land holder has been granted a water permit, or holds shares in an irrigation company that has been granted a water permit, that authorises irrigation on the land and the land is subject to conditions that specify the maximum amount of nitrogen that may be leached;
2. The property is outside a Lake Zone as shown on the Planning Maps;
3. A record of the annual amount of nitrogen loss from the land, for the period from 1 July in one year to 30 June in the following year, calculated using the OVERSEER™ nutrient model;
4. A Farm Environment Plan is prepared and implemented in accordance with Schedule 7;
5. The Farm Environment Plan is externally audited each year for the first three years by an Farm Environment Plan Auditor. Following three consecutive years of full compliance, the audit shall occur once every three years; and
6. A record of the audit compliance grading and the average annual loss of nitrogen for the property is provided to the CRC by 31 August of that year.
5.43 Prior to 1 July 2017, the use of land for a change to an existing farming activity that does not comply with Condition 1 in Rule 5.42 and is within an area coloured pale blue or green on the Planning Maps is a restricted discretionary activity.

The CRC will restrict the exercise of discretion to the following matters:
1. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land;
2. The potential effects of the land use on surface and groundwater quality, and sources of drinking water;
3. The contribution of nutrients from the proposed activity to the nutrient allocation status of the management zone.
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 relating to nutrient management and water quality.

5.44 Prior to 1 July 2017, the use of land for a change to an existing farm activity that does not comply with Condition 1 in Rule 5.42 and is within an area coloured orange on the Planning Maps is a discretionary activity.

5.45 Prior to 1 July 2017, the use of land for a change to an existing farm activity that does not comply with Condition 1 in Rule 5.42 and is within an area coloured red or within a Lake Zone shown on the Planning Maps is a non-complying activity.

5.46 From 1 July 2017, the use of land for any farming activity, is a permitted activity if the following conditions are met:
1. The land is outside a Lake Zone shown on the Planning Maps; and
2. The average annual loss of nitrogen does not exceed the rate for the relevant farming activity in Schedule 8; and
3. The annual average loss of nitrogen, averaged over three consecutive years is less than 20 kilograms per hectare a record of the annual amount of nitrogen loss from the land, for the period from 1 July in one year to 30 June in the following year, calculated using the OVERSEER™ nutrient model, is kept and is provided to the CRC upon request; or
4. If the annual average loss of nitrogen, averaged over three consecutive periods from 1 July in one year to 30 June in the following year, is 20 kilograms per hectare or more:
   (a) a Farm Environment Plan is prepared and implemented in accordance with Schedule 7;
(b) the Farm Environment Plan is externally audited each year for the first three years by an Farm Environment Plan Auditor. Following three consecutive years of full compliance, the audit shall occur once every three years; and
(c) a record of the audit compliance grading and the average annual loss of nitrogen for the property is be provided to the CRC by 31 August of that year.

5.47 From 1 July 2017, the use of land for any a farming activity that does not meet Condition 2 in Rule 5.46 or where there is no rate for the relevant farming activity specified in Schedule 8 and where the property is within an area coloured pale blue or green on the Planning Maps is a restricted discretionary activity.

The CRC will restrict the exercise of discretion to the following matters:
1. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land;
2. The potential effects of the land use on surface and groundwater quality, and sources of drinking water;
3. The contribution of nutrients from the proposed activity to the nutrient allocation status of the management zone.
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 relating to nutrient management and water quality.

5.48 From 1 July 2017, the use of land for any farming activity is a discretionary activity where either:
   a. The activity does not meet Condition 2 in Rule 5.46 or there is no rate for the relevant farming activity specified in Schedule 8 and where the property is within an area coloured orange on the Planning Maps; or
   b. The activity complies with Condition 2 but not Condition 1 in Rule 5.46; or
   c. The activity does not meet Condition 3 or 4, whichever is relevant, in Rule 5.46.

5.49 From 1 July 2017, the use of land for any a farming activity that does not meet Condition 2 in Rule 5.46 or where there is no rate for the relevant farming activity specified in Schedule 8 and where the property is within an area coloured red or within a Lake Zone shown on the Planning Maps is a non-complying activity.

5.50 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following condition is met:
   1. The land use activity associated with the discharge is authorised under Rules 5.39 to 5.49.
5.51 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA and does not meet the condition in Rule 5.50 is a discretionary activity.

Fertiliser Use

5.65 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 the soil moisture exceeds field capacity, there is water ponding on the surface of the land, and
2. Where any permanently flowing river, lake, artificial watercourse or wetland has riparian planting from which stock is excluded, fertiliser may be discharged up to the paddock-side edge of the riparian planting, but not onto the riparian planting, except for fertiliser required to establish the planting; or
3. Where any permanently flowing river, lake, artificial watercourse or wetland does not have riparian planting from which stock is excluded, 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 5 m.

Note:
1. The discharge of fertiliser may also be restricted by Rules 5.43 to 5.64.

5.66 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 the soil moisture exceeds field capacity, there is water ponding on the surface of the land, and
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 AIRCARE™ 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 more than 2 m wide, any lake, or any

584 358.43 Ngā Rūnanga (submission from Rule 5.69)
585 19.93 Ellesmere ISI
586 347.148 Fish & Game
587 121.1 Talbot Agriculture
588 358.43 Ngā Rūnanga (submission from Rule 5.69)
589 Consequential amendment (121.1 Talbot Agriculture)
590 Consequential amendment (121.1 Talbot Agriculture)
wetland boundary or any significant indigenous biodiversity site identified in the relevant district plan.\textsuperscript{591} and

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.\textsuperscript{592}

\textit{Note:}

\textit{The discharge of fertiliser may also be restricted by Rules 5.43 to 5.64.\textsuperscript{593}}

\textbf{5.67} 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 5.62\textsuperscript{594} or Rule 5.63\textsuperscript{595} is a restricted\textsuperscript{596} discretionary activity, provided the following condition is met:

1. The discharge is a subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.\textsuperscript{597}

\textit{The CRC will restrict discretion to the following matters:}

1. The actual or potential environmental effects of not meeting the condition or conditions of Rules 5.65 or 5.66;\textsuperscript{598} and

2. The potential benefits of the activity to the applicant, the community and the environment; and

3. The quality of, compliance with and auditing of the Farm Environment Plan.\textsuperscript{599}

\textbf{Stock Exclusion from Water Bodies}

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

1. The use or disturbance of the bed (including the banks) of a lake, river or wetland and any associated discharge to water is not categorised as a non-complying activity under Rule 5.70 or a prohibited activity under Rule 5.71; and

2. The use or disturbance of the bed (including the banks) of a lake or river and any associated discharge to water is at a stock crossing point that is:

\begin{enumerate}[label=(\alph*)]
\item not more than 20 m wide; and
\item perpendicular to the direction of water flow, except where this is impracticable owing to the natural contours of the riverbed or adjoining land; and
\end{enumerate}
(c) aligns with a constructed track or raceway on either side of the crossing point; or

3. The use or disturbance of the bed (including the banks) of a lake or river and any associated discharge to water that is not at a permanent stock crossing point does not result in:
   (a) pugging or de-vegetation that exposes bare earth in the bed (including the banks) of a lake or river; or
   (b) a conspicuous change in colour or clarity of the water, outside the Mixing Zone; or
   (c) cattle standing in any lake or river; and

4. The disturbance of a wetland does not result in a conspicuous change in colour or clarity of water, or pugging or de-vegetation that exposes bare earth.

5.69 The use and disturbance of the bed (including the banks) of a lake, river by stock and any associated discharge to water that does not meet one or more of conditions 2 to 4 of Rule 5.68 and is not listed as a non-complying activity under Rule 5.70 or a prohibited activity under Rule 5.71 is a discretionary activity.

5.70 Unless categorised as a prohibited activity under Rule 5.71, the use and disturbance of the bed (including the banks) of a lake, a river that is greater than 1 m wide or 100 millimetres deep (under median flow conditions), or a wetland, by intensively farmed stock and any associated discharge to water is a non-complying activity.

5.71 The use and disturbance of the bed (including the banks) of a lake or river by any farmed cattle, farmed deer or farmed pigs and any associated discharge to water is a prohibited activity in the following areas:
   1. In an inanga or salmon spawning site listed in Schedule 17; or
   2. Within a Group or Community Drinking-water Protection Zone as listed in Schedule 1; or
   3. Within 1000 m upstream, in the bed of a lake river, of a fresh water bathing site listed in Schedule 6; or
   4. In the bed (including the banks) of a spring-fed plains river, as shown on the Planning Maps.

5.133 The use and disturbance of the bed of a lake or river or a wetland by outdoor intensively farmed livestock for temporary or permanent stocking or temporary access is a prohibited activity.

597 A range of submission points have been used to develop the above provisions. In particular, the following submissions have been used to formulate the recommendations: Waihora Ellesmere Trust (244), Sth Rakaia Bach Owners (12), Fed Farmers (Combined Canty) (320) and Ellesmere ISI (19).
5.134 The use and disturbance of the bed of a lake or river or a wetland by cattle or farmed deer for temporary or permanent stocking is a prohibited activity in the following areas:

1. In an inanga or salmon spawning site listed in Schedule 17;
2. Within 1000 m upstream of a group or community water supply intake as listed in Schedule 1;
3. Within 1000 m upstream in the bed of a lake or flowing river of a fresh water bathing site listed in Schedule 6; or
4. In a bed of a Spring-fed plains river.

5.135 The use and disturbance of the bed of a lake, river or wetland for temporary or permanent stocking or temporary access and any associated discharges is a permitted activity, provided the following conditions are met:

1. The use or disturbance is not a prohibited activity under Rules 5.133 or 5.134;
2. The disturbance by livestock shall not, outside the Mixing Zone cause:
   (a) a conspicuous change in colour or clarity of the water;
   (b) the concentration of Escherichia coli to exceed 550 E. coli per 100 millilitres;
3. The disturbance shall not result in the following effects being clearly visible in or on the bed, including the banks of a river or lake:
   (a) pugging or trampling of the land; or
   (b) areas of bare ground; and
4. The disturbance of a wetland shall not result in:
   (a) a conspicuous change in colour or clarity of the water;
   (b) any clearly visible pugging or trampling of land.

5.136 The use and disturbance of a bed of a lake, river or wetland for a permanent stock crossing point and any associated discharges is a permitted activity, provided the following conditions are met:

1. The use or disturbance is not a prohibited activity under Rules 5.133 or 5.134;
2. The crossing point is not more than 20 m wide;
3. The crossing point is perpendicular to the direction of water flow, except where this is impracticable owing to the natural contours of the riverbed or adjoining land;
4. The crossing point aligns with a constructed track or raceway on either side of the crossing point;
5. The crossing point does not obstruct the passage of fish;
6. The approaches to the crossing shall be located, constructed and maintained to ensure that the parts of the crossing approaching the area of the bed covered by water under low flow conditions are underlain by compacted gravel or some other material with an equivalent or better stability against erosion.

5.137 The use and disturbance of the bed of a lake or river or a wetland for temporary or permanent stocking and any incidental discharges that does not comply with one or more of conditions 2 to 4 in Rule 5.135, and for a permanent stock crossing point that does not comply with one or more of conditions 2 to 6 in Rule 5.136, is a discretionary activity.
Flow-sensitive Catchments

Note:
See Sub-regional Sections 6 to 15 of this Plan for location-specific requirements.

5.72 The replanting after harvest of areas of plantation forest within any flow-sensitive catchment listed in Sections 6 to 15 is a permitted activity, provided the following conditions are met:
1. The total area of replanted forest does not exceed the area of forest and replanting of the forest occurs in the same location, or the area as used for a rotation forestry operation, that existed at 1 November 2010; and
2. Any replanting occurs within five years of the removal of the previous forest cover.

5.73 The planting of new areas of plantation forest within any flow-sensitive catchment listed in Sections 6 to 15 is a controlled permitted activity, provided the forest planting meets the following conditions:
1. Existing areas of exotic tall vegetation, other than plantation forest, that is greater than 2 m tall and occupies more than 80% of the canopy cover and existed at 1 November 2010 may be planted in plantation forest; and
2. In catchments less than or equal to 50 km² in area the total area of land planted in plantation forest, other than land planted pursuant to condition 1, does not exceed 15% of the flow sensitive catchment or sub-catchment listed in Section 6 to 15 total site area of a certificate of title that existed at 1 November 2010; and
3. In any catchment greater than 50 km² in area the new area of planting, together with all other new areas of planting in the same flow sensitive catchment since 1 November 2012, will not cumulatively cause more than a five percent reduction in the seven day mean annual low flow, and/or more than a 10% reduction in the mean flow.

The CRC reserves control over the following matter:
1. The provision of information on the location, density and timing of planting.

5.74 The replanting after harvest of areas of plantation forest that does not meet the conditions of Rule 5.72 or the planting of new plantation forest that does not meet one or more of the conditions of Rule 5.73, within any flow-sensitive catchment listed in Sections 6 to 15 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

598 Minor amendment to improve clarity
599 The submissions and evidence of several submitters underpin amendments to this policy, including Rayonier (273.4), Blakely Pacific Ltd (297.5), New Zealand Forest Owners Association (5.1) and Mr Robert Johnson (30.28)
1. The impacts The actual or potential adverse environmental effects of forestry planting on the surface water flows in the catchment, including water allocation status, minimum flow or flow regime, in-stream values and authorised takes and use of the water; and

2. The impacts The actual or potential adverse environmental effects of forestry planting on groundwater recharge; and

3. The benefits of the forestry for slope stability, erosion control, noxious plant control, water quality, carbon sequestration and biodiversity protection; and

4. The spacing and density, and species of the planting; and

5. 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.

Land Drainage Water

5.75 The discharge of water that may contain contaminants from sub-surface or surface drains into an artificial watercourse, constructed wetland or into or onto land is a permitted activity provided the following conditions are met:

1. The discharge into an artificial watercourse or constructed wetland, beyond the Mixing Zone as defined in Schedule 5, does not:
   (a) produce conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (b) produce any conspicuous change in the colour or visual clarity; and

2. The discharge does not:
   (a) occur within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; or
   (b) contain any hazardous substance or hazardous waste; or
   (c) originate from or enter contaminated or potentially contaminated land.

5.76 The discharge of water that may contain contaminants from sub-surface or surface drains into an artificial watercourse, constructed wetland or into or onto land that does not meet one or more of the conditions of Rule 5.75 is a discretionary activity.

5.77 The discharge of water that may contain contaminants from sub-surface or surface drains into a river, lake or natural wetland is a permitted activity, provided the following conditions are met:

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600 358.10 Ngā Rūnanga
601 358.10 Ngā Rūnanga
602 191.2 Dr William Rolleston
603 347.138 Fish & Game
604 Cl 16 - Minor amendment – better reflects content
605 245.52 Fulton Hogan, 282.34 Aggregate Group
606 Minor wording change to ensure consistency
607 Consequential amendment (95.11 C W & J M Trengrove)
608 Cl 16 - Minor wording change to ensure consistency
1. The discharge of land drainage water is only from a drainage system, the full spatial extent of which existed at 3 July 2004; and
2. The concentration of:
   (a) total suspended solids in the discharge does not exceed 50 g/L; and
   (b) un-ionised hydrogen sulphide in the discharge does not exceed 0.005 g/L; and
3. The discharge, beyond the Mixing Zone as defined in Schedule 5, does not:
   (a) produce conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (b) produce any conspicuous change in the colour or visual clarity; or
   (c) produce any emission of objectionable odour; and
4. The discharge does not:
   (a) occur within a Group or Community Drinking-water supply Protection Zone as set out in Schedule 1; or
   (b) contain any hazardous substance or hazardous waste.

5.78 The discharge of water that may contain contaminants from sub-surface or surface drains into a river, lake or natural wetland that does not meet the conditions of Rule 5.77 is a discretionary activity

5.79 The discharge of contaminants and water from an artificial watercourse into an artificial watercourse, constructed wetland or into or onto land is a permitted activity provided the following conditions are met:
1. The discharge results from the maintenance of artificial watercourses and associated structures; and
2. The discharge is only of water, sediment, and vegetative matter originating from within the banks of the artificial watercourse; and
3. If the discharge subsequently enters a river, lake or wetland, the discharge, beyond the Mixing Zone as defined in Schedule 5, does not:
   (a) produce conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (b) produce any conspicuous change in the colour or visual clarity; or
   (c) produce any emission of objectionable odour.

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609 Consequential amendment (94.8 Waimakariri DC)
610 Cl 16 - Minor amendment – consistent use of abbreviation
611 Cl 16 - Minor amendment – consistent use of abbreviation
612 Minor wording change to ensure consistency
613 Cl 16 - Minor wording change to ensure consistency
614 Consequential amendment (94.8 Waimakariri DC)
615 Consequential amendment (94.8 Waimakariri DC)
616 221.88 Meridian

5-42  18 January 2014
5.80 The discharge of contaminants and water from an artificial watercourse into an artificial watercourse, constructed wetland or into or onto land that does not meet the conditions of Rule 5.79 is a discretionary activity. \[616\]

Cemeteries

5.8159 The use of land for an existing cemetery, and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant may enter water is a permitted activity.

5.8260 The use of land for a new cemetery or an extension to an existing cemetery, and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant or water may enter water, is a permitted activity, provided the following conditions are met:

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

5.8361 The use of land for a cemetery, and any ancillary discharge of contaminants into or onto land in circumstances where a contaminant or water may enter water, that does not meet one or more of the conditions in Rule 5.82 5.60 is a discretionary activity.

Sewerage Systems

5.8462 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from a domestic on-site waste water treatment system into or onto land, or into or onto land in circumstances where a contaminant may enter water are discretionary activities.

5.8563 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from an on-site waste water treatment system into or onto land, or into or onto land in circumstances

\[616\] 221.88 Meridian
\[617\] Minor wording change to ensure consistency
where a contaminant may enter water within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1 is a prohibited activity.

5.8664 The discharge of treated sewage effluent into surface water or a natural wetland is a non-complying activity.

5.8765 The discharge of untreated sewage onto or into land in circumstances where a contaminant may enter water or into surface water, a wetland or groundwater, as a result of a spill, overflow, or equipment failure, is a non-complying activity.

5.8866 The discharge of untreated sewage onto or into land where a contaminant may enter water or into a river, lake, artificial watercourse, wetland or groundwater, except as a result of a spill, overflow, or equipment failure, is a prohibited activity.

Municipal Solid Waste

5.8967 The discharge of municipal solid waste or hazardous waste into or onto land, or into or onto land in circumstances where a contaminant may enter water and is not categorised as a prohibited activity is a discretionary activity.

5.9068 The discharge of municipal solid waste into or onto land, or into or onto land in circumstances where a contaminant may enter water, where the discharge is:
   (a) in the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
   (b) in a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1;

is a prohibited activity.

Industrial and Trade Wastes

5.9169 The discharge of any wastewater, liquid waste or sludge waste 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 m$^3$ per day; and
2. The discharge is at a rate not exceeding 5 mm per day; and
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, school, community facility, or the Coastal Marine Area; or
   (b) within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; or
   (c) within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
   (d) onto or into land over an unconfined or semi-confined aquifer, where the land has less than 0.3 m depth of soil; or
   (e) within any area or zone identified in a proposed or operative district plan for residential or commercial purposes; or
   (f) within a Nutrient Allocation Zone identified as “At Risk” (Orange) or “Water Outcomes Not Met” (Red) an area coloured orange or red on the Planning Maps, unless the discharge contains no nitrogen or phosphorus, or otherwise causes a limit in Schedule 8 to be exceeded; or
   (g) onto or into contaminated or potentially contaminated land.

5. The discharge of any wastewater, liquid waste, or sludge waste 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 that does not meet one or more of the conditions in Rule 5.69 is a discretionary activity.

Stormwater

Note: refer also to Section 9 of this Plan for a specific rule concerning stormwater discharges within the Avon/Otakaro or Heathcote catchments that are not within an area covered by an approved stormwater management plan.
5.9371 The discharge of stormwater from a community or network utility operator reticulated stormwater system onto or into land or into or onto land in circumstances where a contaminant may enter water, or into groundwater or a surface water body is a restricted discretionary activity provided the following conditions are met:

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

2. A stormwater management plan has been prepared to address the management of stormwater in the catchment and is lodged with the application; and

3. The discharge will not cause a limit in Schedule 8 to be exceeded.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The quality of, compliance with and monitoring of the stormwater management plan prepared to address the management of stormwater in the catchment and matters set out in guidance documents prepared by the CRC, and its implementation; and

2. The rate and volume of discharge and the changes to the flow regime of a river or artificial watercourse, flood frequency, including flooding of land or dwellings, erosion of river bank and channels; and

3. The concentration of contaminants and resulting actual and potential adverse environmental effects, including cumulative effects on the receiving water quality of surface and groundwater, aquatic ecosystems, Ngāi Tahu cultural values and other existing uses and users of the water, including takes and discharges; and

4. Measures to:
   (a) reduce the volume and concentration of contaminants in the discharge; and
   (b) ensure the volume and rate of discharge do not exceed:
      (i) the capability of the soil and subsoil layers at the site to reduce contaminant concentrations in the discharge; and
      (ii) the infiltration capacity of the soil and subsoil layers at the site; and
   (c) avoid the accumulation of toxic or persistent contaminants in the soil or subsoil layers; and
   (d) minimise suspended sediment in stormwater from activities involving earthworks; and

5. The potential benefits of the activity to the applicant, the community and the environment; and

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635 169.14 NZTA
636 86.19 Hurunui DC; 106.68 CCC Keller and Eastman evidence
637 Cl 16 – Minor amendment – revised rule structure enables greater certainty
638 Consequential amendment (Fish & Game)
639 Cl 16 – Minor amendment – revised rule structure enables greater certainty
640 Cl 16 – Minor amendment – revised rule structure enables greater certainty
641 358.10 Ngā Rūnanga
642 Cl 16 – Minor amendment – to use consistent wording

18 January 2014
6. The need for measures to protection of any human or animal drinking-water sources.

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

5.9572 The discharge of stormwater into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter a river, lake, wetland, or artificial watercourse is a permitted activity provided the following conditions are met:

1. The discharge is into a reticulated community stormwater system and the discharger has obtained written permission from the system owner to discharge into the system, or
2. The discharge is not into a reticulated stormwater system, and
   (a) The discharge is not from, into or onto contaminated or potentially contaminated land; and
   (b) The discharge is not into:
      (i) a water race, as defined in Section 5 of the Local Government Act 2002; or
      (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; and
   (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 Annual Exceedance Probability AEP of 20% (one in five year event); and
5. For a discharge of stormwater onto or into land:
   (a) the discharge does not cause stormwater from up to and including a 24 hour duration 2% AEP rainfall event to enter any other property;
   (b) the discharge does not result in the ponding of stormwater on the ground for more than 48 hours;
   (c) the discharge is located at least 1 m above the highest groundwater level that can be reasonably inferred for the site at the time the discharge system is constructed;

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643 358.10 Ngā Rūnanga
644 358.44 Ngā Rūnanga
645 Cl 16 - Minor amendment – to ensure consistency
646 169.14 NZTA
647 106.69 CCC, Keller and Eastman evidence
648 167.36 CRC
649 Cl 16 - Minor amendment – to ensure consistency
650 Cl 16 - Minor amendment – to remove acronym
(d) there is no overland flow resulting from the discharge to a surface water body unless via a treatment system or constructed wetland; and

(e) for a discharge from a roof, the discharge system is sealed to prevent the entry of any other contaminants; and

6. For a discharge of stormwater to surface water:

(d)(a) The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and

(e)(b) The concentration of total suspended solids in the discharge shall not exceed:

(i) 50 g/m$^3$, where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the water body is greater than 50 g/m$^3$ in which case the Schedule 5 visual clarity standards shall apply; or

(ii) 100 g/m$^3$ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the water body is greater than 100 g/m$^3$ in which case the Schedule 5 visual clarity standards shall apply; and

(f)(c) The discharge to water is not within a Group or Community Drinking-water supply Protection Zone as set out in Schedule 1.

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

1. The discharge is into a reticulated stormwater system and the discharger has obtained written permission from the system owner to discharge into the system; or

2. The discharge is not into a reticulated stormwater system, and

(a) The discharge is not from, into or onto contaminated or potentially contaminated land;

(b) The discharge:

(i) does not cause stormwater from up to and including a 24 hour duration 2% Annual Exceedance Probability rainfall event to enter any other property; and

(ii) does not result in the ponding of stormwater on the ground for more than 48 hours, unless part of the stormwater treatment system; and
(iii)(e) is located at least 1 m above the seasonal high water table\textsuperscript{663} that can be reasonably inferred for the site at the time the discharge system is constructed; and

(iv) is only from residentially zoned land.\textsuperscript{664}

5.9723 The discharge of stormwater into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the\textsuperscript{665} conditions of Rule 5.95 5.72 and Rule 5.96 is a noncomplying discretionary\textsuperscript{666} activity except that within the boundaries of Christchurch City it is a non complying activity.\textsuperscript{667}

Other Minor Discharges of Contaminants

5.9876 Any discharge of water or contaminants onto or into land in circumstances where a contaminant may enter groundwater\textsuperscript{668} that is not classified by any of the above rules, is a permitted activity, provided the following conditions are met:

1. The volume of the discharge does not exceed 10 m\textsuperscript{3} per day and the application rate does not exceed 10 mm per day; and

2. The discharge is not directly into groundwater; and

3. The discharge does not result in any overflow or runoff into any surface water body or onto neighbouring site; and

4. The discharge does not, in groundwater, render fresh water unsuitable or unpalatable for consumption by farm animals or humans; and

5. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope; and

6. The discharge does not occur when the soil moisture exceeds field capacity; and

7. The discharge is not from or into contaminated or\textsuperscript{669} potentially contaminated land; and

8. The discharge is not within
   (a) 50 m of a bore used for water abstraction; or
   (b) within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1; and

9. Where the discharge is from the use of live ammunition associated with military training under the Defence Act 1990, conditions 1 to 8 do not apply.\textsuperscript{671}
5.9977 Any discharge of water or contaminants into surface water 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 or into contaminated or potentially contaminated land; and
2. The discharge is not into a Natural State water body; and
3. The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and
4. The concentration of total suspended solids in the discharge shall not exceed:
   (a) 50 g/m$^3$, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake; or
   (b) 100 g/m$^3$ where the discharge is to any other river or to an artificial watercourse; and
5. The discharge does not result in more than a 20% change in the rate of flow of the receiving surface water body; and
6. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope.

5.100 Any discharge that is not permitted by either Rule 5.98 or 5.99 and is not classified by any other rule in this Plan is a discretionary activity.

Water Tracers

5.10174 The discharge of a water tracer to groundwater, a river, lake or artificial watercourse is a controlled activity provided the following conditions are met:

1. The tracers are limited to the following:
   (a) Bacillus stearothermophilus and Bacillus subtilis v. niger; Lycopodium sp. spores; or
   (b) Baker's yeast (Saccharomyces cerevisia); or
   (c) Bacteriophages; or
   (d) Rhodamine WT and Fluorescein fluorescent dyes; or
   (e) sodium chloride or potassium chloride; or
   (f) potassium bromide; and
2. The discharge is not within a Group or Community Drinking-water supply Protection Zone area as set out in Schedule 1.

The CRC reserves control will restrict discretion over the following matters:

672 167.38 CRC
673 167.38 CRC
674 Cl 16 - Minor wording change to ensure consistency
675 167.38 CRC
676 Cl 16 – Minor amendment – ensures consistency with conditions of Rule 5.98
677 167.38 CRC
678 Cl 16 – Minor wording change to ensure consistency
679 Cl 16 – Minor amendment – corrects terminology
1. Duration and timing of the discharge; and
2. The volume and concentration of the tracer; and likely
3. The actual and potential environmental effects on water quality, aquatic ecosystems and sources of human or animal drinking-water.

**Notification**

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

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

**5.10275** The discharge of a water tracer to groundwater, a river, lake or artificial watercourse that does not meet one or more of the conditions in Rule 5.101 5.74 is a discretionary activity.

**Bores**

_Note:_

_In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website._

**5.10378** From the 1st of November 2013, the use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore, other than a bore for geotechnical investigation, or a water infiltration gallery is a permitted activity provided the following conditions are met:

1. The bore or gallery is installed by a bore driller or bore drilling company that holds a current accreditation under the CRC Bore Installers Accreditation Programme; and
2. The bore is not for hydrocarbon exploration or production; and
3. The screening of any bore or gallery may only be into a single aquifer or water-permeable zone. During bore installation reasonable and practicable methods shall be used to minimise the risk of all aquifers or water-permeable zones of differing pressure, water quality, or temperature are sealed to prevent the interconnection or movement of groundwater between aquifers or water-permeable zones; and

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680 358.10 Ngā Rūnanga
681 358.10 Ngā Rūnanga
682 226.2 NZHPT
683 167.39 CRC
684 279.18 Aqualinc, Bubb evidence
4. Any bore constructed to abstract groundwater is screened to below any minimum water level for the groundwater zone as set out in Sections 6 to 15 of this Plan; and

5. Contaminants or water are prevented from entering the top of the bore or gallery or underlying groundwater by:
   (a) covering or capping the bore or the above ground portion of the gallery pipe, when not in use; and
   (b) sealing the exterior of the bore (the annulus) with bentonite or concrete grout from ground level to above the screen or 1 m below ground level, whichever is the lesser; and
   (c) sealing the bore-head or above ground portion of the gallery pipe at ground or pumphouse floor level with a concrete pad of at least 0.3 m radius and 0.1 m thickness which is contoured to slope away from the bore or pipe; and

6. Information on bore or gallery location, bore installation (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore; and

7. The bore or gallery is not installed on contaminated or potentially contaminated land.

Notes:
The “use” of a bore or gallery does not authorise the taking or use of water.
The construction and maintenance of a bore should be carried out in accordance with the Environmental Standard for Drilling Soil and Rock (NZS 4411).

From the 1st of November 2013, the use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore for geotechnical investigation or monitoring is a permitted activity provided the following conditions are met:

1. For any non-permanent bore, it is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore; and

2. For any permanent bore, including monitoring bores, contaminants or water are prevented from entering the top of the bore or underlying groundwater by:
   (a) covering or capping the bore when not in use; and
   (b) sealing the exterior of the bore (the annulus) with bentonite or concrete grout from ground level to above the screen or 1 m below ground level, whichever is the lesser; and
   (c) sealing the bore-head at ground or pumphouse floor level with a concrete pad of at least 0.3 m radius and 0.1 m thickness which is contoured to slope away from the bore or pipe; and

3. Information on bore or gallery location, bore installation (including bore logs and intended uses), and other relevant information is submitted to the CRC:

685 167.39 CRC
686 93.39 CDHB, Fletcher evidence
687 169.95 NZTA
5.104A The use of land, including the excavating of the bed of a lake or river, for the use of a water infiltration gallery for emergency rural fire fighting is a permitted activity provided the following conditions are met:

1. The gallery is less than 5 metres square in area; and
2. The gallery is decommissioned once the fire is formally declared out; and
3. The gallery is rehabilitated by filling with clean material; and
4. CRC is advised within 20 days of excavating the gallery.

5.105 From the 1st of November 2013, the use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore or a water infiltration gallery that does not meet one or more of the conditions in Rule 5.103 5.78, or 5.104 5.79 or 5.104A is a discretionary activity.

Note: The “use” of a bore or gallery does not authorise the taking or use of water.

5.106 The use of land, including the bed of a lake or river, for the installation, maintenance and use of a bore for hydrocarbon exploration or production is a discretionary activity.

5.107 The use of land, including the bed of a lake or river, for the decommissioning of a bore, other than a bore for geotechnical investigation or a hydrocarbon bore is a permitted activity, provided the following conditions are met:

1. The bore is backfilled with inert material and sealed at the surface to prevent any contaminants or surface water from entering the bore; and
2. Any bore intercepting groundwater is sealed to prevent the vertical movement of groundwater between aquifers or water bearing layers within an aquifer and to permanently confine the groundwater to the aquifer or water bearing layer within an aquifer, in which it originally occurred.

5.108 The use of land, including the bed of a lake or river, for the decommissioning of a bore, other than a bore for geotechnical investigation or a hydrocarbon bore, that does not meet one or more of the conditions in Rule 5.107 is a discretionary activity.
5.10982  The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to geotechnical investigations, and the associated use and discharge of that water is a permitted activity, provided the following conditions are met:

1. The take continues only for the time required to carry out bore development or a pumping test and in any event, the taking does not exceed 120 hours within any 14 day period and total no more than 10 days in any consecutive 12 month period per bore; and
2. Any bore development or pumping test is carried out in accordance with Schedule 11; and
3. An assessment of interference effects, undertaken in accordance with Schedule 12, does not show that any community, group or private drinking-water supply bore will be prevented from taking water; and
3A Bore development or pumping tests shall cease upon notification that the pumping may be preventing access to community, group or private drinking water supplies; and
4. At the point and time of any discharge to surface water, the rate of flow in the river or artificial watercourse is at least five times the rate of the discharge.

5.11083  The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to geotechnical investigations, and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.109 5.82 is a restricted discretionary activity.

The exercise of discretion is restricted The CRC will restrict discretion to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.109 5.82.

Small and Community Water Takes

Interpretation

Notes

1. The rules relating to small and community water takes and construction, including road maintenance (Rules 5.111 5.84 to 5.120 5.93) are the only rules in Section 5 relating to water takes that apply to small and community water takes and construction, including road maintenance. If a small or community water take does not comply with the relevant

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692 169.96 NZTA, Kearse evidence
693 279.19 Aqualinc, Bubb evidence
694 169.96 NZTA, Kearse evidence
695 358.10 Ngā Rūnanga
conditions, then it is considered under the rules for other water takes (Rules 5.121 to 5.132). Specific rules in Sections 6 to 15 can still over-ride these Section 5 rules.

2. Nothing in this Plan affects an individual’s right to take water in accordance with section 14(3)(b) of the RMA.

3. Takes for drinking water supplies will also need to comply with other requirements including The National Environmental Standard for Sources of Human Drinking Water Regulations 2007 and the Health (Drinking Water) Amendment Act 2007.**696**

Note 3: Wetlands, including the margins of rivers, lakes and artificial watercourses, that are contiguous with a river, lake or artificial watercourse and within the bed of the river, lake or artificial watercourse are not considered wetlands for the purposes of Rules 5.76 to 5.100.**697**

5.1184 The take and use of water from a river, lake or an artificial watercourse is a permitted activity provided the following conditions are met:

1. The total take or diversion**698** and use per site:
   (a) is less than the following rates and volumes:

<table>
<thead>
<tr>
<th>Water body</th>
<th>7DMALF</th>
<th>Rate</th>
<th>Volume per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>River</td>
<td>&lt; 100 L/s</td>
<td>0.5 L/s</td>
<td>2 m³</td>
</tr>
<tr>
<td>River</td>
<td>100 – 500 L/s</td>
<td>2 L/s</td>
<td>10 m³</td>
</tr>
<tr>
<td>River</td>
<td>500 L/s – 10 m³/s</td>
<td>5 L/s</td>
<td>20 m³</td>
</tr>
<tr>
<td>River</td>
<td>10 – 20 m³/s</td>
<td>5 L/s</td>
<td>50 m³</td>
</tr>
<tr>
<td>River</td>
<td>&gt;20 m³/s</td>
<td>5 L/s</td>
<td>100 m³</td>
</tr>
<tr>
<td>Artificial</td>
<td>N/A</td>
<td>5 L/s</td>
<td>10 m³</td>
</tr>
<tr>
<td>watercourse</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lakes</td>
<td>N/A</td>
<td>5 L/s</td>
<td>50 m³</td>
</tr>
</tbody>
</table>

   or

   (b) for rivers where the 7DMALF is unable to be calculated, is at a rate of less than 5 L/s and a maximum volume of 10 m³ per day; and

2. Fish are prevented from entering the water intake as set out in Schedule 2; and

3. Where the take or diversion**699** is from a water body with a minimum flow that is set in Sections 6 to 15, the take or diversion of water for other than an individual’s reasonable domestic and stockwater use ceases when the flow is at or below the minimum flow for that water body, as published on measured by the Canterbury Regional Council website; and

4. The take is not from any river or part of a river that is subject to a Water Conservation Order; and

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**696** 93.44 CDHB Fletcher evidence
**697** Fish & Game (347 – detailed specifically on pg 60 of the submission)
**698** 89.4 Bowden Environmental
**699** Consequential amendment (89.4 Bowden Environmental)
**700** 169.98 NZTA
**701** 169.98 NZTA
5. Where the take is from a water race, irrigation or hydro-electricity canal or storage facility, the abstractor holds a current written agreement with the holder of the resource consents for the taking or diversion of water into the water race, canal or storage facility; and

6. The take is not from the Avon River/Ōtākaro or Heathcote River or a natural wetland or a hāpua.

5.112

The take and use of water from any river or part of a river, or lake, that is subject to a Water Conservation Order is a restricted discretionary activity provided the following conditions are met:

1. The take or diversion is at a rate of less than 5 L/s and a maximum volume of 100 m³ per day; and

2. Fish are prevented from entering the water intake as set out in Schedule 2; and

3. The take or diversion of water for other than an individual’s reasonable domestic and stockwater use ceases when the flow is at or below the minimum flow for that water body as set out in the relevant Water Conservation Order; and

4. The take and use of water complies with, in combination with all other takes, the environmental flow and allocation limits as set out in the relevant Water Conservation Order.

The exercise of discretion is restricted. The Canterbury Regional Council will restrict discretion to the following matter:

1. The provisions of Whether the take, in combination with all other takes, complies with the relevant Water Conservation Order.

5.113

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

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

5.114

The taking and using of less than 5 L/s and more than 10 m³ but less than 100 m³ per day of groundwater is a permitted activity provided the following conditions are complied with:

1. The site is more than 20 ha in area; and
2. The bore is located more than 20 m from the site boundary where that adjoining site is in different ownership or any surface water body.

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

1. There is an operative Water Supply Strategy submitted with the resource consent application; and
2. Where the application seeks water for purposes other than drinking water, the application shall identify which components are not related to drinking water, and which of those are existing or new activities.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The reasonable demand for water, taking into account the size of the community or group, the number of properties and stock that are to be supplied, the uses that are to be supplied and the potential growth in demand for water; and
2. The effectiveness and efficiency of the distribution network; and
3. The quality and adequacy of, compliance with and auditing of the Water Supply Strategy; and
4. The actual and potential adverse effects on other water takes, including reliability of supply; and
4A. The effect on the environmental flow and allocation limits within the relevant sub-regional Section 6 to 15; and
5. The potential benefits of the activity to the applicant, the community and the environment; and
6. Compliance with any relevant Water Conservation Order.
7. The extent to which the proposed activity is inconsistent with, the Strategic Policies of this Plan.

Note:

1. If a small or community water take does not comply with the relevant conditions, then it is considered under the rules for other water takes (Rules 5.116 to 5.132). Specific rules in Sections 6 to 15 can still over-ride these Section 5 rules.
2. Nothing in this Plan affects an individual’s right to take water in accordance with section 14(3)(b) of the RMA.

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712 89.39 Bowden Environmental
713 86.2 Hurunui DC
714 CI 16 - Minor amendment - to ensure the rule functions effectively
715 222.26 Dept Corrections, Douche evidence
716 Consequential to wider use of FEP’s
717 358.10 Ngā Rūnanga
718 197 RDRML
719 CI 16 – Minor amendment – to use consistent wording
720 347.138 Fish & Game
Water for Construction and Maintenance

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

1. The take and use does not exceed 15 L/s and 100 m³ per day; and
2. The take and use is for no longer than 2 months; and
3. The take does not at any time exceed 10% of the flow at the point of take; and
4. Where the take is from a water body with a minimum flow set in Sections 6 to 15, the take or diversion ceases when the flow is at or below the minimum flow, as measured by published on the Canterbury Regional Council CRC website; and
5. The take is not from a natural wetland; and
6. Fish are prevented from entering the water intake as set out in Schedule 2; and
7. Where the take is from a water race, irrigation or hydro-electricity canal or storage facility, the abstractor holds a current written agreement with the holder of the resource consents for the taking or diversion of water into the canal or storage facility; and
8. The take is not from any river or part of a river that is subject to a Water Conservation Order.

5.117
The taking and using of water from any river or part of a river that is subject to a Water Conservation Order, for infrastructure construction, maintenance and repair is a restricted discretionary activity.

The exercise of discretion is restricted The CRC will restrict discretion to the following matters:

1. Whether the take, in combination with all other takes complies with the provisions of the relevant Water Conservation Order; and
2. The location of the take, the actual and potential adverse environmental effects on the immediate vicinity and the need for any restriction to prevent the flow from reducing to zero in this vicinity.

5.118
The taking and using of water from a river, lake or an artificial watercourse for infrastructure construction, maintenance and repair, other than from any river or part of a river that is subject to a Water Conservation Order, that does not meet one or more of the conditions in Rule 5.116 is a discretionary activity.

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721 169.98 NZTA
722 169.98 NZTA
723 Consequential amendment (94.8 Waimakariri DC)
724 146.68 Ashburton DC
725 250.75 TrustPower
726 358.10 Ngā Rūnanga

18 January 2014 5-59
Site Dewatering – Groundwater

Interpretation

1. The taking of water for dewatering for carrying out excavation, construction, maintenance or repair including for infrastructure or geotechnical testing is not required to comply with the take Rules 5.123 to 5.132. Specific rules in Section 6 to 15 can however over-ride these Section 5 rules.

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

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

5.120 The taking of water from groundwater for the purpose of de-watering for carrying out excavation, construction, maintenance and geotechnical testing and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.119 5.92 is a restricted discretionary activity.
The exercise of discretion is restricted. The CRC will restrict discretion to the following matter:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.119 5.92.

Water from Canals or Water Storage

5.12194 The taking or use of water from irrigation or hydroelectric canals or water storage facilities is a permitted activity, provided the following conditions are met:

1. For the taking of water from a water storage facility, the storage facility is not within the bed of a river; and
2. The site owner or occupier has a written agreement with the owner or manager of the irrigation or hydroelectric canal or water storage facility to take water from the artificial watercourse or water storage facility.

5.12295 The taking or use of water from irrigation or hydroelectric canals or water storage facilities that does not meet one or more of the conditions in Rule 5.121 5.94, is a discretionary activity.

Take and Use Surface Water

Note:
See Sub-regional Sections 6 to 15 of this Plan or existing catchment-based Regional Plans for location-specific requirements.

5.12396 The taking and use of surface water from a river or lake is a restricted discretionary activity, provided the following conditions are met:

1. Unless the proposed take or diversion is the replacement of a lawfully established activity affected by the provisions of Section 124-124C of the RMA, the take, in addition to all existing resource consented takes, does not result in any exceedance of complies with any environmental flow or allocation limit or rate of take and or seasonal or annual volume limits set in Sections 6 to 15 for that surface water body; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA, if no limits are set in Sections 6 to 15 for that surface water body, the take, both singularly and in addition to all existing resource consented takes meets a flow regime with a minimum flow of

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735 358.10 Ngā Rūnanga
736 167.42 CRC
737 200.146 EDS
738 250.78 Trustpower, Turner evidence
739 200.146 EDS
50% of the 7-day mean annual low flow (7DMALF) as calculated by the CRC and an allocation limit of 20% of the 7DMALF; and

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

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1A. The rate, volume and timing of the take; and

1. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the water quality allocation status of the relevant catchment; and

2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and

3. For water used for irrigation, the management of water allocation and resulting nutrient discharges on individual farms; and

4. The potential effects on groundwater recharge where the groundwater allocation zone is fully or over allocated as set out in Sections 6 to 15; and

5. The availability and practicality of using alternative supplies of water; and

6. The effects the take or diversion has on any other authorised takes or diversions; and

7. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and

8. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies to this Plan; and

9. Whether and how fish are prevented from entering the water intake; and

10. The provisions of Whether the take, in combination with all other takes, complies with any relevant Water Conservation Order; and

11. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dryland habitats; and

12. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable reduction of the over-allocation.

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358 Nga Runanga McIntyre evidence
374 Consequential amendment (94.8 Waimakariri DC)
375 120 DOC Dunn evidence
376 358.10 Ngā Rūnanga
377 167.42 CRC, 198.37 Irricon, 245.58 Fulton Hogan
378 Cl 16 - Minor amendment – improves certainty
379 250.78 TrustPower
380 167.48 CRC;120.190 DOC Familton evidence
381 Fish & Game – better alignment with the NPS and RPS

18 January 2014
5.1249 The taking and use of surface water from a river or lake that does not meet condition 2 or 3 in Rule 5.123 is a non-complying activity.

5.1259 The taking and use of surface water from a river or lake that does not meet condition 1 in Rule 5.123 is a prohibited activity.

*Note:* Activities that qualify as permitted under Rules 5.111, 5.115, 5.116 and 5.121 are not Prohibited Activities under Rule 5.125.

5.1269 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:

1. Limits have been set for that surface water body in Sections 6 to 15 or the lake or river is subject to a Water Conservation Order; and
2. The taking of water and subsequent discharge will not result in any exceedance of any limits set for that water body in Sections 6 to 15 or the flow and allocation regime set out in the Water Conservation Order; and
3. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the maximum distance from the point of take to the point of discharge is not more than 250 m; and
4. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the take is not from a natural wetland, hāpu or a high naturalness lake or river that is listed in Sections 6 to 15.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1A The rate, volume and timing of the take; and
1. Measures that will ensure any the limits are not affected; and
2. Whether the amount of water to be taken is reasonable for the intended use; and
3. The effects the take has on any other authorised takes or diversions; and
4. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and
5. The reduction in the rate of take in times of low flow and the need for any additional restrictions to prevent the flow from reducing to zero; and

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749 167.45 CRC
750 Minor amendment to improve clarity
751 197.78 RDRML
752 197.78 RDRML
753 Consequential amendment (94.8 Waimakariri DC)
754 250.78 Trustpower, Turner evidence
755 167.42 CRC
6. Whether and how fish are prevented from entering the water intake and/or discharge structure; and
7. The actual or potential adverse environmental effects on aquatic ecosystems, in-stream habitat, wetlands, dryland habitats, sites of significance to Ngāi Tahu, amenity and recreational values in the area of the river subject to the diversion; and
8. The actual or potential adverse environmental effects of both the take or diversion and any subsequent discharge on water quality.

5.127100 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 5.126 5.99 is a non-complying activity.

Take and Use Groundwater

Note: See Sub-regional Sections 6 to 15 of this Plan or existing catchment-based Regional Plans for location-specific requirements.

5.128101 The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:
1. The take is from within a Groundwater Allocation Zone on the Planning Maps; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, for stream depleting groundwater takes, the take, in addition to all existing resource consented surface water takes, complies with does not result in any exceedance of any the environmental flow and allocation limits set in Sections 6 to 15 for that surface water body in accordance with Schedule 9; and
3. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, the seasonal or annual volume of the groundwater take, in addition to all existing resource consented takes, as determined by the method in Schedule 13 does not exceed the groundwater...
allocation limits for the relevant Groundwater Allocation Zone in Sections 6 to 15; and

4. The bore interference effects are acceptable, as determined in accordance with set out in Schedule 12.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1A The rate, volume and timing of the take; and

1. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and

2. The availability and practicality of using alternative supplies of water; and

3. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and

4. The actual or potential adverse environmental effects on surface water resources if the groundwater take is within a surface water catchment where the surface water allocation limit, as set out in Sections 6 to 15 is fully or over allocated; and

5. The actual or potential adverse environmental effects the take has on any other authorised takes, including interference effects as set out in Schedule 12; and

6. For stream depleting groundwater takes, the matters of discretion under Rule 5.123—any reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies to this Plan; and

7. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and

8. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and

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

10. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated groundwater allocation zone, the reduction in the rate of take and volume limits to enable reduction of the over-allocation.

5.102 The taking and use of groundwater where the point of abstraction is outside of a Groundwater Allocation Zone on the Planning Maps is a non-complying activity.
5.129103 The taking and use of groundwater that does not meet one or more of conditions 1 and 4 in Rule 5.128 is a non-complying activity.

5.130104 The taking and use of groundwater that does not meet one or more of conditions 2 and 3 in Rule 5.128 is a prohibited activity.

Note: Activities that qualify as permitted under Rules 5.113, 5.114, 5.115 and 5.119 are not Prohibited Activities under Rule 5.130.

5.131105 The non-consumptive taking and using of groundwater, including for heating or cooling purposes, and the associated discharge to groundwater, is a permitted activity provided the following conditions are met:
1. The discharge of the groundwater is to the same aquifer or groundwater source as the abstraction, and the discharge is within 50 m of the abstraction point; and
2. The use of the water is for non-commercial domestic purposes; and
3. No contaminants, other than water of the same or different temperature, enter the groundwater.

5.132106 The non-consumptive taking and use of groundwater and associated discharge to groundwater of the same groundwater to the same aquifer that does not meet one or more of the Conditions in Rule 5.131 is a discretionary activity.

Transfer of Water Permits

5.133107 The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of the water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater, is a restricted discretionary activity, provided the following conditions are met:
1. The reliability of supply for any other lawfully established water take is not reduced; and
2. The seasonal or annual volume of take after the transfer is less than or equal to the volume of take prior to the transfer, or if no seasonal or annual volume has been applied, a seasonal or annual volume is applied in accordance with Schedule 10; and
3. In the case of surface water, the point of take remains within the same surface water allocation zone and the take complies with the limits set in Sections 6 to 15; and
4. In the case of groundwater:
   (a) the point of take is within the same groundwater allocation zone; and

780 6.2 Central Heating New Zealand Ltd
781 167.47 CRC
(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 catchment; and

(ii) the take complies with the limits set in Sections 6 to 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 5.123 or Sections 6 to 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;

(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. 782

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The nature of the transfer, whether short term, long term, partial or full, and the apportioning of the maximum rate and seasonal or annual volume in the case of a partial transfer; and

2. The appropriateness of existing conditions, including conditions on minimum flow, seasonal or annual volume and other restrictions to mitigate effects; and

3. The reasonable need for the quantities of water sought, the intended use of the water and the ability of the applicant to abstract and use those quantities; and

4. The efficiency of the exercise of the resource consent; and

5. The reduction in the rate of take in times of low flow; and

6. The method of preventing fish from entering any water intake; and

7. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.123 and Rule 5.128 or Sections 6 to 15 are exceeded, any reduction in the rate or volume of take that may be required to assist with the phasing out of that exceedance. 783

Notification

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

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

782 209.30 NTPL, Cowie evidence; and others
783 209.30 NTPL, Cowie evidence; and others
5.134

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 5.133 5.107 is a non-complying activity.

Structures

Note:
For all activities in or near waterways, refer also to requirements and restrictions under the Canterbury Regional Council784 Flood Protection and Drainage Bylaw 20122013.785

Note:
In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.786

5.112 Unless specified otherwise in Sections 6 to 15, wetlands, including the margins of rivers, lakes and artificial watercourses, that are contiguous with a river, lake or artificial watercourse and within the bed of the river, lake or artificial watercourse are not considered wetlands for the purposes of Rules 5.139 to 5.142.787

5.135113 The placement, use, altering, reconstruction, maintenance or removal of pipes, ducts, cables or wires over the bed of a lake or river, whether attached to a structure or not, and associated support structures788 is a permitted activity, provided the following conditions are met:

1. The pipes, ducts, cables or wires and associated support structures789 run perpendicular to the channel and do not prevent access to or over the bed or to lawfully established structures or defences against water, including flood protection works, or to flood control vegetation; and

2. The activity is not undertaken in, on, or over the bed of any river or lake listed as a high naturalness waterbody lake or river792 in Sections 6 to 15, unless the pipes, ducts, cables or wires are attached to an existing structure; and

3. If the pipes, ducts, cables or wires are attached to an existing structure, they are attached above the soffit; and

784 Cl 16 - Minor amendment
785 Cl 16 - Minor amendment
786 226.2 NZHPT
787 106.73 CCC
788 127.14 Chorus & Telecom
789 Consequential change (127.14 Chorus & Telecom)
790 160.28 Timaru District Council
791 245.68 Fulton Hogan
792 Cl 16 – Minor amendment – consistent wording with Sections 6-15
793 221.82 Meridian

5-68 18 January 2014
4. The pipes, ducts, cables or wires and associated support structures do not obstruct or alter navigation of the lake or river or reduce the flood carrying capacity of the waterway.

5.136114 The drilling, tunnelling, or disturbance in or under the bed of a lake or river and the installation, maintenance, or removal of pipes, ducts, cables or wires is a permitted activity, provided the following conditions are met:

1. The activity is not undertaken in, on, or under the bed of a lake listed as a high naturalness lake in Sections 6 to 15 or in an inanga or salmon spawning site listed in Schedule 17; and

2. The activity does not involve the deposition of any substance, other than bed material, on the bed of a lake or river; and

3. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, flood protection works or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and

4. Within 30 days of the completion of the activity the bed of the lake or river is returned to its original contour; and

5. Marker posts are erected for the lifetime of the pipes, ducts, cables or wires; and

6. The works do not occur in flowing water.

Note: The installation of a bore in the bed of a lake or river is controlled in Rule 5.103 5.78.

5.137115 The installation, alteration, extension, use, maintenance or removal of bridges and culverts, including the erection or extension of the structure and the consequential deposition of substances on, in or under the bed of a lake or river, the excavation or other disturbance of the bed of a lake or river, and, in the case of culverts, the associated take, discharge or diversion of water is a permitted activity, provided the following conditions are met:

1. Any substance material deposited in, on, under or over the bed of a lake or river in order to construct or maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment and does not contain or is not coated with any hazardous substance; and

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794 Consequential change (127.14 Chorus & Telecom)
795 221.82 Meridian
796 347.163 Fish & Game
797 245.70 Fulton Hogan, Murray evidence
798 199.12 SCIRT
799 221.86 Meridian (submission on Rule 5.117)
800 358.64 Ngā Rūnanga
801 169.110 NZTA
2. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, flood protection works or closer where there is evidence that permission has been obtained from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and

3. The works do not occur in flowing water; and

4. Other than the maintenance of a structure, outside the spawning season, and the use of a structure the activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17; and

5. Upon completion of the activity:
   (a) any area of the bed of a lake or river which has been disturbed is returned to as near as practicable to its original state; and
   (b) any excavated areas are left with battered slopes not steeper than 3:1 slope angle (3 horizontal to 1 vertical) and any flow channels disturbed during the activity are reinstated; and

6. For any permanent culvert at the time of its installation:
   (a) the maximum length is 25 m; and
   (b) the maximum width of the river bed at the point of the crossing is 5 m; and
   (c) the culvert is installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river or lake or is covered with water at the estimated 7DMALF; and
   (d) the culvert provides a 50% Annual Exceedance Probability flood flow capacity without increasing upstream water levels; and
   (e) the location is not within any urban area or settlement; and

7. For any temporary culvert:
   (a) the maximum width of the river bed at the point of the crossing is 5 m; and
   (b) the culvert is installed at a level no higher than bed level, and no lower than 100 mm below the level of the bed of the river or lake; and
   (c) the culvert is not placed in a water body managed for flood control or drainage purposes unless written approval is obtained from the authority responsible for the waterbody; and
   (d) the culvert is not in place for more than four weeks; unless it is within a plantation forest in which case the culvert shall be in place for no more than 3 months; and

8. For any bridge:
   (a) there are no piers within the bed; and

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802 245.69 Fulton Hogan, Murray evidence
803 125.30 Kaikoura DC
804 167.49 CRC
805 169.110 NZTA, Kearse evidence
806 Cl 16 - Minor amendment – removal of acronym
807 125.30 Kaikoura DC
808 273.5 Rayonier, Boyes evidence
the bridge and the approaches are designed so that a 5% Annual Exceedance Probability (AEP) flood event does not cause any increase in upstream water levels; and

(c) the soffit (underside) of any bridge is higher than the top of the river bank, and at least 500 mm above the 5% AEP flood level; and

(d) the bridge abutments are constructed parallel to the flow; and

9. The works or structures do not prevent any existing fish passage. 810

5.138116 The installation, maintenance, use and removal of defences against water flood protection works 811, and including the associated deposition of substances on, in or under the bed of a lake or river and excavation associated diversions and discharges of sediment 812 or other disturbance of the bed of a lake or river is a permitted activity, provided the following conditions are met:

1. The activity does not prevent access in any way to lawfully established structures, including defences against water 811 flood protection works, or to flood control vegetation; and

2. Other than for the use of flood protection work 814 the activity is not in, on, or under the bed of any river or lake listed as a high naturalness waterbody 815 in Sections 6 to 15 or salmon and inanga spawning site listed in Schedule 17; and

3. The activity is undertaken by or on behalf of 817 a local authority or a network utility operator in accordance with a flood protection plan that has been certified by the CRC 818 as being in accordance with the CRC’s River Engineering Section Quality and Environmental Management System Manual (March 2010) by the CRC; 819 and

4. The works or structures do not prevent any existing fish passage. 820

5.139117 The use and maintenance of structures, excluding dams, on, in or under the bed of a lake or river are permitted activities, provided the following conditions are met: For structures, excluding dams, lawfully established prior to the notification of this Plan, the use and maintenance of the structure is a permitted activity provided the following condition is met: 821

1. The structures are lawfully established prior to notification of this Plan; and

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809 Cl 16 - Minor amendment – removal of acronym
810 35.7 Eel Industry Assn
811 245.71 Fulton Hogan
812 167.50 CRC
813 245.71 Fulton Hogan
814 245.71 Fulton Hogan
815 Cl16 – Minor amendment – consistent terminology with Sections 6 to 15
816 120.210 DOC
817 245.71 Fulton Hogan
818 Cl 16 - Minor amendment – improves certainty
819 245.71 Fulton Hogan
820 35.8 Eel Industry Assn
821 221.86 Meridian
2. Any substance material\(^{822}\) deposited in, on, under or over the bed in order to maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment, is not contaminated with any hazardous substance; and is not deposited into surface water. \(^{823}\)

3. Any upgrading or minor alteration does not increase the footprint, height, or external envelope of the structure. \(^{824}\)

5.140118 Despite Notwithstanding any other rule in this Plan, temporary structures and diversions associated with undertaking activities in Rules 5.135 to 5.140, 5.113 to 5.117 and 5.125 to 5.127, military training activities, \(^{825}\) or artificial watercourses \(^{826}\) are permitted activities, provided the following conditions are met:

1. The diversion does not divert more than third of the width of the naturally flowing or standing water body. \(^{827}\)
   1. The activity is not undertaken in an inanga or salmon spawning site listed in Schedule 17; and
   2. The temporary structure and diversion is in place for not more than 24 weeks in any 12 month period.

5.141119 Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.135 to 5.140, 5.113 to 5.117 and 5.125 to 5.127, or in relation to artificial watercourses \(^{830}\) are permitted activities, provided the following conditions are met:

1. The discharge is only of sediment, organic material \(^{831}\) and water originating from within the bed of the lake or river; and
2. The discharge is not undertaken in an inanga or salmon spawning site listed in Schedule 17; and
3. The discharge is not for more than eight ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month.

5.142120 The diversion of surface run-off water caused by flooding is a permitted activity, provided the following conditions are met:

1. The activity is undertaken by or on behalf of a local authority in accordance with a flood protection plan that has been certified as being in accordance with the

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\(^{822}\) 197.85 RDRML
\(^{823}\) 313.26 Kennaway Park
\(^{824}\) 221.86 Meridian
\(^{825}\) 154.23 NZDF, Raeburn evidence
\(^{826}\) 167.51 CRC
\(^{827}\) 167.51 CRC
\(^{828}\) 358.67 Ngā Rūnanga
\(^{829}\) 306.17 NZ KiwiRail
\(^{830}\) 167.52 CRC
\(^{831}\) 313.28 Kennaway Park
\(^{832}\) 245.73 Fulton Hogan
\(^{833}\) 245.74 Fulton Hogan

5-72 18 January 2014
Any structure, excluding dams, but including any associated diversions and discharges in the bed of a lake or river that does not comply with Rules 5.135 to 5.142 is a discretionary activity.

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

Refuelling in Lake and Riverbeds

Note: In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.

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

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

The refuelling of vehicles or equipment in the bed of a lake or river that does not meet one or more of the conditions of Rule 5.145 is a discretionary activity.
Gravel from Lake and Riverbeds

Notes:
1. For all activities in or near waterways, refer also to requirements and restrictions under the Canterbury Regional Council Flood Protection and Drainage Bylaw 2012.2013.
2. In addition to the provisions of this Plan and any relevant district plan, any activity which may modify, damage or destroy any pre 1900 archaeological sites is subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required from the NZHPT to modify, damage or destroy any archaeological site, whether recorded or not in the NZAA Site Recording Scheme website.  

5.147124 Sections 124A to 124C of the Resource Management Act 1991 do not apply to resource consents to extract gravel from the bed of a lake or river in Canterbury.

5.148125 The extraction of gravel from the bed of a lake or river including the deposition of substances on the bed and excavation or other disturbance of the bed of a lake or river is a permitted activity, provided the following conditions are met:
1. The activity is not undertaken in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15; and
2. No part of the activity occurs within flowing water; and
3. The activity does not include the deposition of any substance, other than bed material, on the bed; and
4. The volume excavated by any person or on behalf of any person, organisation or corporation:
   (a) in the bed of any river or lake does not exceed 5 m³ in any 12 consecutive months; or
   (b) between 1 February and 31 August, in the beds listed in Schedule 14, does not exceed 5 m³ per month and not more than 10 m³ in any 12 consecutive months period; or
   (c) between 1 February and 31 August, in the beds listed in Schedule 15, does not exceed 10 m³ per month and not more than 20 m³ in any 12 consecutive months period; and
5. Any excavated material (other than surplus or reject material) is removed from the bed within 10 days of the material being excavated; and
6. Unless undertaken by the network utility operator responsible for the structure, the activity is undertaken more than 50 m from any lawfully established dam, weir, culvert crossing, bridge, surface water intake plant or network utility pole or pylon.
more than 150 m from any lawfully established water level recorder and more than
5 m of any existing flood control works, unless they are
the network utility operator responsible for the structure; and
7. The activity and any associated equipment, materials or debris does not obstruct or
alter access to or the navigation of the lake or river; and
8. The activity does not include screening or any other processing of the gravel within
the bed of the lake or river; and
9. The activity is not undertaken in an inanga or salmon spawning site listed in
Schedule 17; and
10. Excavation shall not occur within 100 metres of birds which are nesting or rearing
their young in the bed of the river.

5.149126 The extraction of gravel, including the ancillary deposition of substances on the
bed and excavation or other disturbance of the bed that complies with all the
conditions in Rule 5.148 5.125, except with respect to the volume limits in condition 4 of
Rule 5.148, is a permitted activity, provided the following condition is met:
1. The extraction of gravel is undertaken by or behalf of the CRC or persons acting
under written authority of the CRC in conformance with the current version of the
Canterbury Regional Gravel Management Strategy prepared to give effect to Policy
10.3.4 of the Canterbury Regional Policy Statement.

5.150127 Any extraction of gravel from the bed of a lake or river where one or more of
the conditions for Rule 5.148 5.125 or 5.149 5.126 are not met is a discretionary activity.

5.151 Notwithstanding any other rule in this Plan, temporary structures and diversions
associated with undertaking activities in Rules 5.147 to 5.150 or in relation to artificial
watercourses are permitted activities, provided the following conditions are met:
1. The activity is not undertaken in an inanga or salmon spawning site listed in
Schedule 17; and
2. The temporary structure and diversion is in place for not more than 4 weeks in any
12 month period.

5.152 Temporary discharges to water or to land in circumstances where a contaminant may
enter water associated with undertaking activities in Rules 5.147 to 5.150 or in relation
to artificial watercourses are permitted activities, provided the following conditions are
met:
1. The discharge is only of sediment, organic material and water originating from
within the bed of the lake or river; and

843 282.39 Aggregate Group
844 169.116 NZTA, Kearse evidence
845 159.17 Orari River Protection Group (Inc)
846 Cl 16 - Minor amendment – to improve certainty
847 358.166 Nga Runanga, McIntyre evidence
2. The discharge is not undertaken in an inanga or salmon spawning site listed in Schedule 17; and
3. The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month.  

5.153 Where not classified by any other Rule in this Plan, the diversion or discharge of water and contaminants as a result of the extraction of gravel from the bed of a lake or river including the deposition of substances on the bed and excavation or other disturbance of the bed of a lake or river, is a discretionary activity.

Dams and Damming

*Note:*

In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.

5.154128 The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating dam structures within the bed of a river, and the use of land to store water, including any associated damming or impounding of water outside the bed of a river or natural lake is a permitted activity, provided the following conditions are met:

1. For the damming or impounding of water outside the bed of a river or natural lake:
   (a) the volume of water stored or impounded is less than 20,000 m$^3$; or
   (b) the maximum depth of water is less than 3 m; and
   (c) if the volume of water impounded is greater than 1,000 m$^3$, the design and construction of the dam is certified by a Recognised Engineer; and
   (d) the land is not contaminated or potentially contaminated.

2. For the damming of water in the bed of a river and the constructing, altering, using, maintaining and operating of dam structures within the bed of a river:
   (a) The volume of water impounded is less than 5,000 m$^3$; and
   (b) The maximum depth of water is less than 3 m; and
   (c) The dam does not impound the full flow of the river; and
(d) Any existing passage of fish is not impeded; and

(e) The damming of water does not cause water flow to fail to meet any limits in Sections 6 to 15 or fall below the minimum flow for the surface water body if the water body is subject to a minimum flow as set out in Sections 6 to 15; and

(f) The dam is not located in a river listed as a high naturalness river in Sections 6 to 15 or in the mainstem of any river; and

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

5.155 The damming of water in the bed of a river and the constructing, using, altering, maintaining and operating structures within the bed of a river, and the use of land to store water, including any associated impounding damming of water outside the bed of a river or natural lake that does not meet the conditions of Rule 5.154 5.128 is a discretionary activity, provided the following conditions are met:

1. The damming of water does not result in downstream river flows less than any minimum flow limit set in Sections 6-15 or, where applicable, the default rules on minimum flow limits in Rule 5:123(2) does not cause water flow to fail to meet any limits set in Sections 6 to 15; and

2. Any new dam is not located in a river listed as a high naturalness waterbody lake or river in Sections 6 to 15 or in the mainstem of any river; and

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

5.156 The damming of water in the bed of a river, including the associated constructing, using, maintaining and operating structures within the bed of a river that does not comply with one or more of the conditions in Rule 5.155 5.129 is a non-complying activity.

5.157 The constructing of a new dam and the damming of water in the bed of a river or lake that results in the natural operating regime or level of a natural lake (as described in Policy 4.45 of this Plan) being altered is a non-complying activity.

5.158 The use and maintenance of a structure in the bed of a river associated with lawfully established dam hydroelectricity power scheme that existed on 1 November 2013 is a controlled permitted activity.

855 187.82 Synlait Farms Ltd
856 120.223 DOC, Stewart evidence
857 250.83 TrustPower
858 Cl16 – Minor amendment – consistent terminology with Sections 6 to 15
859 120.225 DOC, Stewart evidence
The CRC reserves control to the following matters:
1. The maintenance of, or improvement of, fish passage;
2. The risk of dam failure;
3. Whether and how fish are prevented from entering any intake structures;
4. Passage of flood waters.

Wetlands

5.138 Unless specified otherwise in Sections 6 to 15, wetlands, including the margins of rivers, lakes and artificial watercourses, that are contiguous with a river, lake or artificial watercourse and within the bed of the river, lake or artificial watercourse are not considered wetlands for the purposes of Rules 5.139 to 5.142.

5.159 The enhancing, restoring or creating of a wetland, including the associated taking, use, damming or diversion of water from groundwater or surface water, and discharge of excess or overflow water from the wetland into surface water is a permitted activity if the following conditions are met:
1. The taking, use, damming or diversion of water is from within the site, and is at a maximum rate of 5 L/s and 100 m$^3$ per day; and
2. Fish passage is not restricted.
3. The taking of water is non-consumptive, is discharged back into the same waterbody river and complies with any limits in Sections 6 to 15 of this Plan or any other Regional Plan for the relevant water body; and
4. The taking of water does not prevent water being taken by any domestic or stock water supply.

5.160 The enhancing, restoring or creating of a wetland that does not comply with one or more of the conditions in Rule 5.159 is a discretionary activity.

5.161 Reducing the area of a natural wetland associated with the provision of for the operation, maintenance or repair of existing infrastructure or construction of new infrastructure for transport, electricity or water distribution or reticulation, including
vegetation clearance and earthworks\textsuperscript{871} and the taking, use, damming or diversion (including draining) of water and the associated discharge of any water onto land or into a river, lake, artificial watercourse or wetland is a restricted discretionary activity.

\textit{The exercise of discretion is restricted} The CRC will restrict discretion to the following matters:

1. The practicality of avoiding the natural\textsuperscript{872} wetland, including alternative routes or methods; and
2. The ecological significance of the wetland, and the actual and potential for adverse effects on the significant values of the wetland; and
3. Any off-setting of any actual and potential adverse\textsuperscript{873} effects through the enhancement or creation of additional wetland area; and
4. The magnitude and proportion of reduction in area of the wetland\textsuperscript{874}.
5. 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.\textsuperscript{875}

5.162142 Reducing the area of a natural wetland\textsuperscript{876} by the taking, use, damming or diversion (including draining) of water or other means, including vegetation clearance, cultivation\textsuperscript{877}, burning or earthworks, except as provided for in Rule 5.161 5.141 is a non-complying activity.

Vegetation in Lake and River Beds

\textit{Note:}
For all activities in or near waterways, refer also to requirements and restrictions under the Canterbury Regional Council\textsuperscript{878} Flood Protection and Drainage Bylaw 2012\textsuperscript{880}.

5.163143 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river is a permitted activity, provided the following conditions are met:

1. The activity does not prevent access to lawfully established structures, including flood protection works, or to flood control vegetation; and
2. No vegetation used for flood control or bank stabilisation is disturbed, removed, damaged or destroyed except by or on behalf of the person or agency responsible for maintaining that vegetation for flood control purposes; and

\textsuperscript{871} 221.97 Meridian
\textsuperscript{872} Consequential amendment (94.8 Waimakariri DC)
\textsuperscript{873} 221.97 Meridian
\textsuperscript{874} 358.10 Ngā Rūnanga
\textsuperscript{875} 200.157 EDS
\textsuperscript{876} 347.138 Fish & Game
\textsuperscript{877} Consequential amendment (94.8 Waimakariri DC)
\textsuperscript{878} 167.57 CRC
\textsuperscript{879} Minor amendment
\textsuperscript{880} Minor amendment
3. No woody vegetation is disposed of in, on, over or under the bed of a lake or river other than for in situ decomposition of sprayed weeds that were growing in, on, over or under the bed; and

4. Introduction or planting of vegetation in, on, or under the bed of any lake or river is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy; and

5. Introduction or planting of vegetation in, on, or under the bed of any river or lake listed as a high naturalness water body lake or river in Sections 6 to 15 is only of indigenous plant species that naturally occur in the catchment; and

6. The disturbance, removal, damage or destroying of any plant or vegetation in, on, or under the bed of any river or lake listed as a high naturalness water body lake or river in Sections 6 to 15 is only of species:
   (a) non-indigenous species; or
   (b) indigenous species that form the understorey of plantation forest that is being harvested and a minimum 5 m set back from the river or lake is provided upon replanting (if replanting occurs); and

7. Except for clearance around utilities or existing structures, removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy, or clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings, the activity does not occur in an inanga or salmon spawning site listed in Schedule 17; and

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.

5.164144 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river that does not comply with one or more of conditions 1, 3 or 5 to 7 of Rule 5.163 5.143 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.163 5.143.

2. 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.

881 120.238 DOC, Briden evidence

882 C116 – Minor amendment – consistent terminology with Sections 6 to 15

883 C116 – Minor amendment – consistent terminology with Sections 6 to 15

884 120.238 DOC

885 273.6 Rayonier, Boyes evidence

886 94.10 Waimakariri DC (consequential change)

887 167.58 CRC

888 358.10 Ngā Rūnanga

5-80 18 January 2014
5.165145 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river that does not comply with condition 2 of Rule 5.163 5.142 is a non-complying activity.

5.166146 The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river that does not comply with condition 4 of Rule 5.163 5.143 is a prohibited activity.

Earthworks and Vegetation Clearance in Riparian Areas

Note: In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.

5.167147 The use of land for vegetation clearance outside the bed of a river or lake or adjacent to a natural wetland boundary but within:

a. 10 m 20 m of the bed of a lake or river or a natural wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk zoned LH2 on the Planning Maps; or

b. 5 m 10 m of the bed of a lake or river or a natural wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country in land zoned LH1 on the Planning Maps;

is a permitted activity provided the following conditions are met:

1. Except in relation to recovery activities, the area of bare ground resulting from vegetation clearance:
   (a) Does not exceed 10% of the area within the relevant setback distance in any site at any time, except as a result of pest plant spraying; or
   (b) Is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
   (c) For plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; and

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347.138 Fish & Game
226.2 NZHPT
Consequential amendment (94.8 Waimakariri DC)
125.45 Kaikoura DC
Consequential amendment (94.8 Waimakariri DC)
167.99 CRC
125.45 Kaikoura DC
Consequential amendment (94.8 Waimakariri DC)
167.99 CRC
273.7 Rayonier
320.193 Fed Farmers, verbal evidence
2. Except in relation to recovery activities, the vegetation clearance is not on land above 900 m above sea level; and

3. The felling of trees, or any part of a tree, is away from any lake, river or wetland, except where it is not practicable to do so to ensure human safety, it is not practicable to do so, is away from any lake, river or wetland and no logs or tree trunks are dragged through or across the bed of a lake or a permanently flowing river, or a wetland; and

4. The vegetation clearance does not occur adjacent to within 1 m of a significant spawning reach for salmon or an inanga spawning site listed in Schedule 17; and

5. The vegetation is not flood or erosion control vegetation.

6. Vegetation clearance associated with recovery activities or the establishment, maintenance or repair of network utilities and fencing is not required to meet Conditions 1 and 2.

Note:
Refer to the CRC’s Erosion and Sediment Control Guidelines for additional guidance on undertaking vegetation clearance activities.

5.168148 The use of land for earthworks or cultivation outside the bed of a river or lake or adjacent to a natural wetland boundary but within:

a. 10 m of the bed of a lake or river or a natural wetland boundary in Hill and High Country land and or land shown as High Soil Erosion Risk zoned LH2 on the Planning Maps; or

b. 5 m of the bed of a lake or river or a natural wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country land zoned LH1 on the Planning Maps;

is a permitted activity provided the following conditions are met:

1. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, the extent of earthworks or cultivation within the relevant setback distances in any property:

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273.7, Rayonier

To improve alignment with the CER Act whereby this Plan may not be inconsistent with that Act

Minor amendment to improve clarity

120.242 DOC

CI 16 – Minor amendment – consistent terminology

Consequential amendment - because of the recommended change to the definition of vegetation clearance, the inclusion of these terms is no longer appropriate.

Minor amendment to improve clarity

Consequential amendment (16.35 Mr Ross Little)

Consequential amendment (94.8 Waimakariri DC)

125.45 Kaikoura DC

Consequential amendment (94.8 Waimakariri DC)

167.99 CRC

125.45 Kaikoura DC

167.61 CRC
(a) does not at any time exceed:
   (i) an area of 500 m$^2$, or 10% of the area, whichever is the lesser; or
   (ii) a volume of 10 m$^3$ on Hill and High Country land and land zoned LH2 shown as High Soil Erosion Risk on the Planning Maps; or
(b) is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
(c) For plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007 and the NZ Forest Road Engineering Manual (2012); and

2. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, any discharge of sediment associated with the activity into the water in a river, lake, wetland or the Coastal Marine Area does not exceed 8 hours in any 24 hour period, and does not exceed 24 hours in total in any 6 month period; and

3. Any cultivation is across the contour of the land; and

4. Any trenches excavated for infrastructure are back-filled and compacted within 10 days of being excavated; and

3. The activity does not occur adjacent to a significant spawning reach for salmon or an inanga spawning area listed in Schedule 17; and

4. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, any earthworks or cultivation is not within 5 m of any flood control structure; and

5. Earthworks associated with recovery activities or the establishment, maintenance or repair of network utilities and fencing is not required to meet Conditions 1, or 2 or 4.

5.169149 Vegetation clearance and earthworks or cultivation outside the bed of a river or lake or adjacent to a wetland boundary but within:

1. 10 m of the bed of a lake or river or a natural wetland boundary in Hill and High Country land and land shown as High Soil Erosion Risk on the Planning Maps; or

To improve alignment with the CER Act whereby this Plan may not be inconsistent with that Act

Consequential amendment (16.35 Mr Ross Little)

167.99 CRC

320 Fed Farmers, verbal evidence

273 Rayonier

106.78 CCC

Consequential amendment (16.35 Mr Ross Little)

106.78 CCC

120.242 DOC

106.78 CCC

199.14 SCIRT

Consequential amendment (16.35 Mr Ross Little)

125.45 Kaikoura DC

Consequential amendment (94.8 Waimakariri DC)

167.99 CRC
Vegetation Clearance and Earthworks in Erosion-prone Areas

Within the area shown as High Soil Erosion Risk on Area LH2 of the Planning Maps and outside any riparian margin, the use of land (excluding any works for which a building consent has been obtained from the relevant local authority) for:

(a) Cultivation or spraying of slopes less than 15° 25 degrees; or
(b) Cultivation or spraying on slopes greater than 15° 25 degrees; provided that, the total area sprayed or cultivated is less than 200 m²; or
(c) Vegetation clearance of species (including by spraying) listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy.
(d) Hand clearance and spot spraying of vegetation; or
(e) Silvicultural practices of release cutting, pruning or thinning to waste and harvesting in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007 by suspension systems; or
(f) Earthworks within a production forest undertaken in accordance with NZ Forest Road Engineering Manual (2012); or
(g) Maintenance of existing firebreaks, roads and tracks and, during a fire emergency, construction of new firebreaks and tracks; or
(ga) Construction of fences; or
(h) Construction of walking tracks no more than 1.5 m wide; or
(i) Maintenance of existing transport networks; or
(j) Earthworks and vegetation clearance associated with the establishment, repair or maintenance of pipelines, electricity lines, telecommunication lines and radio communication structures and fences; and or
(k) Other earthworks where:
   i. the volume is less than 10 m$^3$ per site or per hectare (whichever is the greater); and
   ii. the maximum depth of cut or fill is less than 0.5 m;
is a permitted activity provided the following conditions are met:
1. Any cleared areas are stabilised and where it is not put to its final use shall be revegetated within 6 months from the date of the commencement of the vegetation clearance or earthworks; and
2. Any cultivation is across the contour of the land; and
3. When firebreaks, roads, or tracks are constructed or maintained the maximum depth of cut or fill is 0.5 m; and exotic forest harvesting is carried out, culverts and stormwater controls are installed and maintained to lead water via a channel into an existing watercourse.
4. the concentration of total suspended solids in the discharge shall not exceed:
   (a) 50 g/m$^3$, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the water body is greater than 50 g/m$^3$ in which case the Schedule 5 visual clarity standards shall apply; or
   (b) 100 g/m$^3$ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the water body is greater than 100 g/m$^3$ in which case the Schedule 5 visual clarity standards shall apply.

Note:
Refer to the CRC’s Erosion and Sediment Control Guidelines for additional guidance on undertaking vegetation clearance activities.
5.171151 Within the area shown as High Soil Erosion Risk Area LH2 on the Planning Maps and outside any riparian margin, the use of land for vegetation clearance, cultivation and earthworks that does not comply with the conditions in Rules 5.170, 5.150, or vegetation clearance, cultivation or earthwork activities not listed in Rule 5.170(a) to (k), is a restricted discretionary activity.

The exercise of discretion is restricted The CRC will restrict its discretion to the following matters:

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

5.172152 Within the Hill and High Country, the use of land for the burning of vegetation is a permitted activity provided the following conditions are met:

1. Burning does not occur within 5 m to 20 m of the bed of a river where the wetted bed is more than 2 m wide or lake or a natural wetland boundary where the wetland is more than 0.5 hectares in area; and
2. Within an area to be burnt:
(a) the extent of bare ground is less than 20%; and

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949 167.62 CRC
950 CI 16 – minor amendment – activity status omitted for these activities
951 358.10 Ngā Rūnanga
952 358.10 Ngā Rūnanga
953 358.10 Ngā Rūnanga
954 358.10 Ngā Rūnanga
955 Consequential amendment (94.8 Waimakariri DC)
956 358.10 Ngā Rūnanga
957 347.138 Fish & Game
958 125.45 Kaikoura DC
959 16.31 Mr Ross Little
960 Consequential amendment (94.8 Waimakariri DC)
961 44.4 Maungatahi Farm Limited (submission on Rule 5.52)
(b) the slope is less than $35^\circ$; and
(c) the land is less than 900 m above mean sea level; and

3. The person undertaking the burning has, at least twenty working days prior to commencing the burning, notified the CRC and provided location maps or aerial photographs of the sites to be burnt at a minimum scale of 1:50,000; and

4. The same area of land has not had the vegetation burnt within the preceding ten years; and

5. The burning is carried out between 1 June and 31 October; and

6. The burnt area is either:
   (a) Spelled from grazing for a minimum of 6 months following burning; or
   (b) Sown with pasture seed within 6 months of burning; or
   (c) Planted with trees within one year of burning.

5.173153 Within the Hill and High Country, the use of land for the burning of vegetation that is not a permitted activity under Rule 5.172 is a controlled activity provided the following conditions are met:

1. The burning is not carried out between 15 December and 1 March; and
2. Burning does not occur within 5 m of the bed of a river where the wetted bed is more than 2 m wide\(^{963}\), lake or natural wetland boundary where the wetland is more than 0.5 hectares in area\(^{964}\), and

3. Within an area to be burnt:
   (a) the extent of bare ground is less than 20%; and
   (b) the slope is less than $35^\circ$; and
   (c) the land is less than 900 m above mean sea level.

The CRC reserves control over the following matters:

1. The boundaries of the area to be burned so as to avoid or reduce any likely adverse effects on water quantity and water quality and to conserve soil on land vulnerable to erosion; and
2. Post burn management measures, including requirements for spelling from grazing, and the quantity and type of seed and fertiliser to be applied, that will encourage restoration of suitable vegetation cover.

Notification

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

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

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\(962\) 167.64 CRC
\(963\) 16.31 Mr Ross Little
\(964\) Consequential amendment (94.8 Waimakariri DC)
\(965\) 44.4 Maungatahi Farm Limited (submission on Rule 5.52)
\(966\) 167.64 CRC
Within the Hill and High Country, the use of land for the burning of vegetation greater than 1 ha in area that is not provided for as a permitted activity under Rule 5.172 or as a controlled activity under Rule 5.173 is a discretionary activity.

Notes:
The following matters are drawn to the attention of all persons burning vegetation in the Hill and High Country:

1. The burning in open air of any vegetation remains subject to the requirements of the Forest and Rural Fires Act 1977, territorial bylaws, and to any regional rules made under the RMA to control the discharge of contaminants to air.

2. A consent granted under the RMA does not exempt discharge a person from liability for damage caused by the fire or liability for costs associated with the suppression of wildfires that may result from the controlled burning of vegetation.

3. Land occupiers wishing to burn vegetation may require further authorisations or agreements, including:
   (a) from the Department of Conservation;
   (b) from the Rural Fire Authority;
   (c) from Commissioner of Crown Lands for burning on Crown pastoral leasehold land;
   (d) from Territorial Local Authorities as determined by rules in their District Plans; and
   (e) from iwi or other organisations responsible for any functions impacting on Sections 6, 7 and 8 of RMA

Earthworks Excavation and Deposition over Aquifers

Note: In addition to this Plan, and any applicable district plan, any activity that may modify, damage, or destroy any pre 1900 archaeological site is also subject to the archaeological authority process under the Historic Places Act 1993. An archaeological authority is required by that Act to modify, damage, or destroy any archaeological site, whether or not it is recorded in the NZAA Site Recording Scheme website.

The use of land to excavate greater than 100 m³ of material within any 12 month period over an unconfined or semi-confined aquifer is a permitted activity provided the following conditions are met:

1. The excavation is not deeper than 1 m above the highest known groundwater level for the site; and
2. The excavation does not occur within:
   (a) 50 m of the bed of a permanently or intermittently flowing river, a lake or a wetland boundary; or

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146.77 Ashburton DC
146.77 Ashburton DC
149.29 Institute for Plant & Food Research
226.2 NZHPT
the Christchurch Groundwater Protection Zone, as shown on the Planning Maps.

5.156 The use of land to excavate greater than 100 m\(^3\) of material within any 12-month period over an unconfined or semi-confined aquifer that does not meet one or more conditions of Rule 5.155 is a discretionary activity.

5.157 The use of land to excavate material in or above the Coastal Confined Gravel Aquifer System is a permitted activity, provided the following conditions are met:

1. There is not less than 1 m of undisturbed material between the base of the excavation and Aquifer 1; and

2. The excavation does not occur within 50 m of the bed of a permanently or intermittently flowing river, a lake or a wetland boundary.

5.158 The use of land to excavate material in or above the Coastal Confined Gravel Aquifer System that does not comply with condition 2 of Rule 5.157 is a discretionary activity.

5.159 The use of land to excavate material in or above the Coastal Confined Gravel Aquifer System that does not comply with condition 1 of Rule 5.157 is a non-complying activity.

5.175 The use of land to excavate material is a permitted activity, provided the following conditions are met:

1. Over the Coastal Confined Gravel Aquifer System, as shown on the Planning Maps:
   (a) there is more than 1 m of undisturbed material between the deepest part of the excavation and Aquifer 1; and
   (b) if more than 100 m\(^3\) of material is excavated, the excavation does not occur within 50 m of any surface water body; or

2. Over an unconfined or semi-confined aquifer:
   (a) the volume of material excavated is less than 100 m\(^3\); or
   (b) the volume of material excavated is more than 100 m\(^3\) and:
      (i) there is more than 1 m of undisturbed material between the deepest part of the excavation and the seasonal high water table level; and
      (ii) the excavation does not occur within 50 m of any surface water body.

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

971 245.80 Fulton Hogan
972 167.27 CRC, 154.24 NZDF
The exercise of discretion is restricted to the following matters:

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

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

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

The CRC reserves control over the following matters:

1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands or the sea and mitigation measures; and

The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined...
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aquifer, where the seasonal high water table\textsuperscript{979} highest level of groundwater which can reasonably be expected to occur at the site is less than 5 30 m below the deepest point in the excavation natural land surface\textsuperscript{980} that does not comply with the conditions of Rule 5.160 5.177 is a restricted\textsuperscript{981} discretionary activity.

The CRC will restrict its discretion to the following matters:
1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands or the sea and mitigation measures; and
2. The proportion of any material other than cleanfill and its potential to cause contamination; and
3. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.\textsuperscript{982}

Hazardous Substances

5.179162 The use of land for the storage in a portable container and use of a hazardous substance listed in Part A of Schedule 4 is a permitted activity provided the following conditions are met:
1. The substance is approved under the Hazardous Substances and New Organisms Act 1996 and the storage and use of the substance is in accordance with all conditions of the approval; and\textsuperscript{983}
2. The aggregate quantity of specified hazardous substances stored on a site in one or more portable containers does not exceed 2,000 litres;
3. The container(s) are located in an area, or a structure, that will contain a leak or spill of the substance and will allow the spilled substance to be collected; and
4. Equipment that is suitable to absorb any leak or spill of the substance (a “spill kit”) is located with the container(s) at all times, along with instructions on how to use the spill kit;\textsuperscript{984}
5. The container(s) are not located within:
   (a) 20 m of a surface water body or a bore; or
   (b) a Group or Community Drinking-water supply Protection Zone\textsuperscript{985} as set out in Schedule 1; and
6. The container(s) do not remain on a site for more than 90 days in any consecutive 12 month period.\textsuperscript{986}

\textsuperscript{979} 167.28 CRC
\textsuperscript{980} 245.182 Fulton Hogan
\textsuperscript{981} 150.38 Winstone Aggregates
\textsuperscript{982} 150.38 Winstone Aggregates
\textsuperscript{983} 297.11 Blakely Pacific Limited, Christchurch
\textsuperscript{984} 99.83 The Fuel Companies
\textsuperscript{985} Minor wording change to ensure consistency
\textsuperscript{986} 99.83 The Fuel Companies
5.180163 The use of land for the storage in a portable container and use of a hazardous substance listed in Part A of Schedule 4 that does not meet one or more of the conditions in Rule 5.179.5.162 is a restricted discretionary activity.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. Measures to avoid:
   (a) the entry of the substances or associated contaminants into groundwater, surface water, supplies of drinking-water and aquatic ecosystems; and
   (b) any actual or potential adverse environmental effects on the current or future use of the water resource, as a result of leakage or spillage of the substance, or a release of the substance as a result of a natural event; and

2. Measures to prevent or contain spills or leaks, including site layout and drainage, waste management, emergency management and leak detection; and

3. Maintenance and monitoring of the storage or use system including containment measures; 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 relating to water quality and contaminated land.

5.181164 The use of land for the storage, other than in a portable container, and use of a hazardous substance listed in Part A of Schedule 4 is a permitted activity provided the following conditions are met:

1. All hazardous substances on a site are stored and used in accordance with requirements under the Hazardous Substances and New Organisms Act 1996. Evidence of compliance with these requirements shall be made available to the CRC upon request;

2. The substance is approved under the Hazardous Substances and New Organisms Act 1996 and the storage and use of the substance is in accordance with all conditions of the approval; and

3. A current inventory of all hazardous substances on the site is maintained, and a copy of the inventory shall be made available to the CRC or emergency services on request; and

4. For hazardous substances stored or held on or over land, all areas or installations used to store or hold hazardous substances are inspected at least once per month or annually if the site is outside of any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes and is unstaffed, and repaired or maintained if any defects are found that may compromise the containment of the hazardous substance; and

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987 358.10 Ngā Rūnanga
988 347.138 Fish & Game
989 99.85 The Fuel Companies
990 8.1 Chorus & Telecom
4. For hazardous substances stored or held in a container located in or under land; stock reconciliation is undertaken:
   (a) for service stations storing or holding fuel:
   If the stock reconciliation of product volumes stored in each container located in or under land at a service station shows a discrepancy of greater than 0.5% over three consecutive days or greater than a 1,000 litre loss in a single day, a Product Loss Investigation Procedure shall be implemented immediately. This procedure shall involve the following key steps:
   (i) Site Level check, including review of data and calculations and reconciliation actions;
   (ii) Where the cause of concern has not been identified by (i), an Engineering Check of the reconciliation equipment and observation wells;
   (iii) Where the cause of concern has not been identified by (ii), a Container Test;
   (iv) A copy of the procedure shall be kept on site at all times;\textsuperscript{991}
   (a) if there has been any physical loss of product identified by the above procedure, then the Canterbury Regional Council CRC\textsuperscript{992} shall be notified within 2 working days unless the loss occurred from a container in any area listed in condition (5), in which case notification shall occur within 24 hours of confirmation of the loss; and
   (a) for all other sites storing any hazardous substances:
   Stock reconciliation is undertaken within 24 hours of a substance being delivered and thereafter on a fortnightly basis. If the stock reconciliation shows a discrepancy for the measurement period of more than 100 litres or 0.5%, whichever is the smaller, the CRC shall be notified within 2 working days unless the loss occurred from a container in any area listed in condition (5), in which case notification shall occur within 24 hours; and\textsuperscript{993}
   (b) records of stock reconciliations over the past three 12 months shall be made available to the CRC upon request. If requested, a copy of the stock reconciliation and the most recent certification of the container shall be provided to the CRC within five working days; and

5. For substances stored within a Group or Community Drinking-water Supply Protection area Zone\textsuperscript{995} as set out in Schedule 1:
   (a) all hazardous substances on a site are stored under cover in a facility which is designed, constructed and managed to contain a leak or spill and allow the leaked or spilled substance to either be collected or lawfully disposed of; and
   (b) spill kits to contain or absorb a spilled substance are located with the storage facility and use areas at all times and train staff to manage spilled substances,\textsuperscript{996} and

\textsuperscript{991} 99.85 The Fuel Companies
\textsuperscript{992} Minor amendment
\textsuperscript{993} 99.85 The Fuel Companies
\textsuperscript{994} 99.85 The Fuel Companies
\textsuperscript{995} Minor wording change to ensure consistency
\textsuperscript{996} Cl 16 – Minor amendment – too uncertain for permitted activity conditions
6. Except where the storage was lawfully established before 4 July 2004 and the maximum quantity stored has not increased since that date, or the storage relates to transformers and other equipment associated with electricity infrastructure, the substances shall not be stored within:
   (a) 20 m of a surface water body or a bore used for water abstraction; or
   (b) 250 m of a known active fault that has a recurrence period of less than 10,000 years, and the land is:
      (i) over an unconfined or semi-confined aquifer; or
      (ii) within 50 m of a permanently or intermittently flowing river or a lake.

5.182 The use of land for the storage, other than in a portable container, and use of a hazardous substance listed in Part A of Schedule 4 that does not meet one or more of the conditions in Rule 5.181 is a discretionary activity.

5.183 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 is a permitted activity provided the following condition is met:
   1. The information listed in Part B of Schedule 4 is provided to the CRC at least one week before the decommissioning is undertaken, except for item 12, which is to be provided within one month of completion of the report or plan for each phase of the investigation or remediation.

5.184 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 that does not meet one or more of the conditions in Rule 5.183 is a discretionary activity.

Contaminated Land

5.185 The use of land for a site investigation to assess concentrations of hazardous substances that may be present in the soil is a permitted activity provided the following conditions are met:
   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) 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); and

997 221.103 Meridian
998 167.70 CRC
999 167.70 CRC
1000 167.71 CRC
1001 99.88 Oil Companies Le Marquand evidence
1002 167.72 CRC
2. The person or organisation initiating the site investigation provides a copy of the report of the site investigation to the CRC within two months of the completion of the investigation.

5.186 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 5.185 is a restricted discretionary activity.

The exercise of discretion is restricted. 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; and
2. The actual and potential adverse environmental effects on the current or future use of the land; and
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.

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

1. There has been a site investigation report provided to the CRC in accordance with Rule 5.185; and
2. The site investigation report identifies reasons for concluding that:
   (a) The concentration of contaminants in groundwater meets the limits for groundwater set out in Schedule 8; or
   (b) The concentration of contaminants in the groundwater: at the property boundary, at the location of any existing groundwater bore (excluding monitoring bores), and at any point where the groundwater exits to surface water does not breach the water quality standards in Schedule 5 for 90% of species; and
3. At any point where the groundwater exits to surface water the discharge does not produce any:
   (a) Conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (b) Conspicuous change in the colour or visual clarity; or
   (c) Emission of objectionable odour.

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1003 167.72 CRC
1004 Consequential amendment (Fish & Game (347))
1005 347.138 Fish & Game
5.188 The discharge of contaminants onto or into land from a contaminated site in circumstances where those contaminants may enter water that does not meet one or more of the conditions in Rule 5.187 is a discretionary activity.
Section 6 - Kaikoura

The area covered by this section aligns closely with the Kaikoura Zone boundary under the CWMS, and is in two parts – one of which covers the headwaters of the Clarence River (including Lake Tennyson) to the confluence of the Acheron River. The other area aligns closely with the Kaikoura District Council boundary and extends from just north of the Conway River mouth up to the Kekerengu River.

6.1 Other Regional Plans that apply to the Kaikoura Sub-regional area

Nil.

6.2 Water Conservation Orders that apply to the Kaikoura Sub-regional area

Nil.

6.3 Fresh water Outcomes

See Table 1 Policy 4.1. Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.\(^{1006}\)

\(^{1006}\) Clause 16 amendment to improve cross-referencing
6.4 Policies

The following policies apply in the Kaikoura Sub-regional area, in addition to those set out in Section 4 of this Plan.

6.4.1 When the available flow is less than the size of the sum of the minimum flow and the allocation block limit as set out in Table 2 below, takes shall be reduced on a pro rata basis, or via the formation of unless an alternative reduction regime which achieves the same outcome is agreed by the water user groups and Regional Council so that individuals can have access to water for longer periods during restrictions.  

6.4.2 The stream depletion cut-off limit (i.e. the stream depletion effect to which a groundwater take must be reduced to be exempt from any minimum flow restrictions or be counted within an allocation block limit) for groundwater takes with a high or moderate degree of hydraulic connection (refer to Schedule 9) to the Luke, Middle, Lyell and Ewelme catchments listed in Table 2 below, shall be 1 L/s.

6.4.3 For all rivers and streams listed in Table 2, except for the Upper Kahutara catchment A block (1 May – 30 Sep), no new water permits, or increases in the maximum rate of take or annual volume for existing permits, for the taking or diversion of:

(a) surface water;
(b) groundwater that is determined as having a direct degree of hydraulic connection, as per Schedule 9; or
(c) groundwater that is determined as having a high or moderate degree of hydraulic connection (as per Schedule 9), where the stream depletion effect is:
   (i) greater than 1 L/s in the case of Luke, Middle, Lyell and Ewelme catchments listed in Table 2 below; or
   (ii) greater than 5 L/s in the case of Hapuku, Kowhai and Kahutara catchments listed in Table 2 below;
shall be granted, unless use of the water is non-consumptive and the water that is taken or diverted is discharged back into the river near to the point of take.

6.5 Rules

The following rules apply in the Kaikoura Sub-regional area, in addition to those set out in Section 5 of this Plan.

6.5.1 The damming of the full flow of the mainstem of the Clarence River is a prohibited activity.  

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169.127 NZTA 120.270 DOC 18 January 2014
6.6 Allocation Limits

6.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, and 5 and 6.\textsuperscript{1009}

**Table 2: Kaikoura Streams Environmental Flow and Allocation Limits**

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site, or site where flow is measured</th>
<th>Min flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hapuku River</td>
<td>State Highway 1</td>
<td>670</td>
<td>178 \textsuperscript{1010}</td>
<td>950</td>
<td>100 (1 Oct – 30 Apr)</td>
</tr>
<tr>
<td>Luke Stream</td>
<td>At the property with the legal description Section 329 Kaikoura Suburban DIST</td>
<td>15</td>
<td>68</td>
<td>110</td>
<td>25 (1 Oct – 30 Apr)</td>
</tr>
<tr>
<td>Middle Creek</td>
<td>State Highway 1</td>
<td>165 (1 Sep – 31 May)</td>
<td>95 (1 Oct – 30 Apr)</td>
<td>475</td>
<td>50 (1 Oct - 30 Apr)</td>
</tr>
<tr>
<td>Lyell Creek/ Waikawau mainstem</td>
<td>Recorder site downstream of the confluence with Warrens Creek</td>
<td>300 (1 Oct – 30 Apr), 420 (1 May – 30 Sep)</td>
<td>58 (1 Oct – 30 Apr) 0 (1 May – 30 Sep)</td>
<td>1095</td>
<td>100 (Maximum of 50 from Warrens Creek/Lyell mainstem, 25 from Left Branch and 25 from Right Branch) for the period 1 Oct – 30 Apr)</td>
</tr>
</tbody>
</table>

\textsuperscript{1009} Clause 16 amendment to improve cross referencing.  
\textsuperscript{1010} 89 Bowden Environmental
<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site, or site where flow is measured</th>
<th>Min flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lyell Creek Right Branch</td>
<td>At the Mt Fyffe Road Bridge</td>
<td>25 on the Right Branch. In addition, abstractions from the Right Branch shall be subject to restrictions relating to the Lyell Creek mainstem at the recorder.</td>
<td>41 (1 Oct – 30 Apr) 5 (1 May – 30 Sep)</td>
<td>See Lyell Creek mainstem</td>
<td>See Lyell Creek mainstem</td>
</tr>
<tr>
<td>Lyell Creek Left Branch</td>
<td>At the property with the legal description Lot 2 DP 377996</td>
<td>45 on the Left Branch. In addition, abstractions from the Left Branch shall be subject to restrictions relating to the Lyell Creek mainstem at the recorder.</td>
<td>20 (1 Oct – 30 Apr) 6 (1 May – 30 Sep)</td>
<td>See Lyell Creek mainstem</td>
<td>See Lyell Creek mainstem</td>
</tr>
<tr>
<td>Warrens Creek</td>
<td>Rorrisons Road Bridge</td>
<td>180 (1 May – 30 Sep), 110 (1 Oct – 30 Apr) In addition, abstractions from Warrens Creek shall be subject to restrictions relating to the Lyell Creek mainstem at the recorder.</td>
<td>117 (1 Oct – 30 Apr) 14 (1 May 30-Sep)</td>
<td>See Lyell Creek mainstem</td>
<td>See Lyell Creek mainstem</td>
</tr>
<tr>
<td>Kowhai River mainstem</td>
<td>At the gorge</td>
<td>690</td>
<td>119</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Kowhai River tributaries</td>
<td>Tributary minimum flows remain as per individual consent conditions.</td>
<td>124</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ewelme Stream (Stoney Creek)</td>
<td>Quarry Road</td>
<td>55</td>
<td>96</td>
<td>205</td>
<td>25 (1 Oct – 30 Apr)</td>
</tr>
<tr>
<td>Upper Kahutara River</td>
<td>Blunts Road</td>
<td>80 (1 Oct – 30 Apr), 370 (1 May – 30 Sep)</td>
<td>15 (1 Oct – 30 Apr)</td>
<td>370</td>
<td>50 (1 Oct – 30 Apr)</td>
</tr>
<tr>
<td>River or stream (see Planning Maps)</td>
<td>Location of recorder site, or site where flow is measured</td>
<td>Min flow for A permits (L/s)</td>
<td>Allocation limit for A permits (L/s)</td>
<td>Minimum flow for B permits (L/s)</td>
<td>Allocation limit for B permits (L/s)</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------------------------------------------</td>
<td>-----------------------------</td>
<td>------------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Un-named tributary of the Kahutara</td>
<td>At the property with the legal description Lot 4 DP426919</td>
<td>40</td>
<td>52 (1 Oct – 30 Apr)</td>
<td>95</td>
<td>25 (1 Oct – 30 Apr)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>30 (1 May – 30 Sep)</td>
<td>No further water permits. Existing permits can be replaced.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For all other areas see Rule 5.96(2).1011

1011 Clause 16 amendment to correct cross-referencing following restructure of Section 5
6.6.2 Groundwater Allocation limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4, 5 and 56.\textsuperscript{1012}

Table 3: Kaikoura Groundwater Limits

<table>
<thead>
<tr>
<th>Zone (see Planning Maps)</th>
<th>Allocation Limit (million m\textsuperscript{3}/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kaikoura - Kowhai</td>
<td>19.2</td>
</tr>
<tr>
<td>Kaikoura – Mt Fyffe</td>
<td>10.1</td>
</tr>
</tbody>
</table>

For all other areas see Rule 5.102 5.128.\textsuperscript{1013}

6.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.41 5.41 to 5.64.\textsuperscript{1014}

6.7 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main River/Lake (see Planning Maps)</th>
<th>Location and/or Topo 50 Map Reference</th>
<th>Characteristics</th>
<th>Outstanding and Significant Characteristics\textsuperscript{1015}</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarence River and tributaries</td>
<td>From the mouth of the Clarence River (at or about BT28:770-308) to the headwaters (where this lies within the Canterbury region)</td>
<td>High degree of naturalness, upper catchment to Acheron confluence. Outstanding natural features and landscapes, upper catchment through to Dart Stream. Habitat of threatened/endangered indigenous birds and fish. High habitat value for brown trout, Lake Tennyson and above. High habitat value for brown trout and chinook salmon from Lake Tennyson to Acheron confluence. High visual amenity value and high sight seeing and trout angling value, upper catchment to Acheron confluence.</td>
<td>Outstanding wild and scenic values from the confluence with the Acheron River to the sea</td>
</tr>
</tbody>
</table>

\textsuperscript{1012} Clause 16 amendment to improve cross referencing
\textsuperscript{1013} Consequential change following deletion of 5.102
\textsuperscript{1014} Clause 16 amendment to correct cross-referencing following restructure of Section 5
\textsuperscript{1015} 232.22 Whitewater

6-6 18 January 2014
including the Gates of Clarence, Middle Clarence and Sawtooth Gorges.\(^{1016}\)

Spawning areas for brown trout and Chinook salmon upstream of the Acheron River confluence, including both the mainstem of the Clarence River for salmon and the upper tributaries including the Styx, Leaderdale, and various unnamed tributaries for brown trout.\(^{1017}\)

<table>
<thead>
<tr>
<th>Location</th>
<th>Reference</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Tennyson</td>
<td>BT24:776-279</td>
<td>High degree of naturalness. High visual amenity.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outstanding natural feature and landscape</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Habitat of threatened/endangered indigenous birds and fish.</td>
</tr>
<tr>
<td>Lake Rotoiti</td>
<td>BT27:489-059</td>
<td>Habitat of threatened/endangered indigenous birds (SSWI).</td>
</tr>
<tr>
<td>Lake Rotorua</td>
<td>BT27:479-050</td>
<td>Habitat of threatened/endangered indigenous birds.</td>
</tr>
</tbody>
</table>

\(^{1016}\) 232.21 Whitewater

\(^{1017}\) Evidence of Neil Deans on behalf of Fish & Game, dated 4 February 2013, paragraph 44.
Section 7 - Hurunui-Waiau

The area covered by this section is generally contiguous with the Hurunui District Council boundary and the Hurunui-Waiau Zone boundary under the CWMS.

There are four main rivers in the zone, all of which are braided, and they are the Waipara, Hurunui, Waiau and Conway. All of these rivers have highly valued hapua (coastal lagoons), that are important for cultural values, ecosystem health, river birds and fish. The zone has about 64 wetland sites, although there has been an approximately 98-98% loss in wetland area over time. The river catchments in the Zone contain a diverse range of habitats including braided reaches, gorges, lagoons, lakes, gravel beds, and mudflats. These rivers provide outstanding habitat for many rare birds, fish, plants and other species, as well as a wide range of recreational values. They are also a key source of the groundwater and surface water required for drinking-water and irrigation in the zone.

The Hurunui-Waiau Zone Committee has developed a vision for the Zone that accommodates the values that underpin the CWMS. In order for the Zone Committee’s vision to be realised, the following three outcomes were recognised as needing to be achieved:

- A thriving natural environment, safeguarded by protecting important ecosystems and biodiversity and by implementing appropriate environmental flow regimes.
- Healthy water ways that provide abundant mahinga kai and recreational opportunities, with the health of hapua on the major rivers reflecting effective and responsible economic and

1018 Clause 16 amendment to improve English
natural resource management of the land and rivers that flow into them so that the mauri of
the rivers is maintained and enhanced.

- A prospering zone, economically and socially, built largely on the basis of environmentally
  sustainable irrigated food and fibre production and tourism, with irrigation water supplied
  through an innovative combination of run-of-river takes and off-mainstem-river storage, and
  managed by sustainable good best practice audited self management programmes.

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

7.1.1 Hurunui and Waiau River Regional Plan

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

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

It should also be noted that discharges arising from land use activities within this sub-regional
area are managed under Rules 5.41 to 5.64 inclusive and Rule 7.5.1 of this Plan.\textsuperscript{1019}

7.1.2 Waipara Catchment Environmental Flow and Water Allocation Regional Plan

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

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

7.2 Water Conservation Orders that apply to the Hurunui-Waiau Sub-regional area

Nil.

\textsuperscript{1019} Clause 16 amendment to correct cross-referencing following restructure of Section 5
7.3 Fresh water Outcomes

See the HWRRP for the fresh water outcomes sought for the area and matters covered by that Plan. For all other locations within the Hurunui Waiau sub-regional area see Table 1 Policy 4.1 Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4. 1020

7.4 Policies

The following rules policies 1021 apply in the Hurunui-Waiau Sub-regional area, in addition to those set out in Section 5 of this Plan.

7.4.1 All takes from the Motunau River share the available flow within the allocation block limit in Table 4 below. When available flow is less than the size of sum of the minimum flow and the allocation block limit takes shall be reduced on a pro rata basis in order to maintain the minimum flows.

7.5 Rules

The following rules apply in the Hurunui-Waiau Sub-regional area, in addition to those set out in Section 5 of this Plan.

7.5.1 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following condition is met:

1. The land use activity associated with the discharge is authorised under Rules 10.1, 10.2, 11.1 or 11.1A of the Hurunui-Waiau River Regional Plan. 1022

1020 Clause 16 amendment to improve cross-referencing
1021 Clause 16 correction
1022 Clause 16 amendment to complete link with HWRRP. Essentially a repeat of Rule 5.63.
7.6 Allocation Limits

7.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, 5 and 57.

**Table 4: Motunau River Environmental Flow and Allocation Limits**

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of the site where flow is measured</th>
<th>Topo 50 Map Reference of site</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motunau River</td>
<td>At Atkinson property immediately downstream of the pump intake</td>
<td>BV25:053-345</td>
<td>25 (Oct-Apr) 45 (May-Sep)</td>
<td>20 (Oct-Apr) 50 (May-Sep)</td>
<td>45 (Oct-Apr) 50 (Oct-Apr)</td>
<td></td>
</tr>
</tbody>
</table>

**Table 5: Conway River Environmental Flow and Allocation Limits**

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of the site where flow is measured</th>
<th>Topo 50 Map Reference of site</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Location of the site where residual flow is measured</th>
<th>Reduction in take (flow in L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charwell River</td>
<td>Charwell Gorge</td>
<td>BT26:292-059</td>
<td>1 September - 30 April: 89 1 May – 31 August: 287</td>
<td>1 September - 30 April: Whenever the flow is between 108 L/s and 89 L/s, takes shall be reduced on a pro rata basis.</td>
<td>160</td>
<td>287</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Conway River</td>
<td>State Highway 1</td>
<td>BU26:342-836</td>
<td>1 September - 30</td>
<td>1 September - 30</td>
<td>85</td>
<td>2100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

---

1023. Clause 16 amendment to improve cross referencing
<table>
<thead>
<tr>
<th>Location</th>
<th>Bridge</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between confluence with Charwell River and State Highway 1 Bridge</td>
<td>April: 700 1 May – 31 August: 2100</td>
<td>April: All takes reduce by 25% if flow is 841 – 910 All takes reduce by 50% if flow is 771 – 840 All takes reduce by 75% if flow is 701 – 770</td>
</tr>
<tr>
<td>Between Charwell River and State Highway 1 Bridge</td>
<td>April: 700 unless a residual flow of 350 litres/sec or greater is measured. 1 May – 31 August: 2100</td>
<td>The most downstream single channel available below map reference BU27:38280-81943 and above any diversion outflow.</td>
</tr>
<tr>
<td>Between Charwell River and State Highway 1 Bridge</td>
<td>BU26:342-836</td>
<td>The most downstream single channel available below map reference BU27:38280-81943 and above any diversion outflow.</td>
</tr>
<tr>
<td>Between Limestone Creek and State Highway 1 Bridge</td>
<td>BU26:323-836</td>
<td>The most downstream single channel available below map reference BU27:38280-81943 and above any diversion outflow.</td>
</tr>
<tr>
<td>Between Limestone Creek and State Highway 1 Bridge</td>
<td>BU26:343-836-323-836</td>
<td>1 September - 30 April: 700 unless a residual flow of 350 litres/sec or greater is measured. 1 May – 31 August: 2100</td>
</tr>
<tr>
<td>Between Limestone Creek and State Highway 1 Bridge</td>
<td>1 September - 30 April: When the available flow is less than 210 L/s, takes shall be reduced on a pro rata basis in order to maintain either the minimum flow or residual flow.</td>
<td>1 September - 30 April: When the available flow is less than 210 L/s, takes shall be reduced on a pro rata basis in order to maintain either the minimum flow or residual flow.</td>
</tr>
<tr>
<td>Between Limestone Creek and State Highway 1 Bridge</td>
<td>100 combined from Conway River below SH1 and Limestone Creek</td>
<td>210 for takes. No limit on the amount of water diverted, provided that it is the minimum practically necessary to facilitate takes within the allocation block</td>
</tr>
</tbody>
</table>

Advisory Note: 5 litres per second is included in the 210 L/s allocation for future domestic water requirements for the Conway River below State Highway 1 Bridge.

18 January 2014 7-5
See the HWRP for the Waiau, Hurunui and Jed River catchment flow and allocation limits and the Waipara Catchment Environmental Flow and Water Allocation Regional Plan for the Waipara River flow and allocation limits. For all other areas see Rule 5.96(2). 5.123. \(^{1024}\)

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\(^{1024}\) Clause 16 amendment to correct cross-referencing following restructure of Section 5
7.6.2 Groundwater Allocation Limits

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

Table 6: Hurunui-Waiau Groundwater Limits

<table>
<thead>
<tr>
<th>Zone (see Planning Maps)</th>
<th>Allocation Limit (million m$^3$/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waipara North</td>
<td>2.9</td>
</tr>
<tr>
<td>Kowai</td>
<td>17.4</td>
</tr>
</tbody>
</table>

See the HWRRP for groundwater allocation limits managed under the HWRRP and the Waipara Catchment Environmental Flow and Water Allocation Regional Plan for the Waipara groundwater allocation limits. For all other areas see Rule 5.102 5.128. 1025

7.6.3 Catchment Nutrient Load Limits and Allowances

See the HWRRP for the management of nutrients in the Hurunui, Waiau and Jed River catchments.

For all other catchments see Rules 5.39 to 5.51 5.41 to 5.64. 1026

7.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blythe</td>
<td>Blythe River</td>
<td>Whole catchment</td>
<td>Nape Nape Road</td>
</tr>
<tr>
<td>Conway</td>
<td>Limestone Creek</td>
<td>Whole catchment</td>
<td>Conway confluence</td>
</tr>
<tr>
<td>Hurunui</td>
<td>Waitohi River</td>
<td>Whole catchment</td>
<td>1.6km upstream from Hurunui confluence</td>
</tr>
<tr>
<td>Waiau</td>
<td>Mason River</td>
<td>Whole catchment</td>
<td>Waiau/Lyndon Road Bridge</td>
</tr>
<tr>
<td></td>
<td>Home Stream</td>
<td>Whole catchment</td>
<td>Emu Plains Road</td>
</tr>
<tr>
<td>Waipara</td>
<td>Waipara River</td>
<td>Catchment upstream from Teviotdale</td>
<td>Teviotdale recorder site</td>
</tr>
<tr>
<td></td>
<td>Weka Stream</td>
<td>Whole catchment</td>
<td>Archers Creek Dam</td>
</tr>
</tbody>
</table>

1025 Consequential change following deletion of 5.102
1026 Clause 16 amendment to correct cross-referencing following restructure of Section 5
Section 8 - Waimakariri

The area covered by this section is generally contiguous with the Wamakariri District Council boundary and the Waimakariri Zone boundary under the CWMS.

The area is characterised by the large alpine Waimakariri River alongside the hill-fed Ashley/Rakahuri River and its tributaries (including the Okuku River), and a network of spring-fed streams and lagoons in the coastal zone. Much of the land to the east of Rangiora is reclaimed swamp, which is still subject to poor drainage and occasional flooding. The north-western portion of the area is hill and high country. These hills, including Mt Oxford, Mt Richardson, and Mt Thomas, dominate the district’s western landscape.

The following sustainable water management priority outcomes have been identified by the Waimakariri Zone Committee:

- Lowland stream water quality and water quantity supports mahinga kai gathering and a diversity of aquatic life.
- The Ashley/Rakahuri River is safe for contact recreation, has improved river habitat, improved fish passage, improved customary use, and flows that support natural coastal processes.
- The zone has safe and reliable drinking water, preferably from secure sources, and the Tuahiwi community has a high quality water supply.
- The biodiversity of coastal lagoons and foothills wetlands are protected with improved biodiversity on the plains.
- Highly reliable irrigation water, to a target of 95%, is available in the Zone.
- Optimal water and nutrient management is common practice.
There is improved contribution to the regional economy from the Zone.

8.1 Other Regional Plans that apply to the Waimakariri Sub-regional area

8.1.1 Waimakariri River Regional Plan 2004

The Waimakariri River Regional Plan 2004 controls use of water in the Waimakariri River, its tributaries and hydraulically connected groundwater; point and non-point source discharges of contaminants to water bodies in the Waimakariri River catchment; and land use activities in the beds of rivers and lakes in the Waimakariri River catchment.

Except for Policy 8.4.4 and Rules 8.5.2 and 8.5.3 which address the repair of earthquake damaged land on individual sites used for residential activities, the LWRP’s objectives, policies and rules do not apply to the matters controlled by the Waimakariri River Regional Plan 2004. The specific relationship between the LWRP and the Waimakariri River Regional Plan 2004 and how the plans are administered is detailed in Section 2.9.

8.2 Water Conservation Orders that apply to the Waimakariri Sub-regional area

Nil.

8.3 Fresh water Outcomes

See Table 1 Policy 4.1. Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.

8.4 Policies

The following policies apply in the Waimakariri Sub-regional area, in addition to those set out in Section 4 of this Plan.

8.4.1 In implementing partial restrictions, takes from the Ashley River/Rakahuri catchment, other than for stock drinking water and community drinking water supplies, shall be reduced on a pro rata basis in order to maintain the minimum flows in Table 7 below.

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94.1 Waimakariri District Council

Clause 16 amendment to improve cross-referencing
8.4.2 Takes from any tributaries that join the Ashley River/Rakahuri upstream of State Highway 1 will have a minimum flow set at the Ashley Gorge plus any minimum flow set in the vicinity of the take.

8.4.3 There shall be no transfer of the point of take of a water permit beyond the property to which the take applies, and there shall be no transfer to another property of any part of any water permit for the take or use of water that is taken from the Ashley River/Rakahuri or from any of its tributaries that join the mainstem above State Highway 1. (This limitation does not apply to Taranaki Creek, Waikuku Stream, Little Ashley Creek and Saltwater Creek).

8.4.4 Until 31 December 2018, and where the site was used for residential activities as at 4 September 2010, enable within the area shown in Map 8.1, the repair of earthquake damaged land within specified thresholds as permitted activities. Beyond these thresholds, provide for land repair activities by way of a resource consent, where the adverse effects on the environment are mitigated.

8.4.5 Ensure a focused and expedited decision making process for landowners by requiring resource consent applications to be processed and considered without public or limited notification. In addition, ensure the social, economic, cultural and environmental well-being of communities is met by requiring adverse effects from the repair of earthquake damaged land to be mitigated through conditions of consent.

8.5 Rules

The following rules apply in the Waimakariri Sub-regional area, in addition to those set out in Section 5 of this Plan.

8.5.1 The damming of the full flow of the mainstem of the Ashley River/Rakahuri upstream from Ashley Gorge bridge to about 200m downstream of the confluence with the Townshend River at approximate map reference BW22:300-174 is a prohibited activity.

Note: For all activities in or near waterways, refer also to the requirements and restrictions under the Canterbury Flood Protection and Drainage Bylaw 2013

8.5.2 Prior to 31 December 2018, the repair of earthquake damaged land located within the area shown on Map 8.1, and located outside the High Soil Erosion Risk Areas, and which is carried out on an individual site used for residential activities, but excluding any residential property zoned “red” by the Canterbury Earthquake Recovery Authority, which involves any one or more of:

1029 120.270 DOC
1030 169.131 NZTA

18 January 2014
(a) the use of land for:
  i. the excavation of material over the unconfined, semi-confined or coastal
     confined aquifer system;
  ii. the deposition of material into land or into groundwater, and any
      associated discharge into groundwater;
  iii. vegetation clearance or earthworks within the riparian margin (defined for
      the purposes of this rule as any land within 10 metres of the bed of a river,
      lake or wetland boundary);
  iv. the installation, maintenance, and use of a bore for geotechnical
      investigation or monitoring purposes;
  v. the installation and construction of building foundations;

(b) the discharge of sediment-laden water generated from earthworks into a surface
    waterbody, or onto or into land where it may enter a surface water body;

(c) the taking of groundwater for the purposes of dewatering or land drainage, and the
    associated discharge of that water into a surface water body, or onto or into land
    where it may enter a surface water body.

is a permitted activity, provided the following conditions, as applicable, are met:

General Conditions
1. The extent and duration of any works is limited to only that necessary to repair the
   land;
2. The works (excluding any discharges associated with the works listed above) do not
   occur in, the bed of any lake, river or natural wetland.

Earthworks, Excavation and Deposition of Material
3. Erosion and sediment control measures are implemented and maintained in
   accordance with Environment Canterbury’s Erosion and Sediment Control
   Guidelines for Small Sites to minimise erosion and the discharge of sediment laden
   water to surface water.
4. Any material deposited into land consists only of uncontaminated fill (soil, rocks,
   gravels, sand, silt, clay), concrete, cement, grout, concrete, steel or timber
   foundation piles, or inert building materials.
5. From the date this rule becomes operative, the use of land for the placement of
   treated timber foundation piles into confined groundwater within the Coastal
   Confined Aquifer System, and any discharge from those foundation piles, does not
   occur within a group or community drinking water supply protection area, as set
   out in Schedule 1 of this plan.
6. Any excavation over the coastal confined aquifer system maintains at least one
   metre of undisturbed material between the deepest part of the excavation and
   Aquifer 1.
7. No materials (other than those listed in condition (4)), vehicles or machinery
   (excluding clean uncontaminated equipment used for dewatering, and
   infrastructure installed for the purposes of land repair) are deposited into, or used
   within groundwater.
8. Compaction, or earthworks involving below ground soil disturbance (excluding
   filling), do not occur on any part of a site which is identified as a landfill.
9. There is no discharge of any cement, concrete, grout, or water containing cement, grout, or concrete, into any surface water body, or beyond the property boundary.

10. Where grout is deposited into land, or into groundwater, the following conditions also apply:
   a. The volume of grout shall not exceed 50 cubic metres per site.
   b. The point of deposition into land is not within:
      i. 20 metres of any surface water body, or 20 metres of the Coastal Marine Area, where the material is deposited into groundwater; or
      ii. 10 metres of any surface water body, or 10 metres of the Coastal Marine Area, where a separation of one metre is maintained between groundwater and any deposited material.
   c. Where grout is deposited into land via in-situ mixing:
      i. The grout shall be mixed evenly throughout the augured soil column; and
      ii. The percentage of grout within the area of the augured soil column shall not exceed 20%.
   d. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.

11. To prevent erosion, bare ground is stabilised within 10 days of any vegetation clearance or earthworks.

12. For earthworks carried out within the riparian area, in addition to conditions 3 through 11, the following conditions apply:
   i. Vegetation used and maintained by the Canterbury Regional Council for flood or erosion control purposes is not removed.
   ii. Replanting is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or Canterbury Pest Management Strategy.
   iii. The activities do not reduce the available floodway.
   iv. The activities do not result in the destabilisation of the bank of any river, lake or natural wetland, or destabilise any existing lawfully established structures, or interfere with access to waterways for maintenance or inspection purposes.

Geotechnical Investigations

13. The bore is used only for the purposes of geotechnical investigations and is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore.

14. Information on location (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore.

Dewatering, Sediment-laden Water, and Land Drainage

15. Dewatering and land drainage discharges are not from, or discharged onto or into any site listed on Environment Canterbury’s Listed Land Use Register.

16. The taking of groundwater for dewatering purposes does not lower the groundwater level more than 8 metres below the ground level of the site.

17. The taking and discharge of land drainage water and site dewatering water onto or into land or into surface water does not result in subsidence of the land surface, or river bed or river bank erosion.
18. The discharge of dewatering water onto or into land, or into surface water, does not result in any flooding of any neighbouring property, or result in ponding on the land surface for more than 48 hours.

19. The concentration of suspended solids in any dewatering water or sediment-laden water discharged to any surface water body does not exceed 100 grams per cubic metre.

For the purposes of this rule the following definitions apply:
“Earthquake Damaged Land” means land damaged as a result of the Canterbury Earthquake Sequence that commenced on 4 September 2010.
“Residential Activities” means land zoned residential in a district plan; or land used predominantly for residential occupation as at 4 September 2010.
Grout means a material which consists of water and at least 20% cement, and which may also contain aggregate, inert additives or bentonite.
“Landfill” means any part of a site where solid or hazardous waste has been deposited (either lawfully or not), and which is identified as a landfill on Environment Canterbury’s Listed Land Use Register, or in the records of the relevant territorial authority.

8.5.3 The repair of earthquake damaged land which is carried out on individual sites used for residential activities which does not meet one or more of the applicable conditions of Rule 8.5.2 is a restricted discretionary activity.

The CRC will restrict discretion to the following matters:
1. The effect of not meeting the condition or conditions of Rule 8.5.2
2. Mitigation measures proposed to be implemented or mitigation measures available to minimise any actual or potential environmental effect.

Notification
Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.
Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.
8.6 Allocation Limits

8.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, 5 and 58.1031

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site*, or site where flow is measured</th>
<th>Topo 50 Map Reference</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
<th>Minimum flow for C permits (L/s)</th>
<th>Allocation limit for C permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taranaki Creek</td>
<td>Kaiapohia monument</td>
<td>BW24:748-054</td>
<td>120</td>
<td>61</td>
<td>unlimited</td>
<td>181</td>
<td>unlimited</td>
<td>NA No C Block</td>
</tr>
<tr>
<td>Waikuku Stream</td>
<td>Beach Road</td>
<td>BW24:747-069</td>
<td>100 Monday to Friday 150 Saturday and Sunday</td>
<td>460</td>
<td>560 Monday to Friday 610 Saturday and Sunday 181 No B Block</td>
<td>unlimited</td>
<td>181 No B Block</td>
<td>NA No C Block</td>
</tr>
<tr>
<td>Little Ashley Creek</td>
<td>State Highway One</td>
<td>BW24:746-073</td>
<td>50 except for four days per calendar month when the minimum flow shall be 30 L/s</td>
<td>172</td>
<td>222 181 No B Block</td>
<td>unlimited</td>
<td>181 No B Block</td>
<td>NA No C Block</td>
</tr>
<tr>
<td>Saltwater Creek</td>
<td>Toppings Rd</td>
<td>BW24:731-108</td>
<td>100</td>
<td>408</td>
<td>unlimited</td>
<td>181</td>
<td>unlimited</td>
<td>NA No C Block</td>
</tr>
</tbody>
</table>

See the Waimakariri River Regional Plan for the Waimakariri catchment flow and allocation limits.

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1031 Clause 16 amendment to improve cross referencing
1032 120.277 DOC and evidence prepared by S Pearson on behalf of Fish & Game, dated 7 June 2013.
8.6.2 Groundwater Allocation Limits

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

Table 8: Waimakariri Groundwater Limits

<table>
<thead>
<tr>
<th>Groundwater Allocation Zone (see Planning Maps)</th>
<th>Allocation Limit (million m$^3$/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashley</td>
<td>29.4</td>
</tr>
<tr>
<td>Cust</td>
<td>56.3</td>
</tr>
<tr>
<td>Eyre</td>
<td>99.07</td>
</tr>
<tr>
<td>Kowai</td>
<td>17.4</td>
</tr>
<tr>
<td>Loburn Fan</td>
<td>40.8</td>
</tr>
</tbody>
</table>

For all other areas see Rule 5.102 5.128 1033

8.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51 5.41 to 5.64 1034

8.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashley/Rakahuri</td>
<td>Okuku River</td>
<td>Catchment upstream from Fox Creek confluence</td>
<td>Fox Creek recorder</td>
</tr>
</tbody>
</table>

8.8 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main River/Lake (see Planning Maps)</th>
<th>Location and Topo 50 Map Reference</th>
<th>Outstanding and significant characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashley/Rakahuri River</td>
<td>From the Ashley Gorge Bridge (at or about BW22:374-134) to 200 m below the confluence with the Townshend River (at or about BW22:300-174)</td>
<td>High degree of naturalness High visual amenity value – very scenic and deeply incised gorge which is visible in places from Lees Valley Road</td>
</tr>
</tbody>
</table>

1033 Consequential change following deletion of 5.102
1034 Clause 16 amendment to correct cross-referencing following restructure of Section 5

18 January 2014
Section 9 - Christchurch-West Melton

The area covered by this section corresponds with that of the Christchurch-West Melton Zone under the CWMS. Bordered to the north by the lower reaches of the Waimakiriri River, and to the south by the Port Hills, the main waterways within the area are the Avon/Ōtākaro, Heathcote and Styx Rivers.

The Avon/Ōtākaro, Heathcote and Styx Rivers are spring-fed lowland rivers which comprise a single thread channel with low gradients. The Avon/Ōtākaro and Heathcote Rivers flow into the Avon-Heathcote Estuary/ Ihutai, whereas the Styx River flows into Brooklands Lagoon, near the mouth of the Waimakiriri River.  

9.1 Other Regional Plans that apply to the Christchurch-West Melton Sub-regional area

9.1.1 Waimakiriri River Regional Plan 2004

The Waimakiriri River Regional Plan 2004 controls use of water in the Waimakiriri River, its tributaries and hydraulically connected groundwater; point and non-point source discharges of contaminants to water bodies (except for the Styx River catchment) in the Waimakiriri River. 

1035 Map replaced (not shown strike-out) to remove blue line around CMA – DOC 120.2
catchment; and land use activities in the beds of rivers and lakes in the Waimakariri River catchment.

Except for the water quality rules in the LWRP which apply in the Styx River Catchment, policy 9.4.4 and rules 9.5.6 and 9.5.7 of the LWRP which address the repair of earthquake damaged land on individual sites used for residential activities the LWRP’s objectives, policies and rules do not apply to the matters controlled by the Waimakariri River Regional Plan 2004, except water quality rules in the LWRP that apply to the Styx River catchment. The water quality rules in the Waimakariri River Regional Plan do not apply to the Styx River catchment.

9.2 Water Conservation Orders that apply to the Christchurch-West Melton Sub-regional area

Nil.

9.3 Fresh water Outcomes

See Table 1 Policy 4.1. Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.

9.4 Policies

The following policies apply in the Christchurch-West Melton Sub-regional area, in addition to those set out in Section 5 of this Plan.

9.4.1 Protect the high quality, untreated groundwater sources available to Christchurch City as a potable water supply in the area shown on the Planning Maps as the Christchurch Groundwater Protection Zone by:

(a) Ensuring any abstraction of groundwater maintains upward hydraulic pressure gradients of groundwater where this pressure exists;
(b) Adopting best practicable options for the treatment and disposal of stormwater, contaminants containing hazardous substances, and other contaminants which are discharged onto land where it may enter groundwater;
(c) Limiting the use of land for activities which involve the aggregation of large quantities of hazardous substances to ensure risks of spill, leaching or other contamination of groundwater are appropriately mitigated;
(d) Preventing new landfills or any expansion of existing landfill disposal areas, except for the disposal of inert fill or clean fill only; and

1036 Clause 16 amendment to improve cross-referencing
1037 82.51 Graeme Lowe Tannery Limited
1038 59.35 Dr Hugh Thorpe
1039 106 CCC Keller evidence
1040 99.39 The Fuel Companies

18 January 2014
Ensuring any land uses maintain an overlying confining layer above the aquifer of at least 3 m thickness, or where the confining layer is less than 3 m thick, maintain the existing thickness of the confining layer. Where the confining layer or where this layer is removed or reduced, including as part of site construction or gravel or mineral extraction, measures are put in place to mitigate the risk of contaminants from land uses entering groundwater once site construction or excavation ceases and any remaining excavations sites are rehabilitated once excavation ceases using inert fill.

9.4.2 In the Woolston/Heathcote Groundwater Management Zones shown on the Planning Maps, groundwater abstraction shall be managed so that groundwater that is taken is of a quality that is suitable for potable use.

9.4.3 Takes from the Woolston/Heathcote Groundwater Management Zone 2—shown on the Planning Maps shall have no more than minor adverse effects on groundwater levels in the first confined aquifer in Zone 1.

9.4.4 Until 31 December 2018, and where the site was used for residential activities as at 4 September 2010, enable within the area shown in Map 9.1, the repair of earthquake damaged land within specified thresholds as permitted activities. Beyond these thresholds, provide for land repair activities by way of a resource consent, where the adverse effects on the environment are mitigated.

9.4.5 Ensure a focused and expedited decision making process for landowners by requiring resource consent applications to be processed and considered without public or limited notification. In addition, ensure the social, economic, cultural and environmental well-being of communities is met by requiring adverse effects from the repair of earthquake damaged land to be mitigated through conditions of consent.

9.4.6 Resource consents which authorise the take and use of water for gravel extraction (and associated purposes) may be transferred in full or in part to another site and used for the same purpose without a proportion of water being surrendered.

9.4.7 To accommodate geological alterations to the land and its relationship with surface water bodies within Christchurch City, resulting from the recent seismic events, and to prevent any increase in inundation of land in the lower catchments, the discharge to surface water of any stormwater in the Avon/Otakaro or Heathcote catchments that is not within an area covered by a consented stormwater management plan will require specific evaluation, including of downstream flooding potential, through a resource consent process.

Evidence submitted by Carl Steffens on behalf of CIAL, dated 4 February 2013.
99.39 Oil Companies, Le Marquand evidence; and others
Clause 16 amendment to improve clarity
Amendment consequential to there now just being one zone
245.84 Fulton Hogan Limited
347 Fish & Game – giving effect to RPS
9.5 Rules

The following rules apply in the Christchurch-West Melton Sub-regional area, in addition to those set out in Section 5 of this Plan.

9.5.1 The taking and use of surface water from, or stream depleting groundwater associated with, the Avon/Ōtākaro or Heathcote rivers is a restricted discretionary activity, provided the following conditions are met:
1. The take or diversion complies with the minimum flows as set out in Table 9 below; and
2. The take or diversion is a renewal of an existing resource consent and the rate or take and volume is to remain unchanged; or
3. The water that is taken or diverted will be discharged back into the river near the point of take; or
4. The water to be taken is high or moderate stream depleting groundwater, is to be used for group drinking water supply or community drinking water supply and is subject to a Water Supply Strategy.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:
1. Whether the amount of water to be taken and used is reasonable for the intended end use;
2. The availability and practicality of using alternative supplies of water;
3. The effects the take or diversion has on any other authorised takes or diversions;
4. Whether and how fish are prevented from entering the water intake;

9.5.2 The taking, diverting or use of surface water from the Avon/Ōtākaro or Heathcote River that does not meet the conditions of Rule 9.5.1 is a prohibited activity.

9.5.3 The taking and use of groundwater from the Woolston/Heathcote Groundwater Management Zone 1 is a restricted discretionary activity provided the following conditions are met:
1. For stream depleting groundwater takes, the take, in addition to all existing resource consented surface water takes, complies with Table 10;
2. The annual volume of the groundwater take, in addition to all existing resource consented takes, complies with Table 10; and
3. The well interference effects as set out in Schedule 12 are “acceptable”.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:
1. Whether the amount of water to be taken and used is reasonable for the
intended end use;
2. The availability and practicality of using alternative supplies of water;
3. The maximum rate of take, including the capacity of the bore or bore field;
4. The effects the take has on any other authorised takes, including interference
effects as set out in Schedule 12;
5. Restrictions in take in accordance with the levels and restrictions in Table 10;
6. For stream depleting groundwater takes, any reduction in the rate of take in
times of low flow and the need for any additional restrictions to prevent the flow
from reducing to zero.

9.5.4 Unless categorised as a prohibited activity in Rule 9.5.5 the taking and use of
groundwater from the Woolston/Heathcote Groundwater Management Zone 1 is a
non-complying activity.

9.5.5 The taking and use of groundwater from the Woolston/ Heathcote Groundwater
Management Zone 1 that does not meet conditions 1 or 2 in Rule 9.5.3 is a prohibited
activity.

Note: For all activities in or near waterways, refer also to the requirements and restrictions
under the Canterbury Flood Protection and Drainage Bylaw 2013

9.5.6 Prior to 31 December 2018, the repair of earthquake damaged land located within the
area shown on Map 9.1, and located outside the High Soil Erosion Risk
Areas, and which is carried out on an individual site used for residential activities, but
excluding any residential property zoned “red” by the Canterbury Earthquake Recovery
Authority, which involves any one or more of:
(a) the use of land for:
   i. the excavation of material over the unconfined, semi-confined or coastal
      confined aquifer system;
   ii. the deposition of material into land or into groundwater, and any
       associated discharge into groundwater;
   iii. vegetation clearance or earthworks within the riparian margin (defined for
       the purposes of this rule as any land within 10 metres of the bed of a river,
       lake or wetland boundary);
   iv. the installation, maintenance, and use of a bore for geotechnical
       investigation or monitoring purposes;
   v. the installation and construction of building foundations;
(b) the discharge of sediment-laden water generated from earthworks into a surface
   waterbody, or onto or into land where it may enter a surface water body;
(c) the taking of groundwater for the purposes of dewatering or land drainage, and the
   associated discharge of that water into a surface water body, or onto or into land where
   it may enter a surface water body.
is a permitted activity, provided the following conditions, as applicable, are met:

General Conditions
1. The extent and duration of any works is limited to only that necessary to repair the land.
2. The works (excluding any discharges associated with the works listed above) do not occur in, the bed of any lake, river or natural wetland.

Earthworks, Excavation and Deposition of Material

3. Erosion and sediment control measures are implemented and maintained in accordance with Environment Canterbury’s Erosion and Sediment Control Guidelines for Small Sites to minimise erosion and the discharge of sediment laden water to surface water.
4. Any material deposited into land consists only of uncontaminated fill (soil, rocks, gravels, sand, silt, clay), concrete, cement, grout, concrete, steel or timber foundation piles, or inert building materials.
5. From the date this rule becomes operative, the use of land for the placement of treated timber foundation piles into confined groundwater within the Coastal Confined Aquifer System, and any discharge from those foundation piles, does not occur within a group or community drinking water supply protection area, as set out in Schedule 1 of this plan.
6. Any excavation over the coastal confined aquifer system maintains at least one metre of undisturbed material between the deepest part of the excavation and Aquifer 1.
7. No materials (other than those listed in condition (4)), vehicles or machinery (excluding clean uncontaminated equipment used for dewatering, and infrastructure installed for the purposes of land repair) are deposited into, or used within groundwater.
8. Compaction, or earthworks involving below ground soil disturbance (excluding filling), do not occur on any part of a site which is identified as a landfill.
9. There is no discharge of any cement, concrete, grout, or water containing cement, grout, or concrete, into any surface waterbody, or beyond the property boundary.
10. Where grout is deposited into land, or into groundwater, the following conditions also apply:
   a. The volume of grout shall not exceed 50 cubic metres per site.
   b. The point of deposition into land is not within:
      i. 20 metres of any surface water body, or 20 metres of the Coastal Marine Area, where the material is deposited into groundwater; or
      ii. 10 metres of any surface water body, or 10 metres of the Coastal Marine Area, where a separation of one metre is maintained between groundwater and any deposited material.
   c. Where grout is deposited into land via in-situ mixing:
      i. The grout shall be mixed evenly throughout the augured soil column; and
      ii. The percentage of grout within the area of the augured soil column shall not exceed 20%.
   d. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.
11. To prevent erosion, bare ground is stabilised within 10 days of any vegetation clearance or earthworks.

12. For earthworks carried out within the riparian area, in addition to conditions 3 through 11, the following conditions apply:
   v. Vegetation used and maintained by the Canterbury Regional Council for flood or erosion control purposes is not removed.
   vi. Replanting is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or Canterbury Pest Management Strategy.
   vii. The activities do not reduce the available floodway.
   viii. The activities do not result in the destabilisation of the bank of any river, lake or natural wetland, or destabilise any existing lawfully established structures, or interfere with access to waterways for maintenance or inspection purposes.

Geotechnical Investigations

13. The bore is used only for the purposes of geotechnical investigations and is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore.

14. Information on location (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore.

Dewatering, Sediment-laden Water, and Land Drainage

15. Dewatering and land drainage discharges are not from, or discharged onto or into any site listed on Environment Canterbury’s Listed Land Use Register.

16. The taking of groundwater for dewatering purposes does not lower the groundwater level more than 8 metres below the ground level of the site.

17. The taking and discharge of land drainage water and site dewatering water onto or into land or into surface water does not result in subsidence of the land surface, or river bed or river bank erosion.

18. The discharge of dewatering water onto or into land, or into surface water, does not result in any flooding of any neighbouring property, or result in ponding on the land surface for more than 48 hours.

19. The concentration of suspended solids in any dewatering water or sediment-laden water discharged to any surface water body does not exceed 100 grams per cubic metre.

For the purposes of this rule the following definitions apply:
“Earthquake Damaged Land” means land damaged as a result of the Canterbury Earthquake Sequence that commenced on 4 September 2010.
“Residential Activities” means land zoned residential in a district plan; or land used predominantly for residential occupation as at 4 September 2010”.
Grout means a material which consists of water and at least 20% cement, and which may also contain aggregate, inert additives or bentonite.
“Landfill” means any part of a site where solid or hazardous waste has been deposited (either lawfully or not), and which is identified as a landfill on Environment Canterbury’s Listed Land Use Register, or in the records of the relevant territorial authority.
9.5.7 The repair of earthquake damaged land which is carried out on individual sites used for residential activities which does not meet one or more of the applicable conditions of Rule 9.5.6 is a restricted discretionary activity.

The CRC will restrict discretion to the following matters:
1. The effect of not meeting the condition or conditions of Rule 9.5.6
2. Mitigation measures proposed to be implemented or mitigation measures available to minimise any actual or potential environmental effect.

Notification
Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.
Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

9.5.8 The temporary or permanent site to site transfer, in whole or in part, of a water permit to take or use water for gravel extraction (and associated purposes) is a discretionary activity provided the water will be used for the same purpose.

9.5.9 The discharge of stormwater into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter a river, lake, wetland or artificial watercourse in the Avon/Otakaro or Heathcote catchments that is not:
(a) Authorised by a consented stormwater management plan; or
(b) Into a reticulated stormwater systems;
is a discretionary activity.

\[\text{1047 245.84 Fulton Hogan Limited}\]
\[\text{1048 347 Fish & Game – giving effect to RPS}\]
9.6 Allocation Limits

9.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4 and 5.

Table 9: Avon River/Otākaro and Heathcote River Environmental Flow and Allocation Limits

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site*, or site where flow is measured</th>
<th>Topo 50 Map Reference of site</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Reductions in take (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B etc. Permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avon River/Otākaro</td>
<td>Gloucester St*</td>
<td>BX24:704-803</td>
<td>1,100</td>
<td>No restrictions set</td>
<td>No limit set—No additional water to be allocated</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Heathcote River</td>
<td>Buxton Terrace*</td>
<td>BX24:715-709</td>
<td>400</td>
<td>No restrictions set</td>
<td>No limit set—No additional water to be allocated</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

See the Waimakariri River Regional Plan for the Waimakariri catchment flow and allocation limits. For all other areas see Rule 5.96(2), 5.123.

9.6.2 Groundwater Allocation Limits

1049 120.286 Director General of Conservation

1050 Clause 16 amendment to correct cross-referencing following restructure of Section 5

18 January 2014 9-9
The following groundwater allocation limits are to be applied when reading policies and rules in Sections 4, 5 and 59.\textsuperscript{1051}

In general,\textsuperscript{1052} no additional water is to be allocated from the Christchurch West-Melton Groundwater Allocation Zone shown on the Planning Maps except for group or community water supply as set out in Rule 5.88.\textsuperscript{5.115} or for non-consumptive taking and use as set out in Rules 5.131 and 5.132.\textsuperscript{1054}

Table 10: Woolston/ Heathcote Groundwater

<table>
<thead>
<tr>
<th>Groundwater Allocation Zone (see Planning Maps)</th>
<th>Number and location of monitoring bore where level is measured</th>
<th>Map reference of monitoring site</th>
<th>Aquifer name and depth (above mean sea level datum)</th>
<th>Allocation limit A permits (cubic metres/yr)</th>
<th>Minimum level for A permits (above mean sea level datum)</th>
<th>Restriction regime</th>
<th>Comments</th>
</tr>
</thead>
</table>

\textsuperscript{1051} Clause 16 amendment to improve cross-referencing
\textsuperscript{1052} 245 Fulton Hogan and others
\textsuperscript{1053} Clause 16 amendment to correct cross-referencing following restructure of Section 5
\textsuperscript{1054} 245 Fulton Hogan and others
| Woolston/Heathcote groundwater management | M36/1159 Scruttons Rd | BX24:755-766 | First confined aquifer | No limit set but no new takes allowed from Zone 1 Woolston/Heathcote Groundwater Management Zone after 1 January 2002. \(^{1055}\) | 1 m above mean sea level datum when taken as a moving average over any preceding consecutive 12-month period; or 0.25 m above mean sea level datum when taken as a 14-day consecutive day moving mean; or 0.5 m below mean sea level datum when taken as an instantaneous level | If groundwater levels drop to below any one of the minimum levels, then the taking of water shall reduce by one third If groundwater levels drop below any two of the minimum levels simultaneously, then the taking of water shall reduce by two-thirds If groundwater levels drop below all three minimum levels simultaneously, then the taking of water must cease | The restrictions should not apply if all permit holders, who are subject to the same restrictions, are adhering to a water-sharing regime |
| Second and other deeper confined aquifers | No limit set but no new takes to be allowed from Zone 1 Woolston/Heathcote Groundwater Management Zone | | |

\(^{1055}\) Minor amendment to improve clarity
\(^{1056}\) Clause 16 amendment to improve clarity
9.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51, 5.41 to 5.64.  

59.41 Dr Hugh Thorpe
Clause 16 amendment to correct cross-referencing following restructure of Section 5
Section 10 - Banks Peninsula

The area covered by this sub-regional section is shown below. It generally corresponds with the area covered by the Banks Peninsula Water Management Zone Committee.

Many of the rivers and streams on Banks Peninsula have steep, short catchments, generally with riffle-run pool sequences. These waterways are rain-fed, are subject to rapid flow recession, and some may be seasonally dry. Banks Peninsula waterways also typically have long periods of low flow, low base flows and infrequent large floods of short duration, with higher flows occurring in winter when precipitation is higher. Some small streams exit to small estuaries situated in pocket beaches, directly to before entering the sea, or into Te Roto o Wairewa/Lake Forsyth.

10.1 Other Regional Plans that apply to the Banks Peninsula Sub-regional area

Nil.
10.2 Water Conservation Orders that apply to the Banks Peninsula Sub-regional area

Nil.

10.3 Fresh water Outcomes

See Table 1 Policy 4.1, Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.

10.4 Policies

No additional policies apply in the Banks Peninsula Sub-regional area, in addition to those set out in Section 4 of this Plan.

10.5 Rules

No additional rules apply in the Banks Peninsula Sub-regional area, in addition to those set out in Section 5 of this Plan.

10.6 Allocation Limits

10.6.1 Environmental Flow and Allocation Limits

See Rule 5.96(2), 5.123.

10.6.2 Groundwater Allocation Limits

See Rule 5.102 5.128.

10.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51 5.41 to 5.64.

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1081 Clause 16 amendment to improve cross-referencing
1082 Clause 16 amendment to correct cross-referencing following restructure of Section 5
1083 Consequential change following deletion of 5.102
1084 Clause 16 amendment to correct cross-referencing following restructure of Section 5

18 January 2014
### 10.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Catchment (see Planning Maps)</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opara Stream</td>
<td>Whole catchment</td>
<td>Opara recorder site <strong>1065</strong></td>
</tr>
<tr>
<td>Dick Stream</td>
<td>Whole catchment</td>
<td>Confluence with Pigeon Bay Stream</td>
</tr>
<tr>
<td>Pawson Valley Stream</td>
<td>Whole catchment</td>
<td>Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
<tr>
<td>Pipers Valley Stream (Duvauchelle)</td>
<td>Whole catchment</td>
<td>Governors Bay/Teddington Road and Allandale</td>
</tr>
<tr>
<td>Allandale Stream (Smarts Road Drain)</td>
<td>Whole catchment</td>
<td>Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
<tr>
<td>French Farm Stream</td>
<td>Whole catchment</td>
<td>French Farm Valley Road recorder above Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
<tr>
<td>Te Wharau Stream</td>
<td>Whole catchment</td>
<td>Teddington/Purau Road <strong>1066</strong></td>
</tr>
<tr>
<td>Takamatua Stream</td>
<td>Whole catchment</td>
<td>Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
<tr>
<td>Okuti River</td>
<td>Whole catchment</td>
<td>Kinloch Road Bridge</td>
</tr>
<tr>
<td>Okana River</td>
<td>Whole catchment</td>
<td>Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
<tr>
<td>Pigeon Bay Stream</td>
<td>Whole catchment</td>
<td>Pigeon Bay Road</td>
</tr>
<tr>
<td>Police Stream</td>
<td>Whole catchment</td>
<td>Christchurch/Akaroa Road (State Highway 75)</td>
</tr>
</tbody>
</table>

**1065** 30.22 Robert Johnston  
**1066** 30.22 Robert Johnston
Proposed Canterbury Land & Water Regional Plan: Decisions Version

Section 11 - Selwyn - Waihora

The area covered by this section is shown below. It includes the plains between the Waimakariri and Rakaia Rivers, the Selwyn and Halswell Rivers, and a number of other lowland streams and ephemeral waterways of Banks Peninsula that flow into Te Waihora/Lake Ellesmere. Te Waihora/Lake Ellesmere is central to Ngāi Tahu values and culture.

The following sustainable water management priority outcomes have been identified by the Selwyn Waihora Zone Committee:

- Thriving communities and sustainable economies.
- High quality and secure supplies of drinking water.
- Good practice nutrient and water management.
- Kaitiakitanga is integrated into water management in the Zone.
- Healthy lowland streams.
- Te Waihora is a healthy ecosystem.
- Hill-fed waterways support aquatic life and recreation.
- Alpine rivers and high country values are protected.
- Enhanced Indigenous Biodiversity across the Zone.

11.1 Other Regional Plans that apply to the Selwyn - Waihora Sub-regional area

Nil.
11.2 Water Conservation Orders that apply to the Selwyn - Waihora Sub-regional area


11.3 Fresh water Outcomes

Under development, refer to Canterbury Regional Council Long Term Plan 2012.

11.4 Policies

Under development, refer to Canterbury Regional Council Long Term Plan 2012.

The following policies apply in the Selwyn-Waihora Sub-regional area, in addition to those set out in Section 4 of this Plan.

11.4.1 Until 31 December 2018, and where the site was used for residential activities as at 4 September 2010, enable within the area shown in Map 11.1, the repair of earthquake damaged land within specified thresholds as permitted activities. Beyond these thresholds, provide for land repair activities by way of a resource consent, where the adverse effects on the environment are mitigated.

11.4.2 Ensure a focused and expedited decision making process for landowners by requiring resource consent applications to be processed and considered without public or limited notification. In addition, ensure the social, economic, cultural and environmental well-being of communities is met by requiring adverse effects from the repair of earthquake damaged land to be mitigated through conditions of consent.

11.5 Rules

Under development, refer to Canterbury Regional Council Long Term Plan 2012.

The following rules apply in the Selwyn-Waihora Sub-regional area, in addition to those set out in Section 5 of this plan.

Note: For all activities in or near waterways, refer also to the requirements and restrictions under the Canterbury Flood Protection and Drainage Bylaw 2013

11.5.1 Prior to 31 December 2018, the repair of earthquake damaged land located within the area shown on Map 11.1, and located outside the High Soil Erosion Risk Areas, and which is carried out on an individual site used for residential activities, but
excluding any residential property zoned “red” by the Canterbury Earthquake Recovery Authority, which involves any one or more of:
(a) the use of land for:
   vi. the excavation of material over the unconfined, semi-confined or coastal confined aquifer system;
   vii. the deposition of material into land or into groundwater, and any associated discharge into groundwater;
   viii. vegetation clearance or earthworks within the riparian margin (defined for the purposes of this rule as any land within 10 metres of the bed of a river, lake or wetland boundary);
   ix. the installation, maintenance, and use of a bore for geotechnical investigation or monitoring purposes;
   x. the installation and construction of building foundations;
(b) the discharge of sediment-laden water generated from earthworks into a surface waterbody, or onto or into land where it may enter a surface waterbody;
(c) the taking of groundwater for the purposes of dewatering or land drainage, and the associated discharge of that water into a surface water body, or onto or into land where it may enter a surface water body.

is a permitted activity, provided the following conditions, as applicable, are met:

General Conditions
1. The extent and duration of any works is limited to only that necessary to repair the land.
2. The works (excluding any discharges associated with the works listed above) do not occur in, the bed of any lake, river or natural wetland.

Earthworks, Excavation and Deposition of Material
3. Erosion and sediment control measures are implemented and maintained in accordance with Environment Canterbury’s Erosion and Sediment Control Guidelines for Small Sites to minimise erosion and the discharge of sediment laden water to surface water.
4. Any material deposited into land consists only of uncontaminated fill (soil, rocks, gravels, sand, silt, clay), concrete, cement, grout, concrete, steel or timber foundation piles, or inert building materials.
5. From the date this rule becomes operative, the use of land for the placement of treated timber foundation piles into confined groundwater within the Coastal Confined Aquifer System, and any discharge from those foundation piles, does not occur within a group or community drinking water supply protection area, as set out in Schedule 1 of this plan.
6. Any excavation over the coastal confined aquifer system maintains at least one metre of undisturbed material between the deepest part of the excavation and Aquifer 1.
7. No materials (other than those listed in condition (4)), vehicles or machinery (excluding clean uncontaminated equipment used for dewatering, and infrastructure installed for the purposes of land repair) are deposited into, or used within groundwater.
8. Compaction, or earthworks involving below ground soil disturbance (excluding filling), do not occur on any part of a site which is identified as a landfill.

9. There is no discharge of any cement, concrete, grout, or water containing cement, grout, or concrete, into any surface waterbody, or beyond the property boundary.

10. Where grout is deposited into land, or into groundwater, the following conditions also apply:
   a. The volume of grout shall not exceed 50 cubic metres per site.
   b. The point of deposition into land is not within:
      i. 20 metres of any surface water body, or 20 metres of the Coastal Marine Area, where the material is deposited into groundwater; or
      ii. 10 metres of any surface water body, or 10 metres of the Coastal Marine Area, where a separation of one metre is maintained between groundwater and any deposited material.
   c. Where grout is deposited into land via in-situ mixing:
      iii. The grout shall be mixed evenly throughout the augured soil column; and
      iv. The percentage of grout within the area of the augured soil column shall not exceed 20%.
   d. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.

11. To prevent erosion, bare ground is stabilised within 10 days of any vegetation clearance or earthworks.

12. For earthworks carried out within the riparian area, in addition to conditions 3 through 11, the following conditions apply:
   i. Vegetation used and maintained by the Canterbury Regional Council for flood or erosion control purposes is not removed.
   ii. Replanting is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or Canterbury Pest Management Strategy.
   iii. The activities do not reduce the available floodway.
   iv. The activities do not result in the destabilisation of the bank of any river, lake or natural wetland, or destabilise any existing lawfully established structures, or interfere with access to waterways for maintenance or inspection purposes.

Geotechnical Investigations

13. The bore is used only for the purposes of geotechnical investigations and is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore.

14. Information on location (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore.

Dewatering, Sediment-laden Water, and Land Drainage

15. Dewatering and land drainage discharges are not from, or discharged onto or into any site listed on Environment Canterbury’s Listed Land Use Register.

16. The taking of groundwater for dewatering purposes does not lower the groundwater level more than 8 metres below the ground level of the site.
17. The taking and discharge of land drainage water and site dewatering water onto or into land or into surface water does not result in subsidence of the land surface, or river bed or river bank erosion.

18. The discharge of dewatering water onto or into land, or into surface water, does not result in any flooding of any neighbouring property, or result in ponding on the land surface for more than 48 hours.

19. The concentration of suspended solids in any dewatering water or sediment-laden water discharged to any surface water body does not exceed 100 grams per cubic metre.

For the purposes of this rule the following definitions apply:

“Earthquake Damaged Land” means land damaged as a result of the Canterbury Earthquake Sequence that commenced on 4 September 2010.

“Residential Activities” means land zoned residential in a district plan; or land used predominantly for residential occupation as at 4 September 2010”.

“Grout” means a material which consists of water and at least 20% cement, and which may also contain aggregate, inert additives or bentonite.

“Landfill” means any part of a site where solid or hazardous waste has been deposited (either lawfully or not), and which is identified as a landfill on Environment Canterbury’s Listed Land Use Register, or in the records of the relevant territorial authority.

11.5.2 The repair of earthquake damaged land which is carried out on individual sites used for residential activities which does not meet one or more of the applicable conditions of Rule 11.5.1 is a restricted discretionary activity.

The CRC will restrict discretion to the following matters:

1. The effect of not meeting the condition or conditions of Rule 11.5.1
2. Mitigation measures proposed to be implemented or mitigation measures available to minimise any actual or potential environmental effect.

Notification

Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification. Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

11.6 Allocation Limits

11.6.1 Environmental Flow and Allocation Limits

Under development, refer to Canterbury Regional Council Long Term Plan 2012.

11.6.2 Groundwater Allocation Limits
The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4 and 5.

**Table 11: Selwyn-Waihora Groundwater Limits**

<table>
<thead>
<tr>
<th>Groundwater Allocation Zone (see Planning Maps)</th>
<th>Allocation Limit (million m$^3$/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selwyn-Waimakariri</td>
<td>121.3</td>
</tr>
<tr>
<td>Rakaia-Selwyn</td>
<td>215</td>
</tr>
</tbody>
</table>

For all other areas see Rule 5.102 5.128 1067

**11.6.3 Catchment Nutrient Load Limits and Allowances**

_Under development, refer to Canterbury Regional Council Long Term Plan 2012. See Rules 5.41 to 5.64._ 1068

**11.7 Flow Sensitive Catchments**

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
<th>Topo 50 Map Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Selwyn/Waikirikiri</td>
<td>Upper Selwyn River/Waikirikiri</td>
<td>Catchment upstream of Whitecliffs</td>
<td>Whitecliffs recorder site</td>
<td>BX21:103-870</td>
</tr>
<tr>
<td></td>
<td>Hororata River</td>
<td>Catchment upstream from SH 72</td>
<td>Above SH 72 crossing</td>
<td>BX21:033-811</td>
</tr>
<tr>
<td>Kaituna River</td>
<td>Whole catchment</td>
<td>Kaituna Valley Road recorder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prices Valley Stream</td>
<td>Whole catchment</td>
<td>Christchurch /Akaroa Road (State Highway 75)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1067 Consequential change following deletion of 5.102
1068 228.40 Poultry Association of New Zealand
Section 12 - Central Canterbury Alpine Rivers

The area covered by this section comprises the mainstems and headwaters of the Waimakariri, Rakaia and Rangitata Rivers.

These rivers all have substantial braided sections and incised gorges between the plains and their upper catchments. The source of these alpine rivers is rainfall and snowmelt, and flows are variable, with regular freshes and floods resulting from rainfall events. There is a strong seasonal variability to the flows in these alpine rivers, with low flows during autumn, winter and mid–late summer, and relatively high flows during spring and early summer as a result of snow melt and rain associated with north-westerly airflow over the Southern Alps.

12.1 Other Regional Plans that apply to the Central Canterbury Alpine Rivers Sub-regional area

12.1.1 Waimakariri River Regional Plan 2004

The Waimakariri River Regional Plan 2004 controls the use of water in the Waimakariri River, its tributaries and hydraulically connected groundwater; point and non-point source discharges of contaminants to water bodies in the Waimakariri River catchment; and land use activities in the beds of rivers and lakes in the Waimakariri River catchment.

The LWRP’s objectives, policies and rules do not apply to the matters controlled by the Waimakariri River Regional Plan.
12.2 Water Conservation Orders that apply to the Central Canterbury Alpine Rivers Sub-regional area

National Water Conservation (Rakaia River) Amendment Order 1988 \textsuperscript{1089} 2013. National Water Conservation (Rangitata River) Order 2006. \textsuperscript{1089}

12.3 Fresh water Outcomes

See Table 1 Policy 4.1. Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4. \textsuperscript{1070}

12.4 Policies

No additional policies apply in the Central Canterbury Alpine Rivers Sub-regional area, in addition to those set out in Section 4 of this Plan.

12.5 Rules

No additional rules apply in the Central Canterbury Alpine Rivers Sub-regional area, in addition to those set out in Section 5 of this Plan.

12.6 Allocation Limits

12.6.1 Environmental Flow and Allocation Limits


12.6.2 Groundwater Allocation Limits

See Rule 5.102 \textsuperscript{5.128}. \textsuperscript{1072}

12.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51 5.41 to 5.64. \textsuperscript{1073}

\textsuperscript{1089} 250.87 TrustPower Limited
\textsuperscript{1070} Clause 16 amendment to improve cross-referencing
\textsuperscript{1071} 250.88 TrustPower Limited
\textsuperscript{1072} Consequential change following deletion of 5.102
12.7 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main River/Lake (see Planning Maps)</th>
<th>Topo 50 Map Reference</th>
<th>Outstanding characteristics</th>
<th>Outstanding and Significant Characteristics 1074</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Lyndon</td>
<td>BW21:946-050</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Catherine</td>
<td>BW20:830-136</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Lillian</td>
<td>BW20:798-187</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Ida and Little Ida</td>
<td>BW20:811-121</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Evelyn</td>
<td>BW20:812-101</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Henrietta</td>
<td>BW20:782-127</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Selfe</td>
<td>BW20:797-115</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Lake Gorgina</td>
<td>BW20:839-030</td>
<td>Part of the Rakaia catchment that is considered to have outstanding wildlife habitat, fisheries and recreational features.</td>
<td></td>
</tr>
<tr>
<td>Clyde River and all Tributaries</td>
<td>-</td>
<td>Amenity and intrinsic values Indigenous plant communities Wild and scenic and other natural characteristics Significance for Ngai Tahu</td>
<td></td>
</tr>
<tr>
<td>Havelock River and all Tributaries</td>
<td>-</td>
<td>Amenity and intrinsic values Indigenous plant communities Wild and scenic and other natural characteristics Significance for Ngai Tahu</td>
<td></td>
</tr>
</tbody>
</table>

1073 Clause 16 amendment to correct cross-referencing following restructure of Section 5
1074 232.22 Whitewater
1075 347.186 Fish & Game
Section 13 - Ashburton

The area covered by this section is generally contiguous with the Ashburton District Council boundary and the Ashburton Zone boundary under the CWMS, excluding the Rakaia River and Rangitata River and their headwaters. Included within the boundary of this sub-regional chapter are the townships of Ashburton, Rakaia and Methven.

The main river in this sub-region is the Hakatere/Ashburton, which has a north and a south branch, and tributaries which include Taylors Stream and Pudding Hill Stream. The Hakatere/Ashburton River provides habitat for rare birds, fish, plants and other species, as well as a wide range of recreational values. A number of other foothill streams with associated bush remnants provide valuable recreational and ecological opportunities. This sub-regional chapter also includes part of the Ashburton Lakes Basin (Ō Tū Wharekai), including Lake Clearwater and Lake Emma, but does not include the largest lake in this group, Lake Heron.

The following sustainable water management priority outcomes have been identified by the Ashburton Zone Committee:

- Improved and protected natural character and mauri of the Hakatere/Ashburton River.
- Ecosystem health and biodiversity are protected and improved.
- Protected and improved water quality.
- Efficiently used, secure and reliable supply of water.

To achieve these outcomes for the Ashburton River, the flow and allocation regime introduces a minimum flow of 6,000 L/s at State Highway 1, and in the longer term a minimum flow of 10,000 L/s. Other outcomes to be achieved by the flow regime include the protection of the North
Branch flows, in-stream habitats, facilitation of alternative water use to reduce pressure on river flows, efficient use of water, maintenance and improvement of reliability of supply for current water users and management of water permits that are transferred. In achieving these outcomes changes are to occur over time so as to have minimal impact on existing activities. The take from the South Branch of the Ashburton River by the Rangitata Diversion Race Management Limited (RDR) is recognised as a relatively large water take which provides reliable water for a number of properties. The regime, therefore, does not restrict its take in the same manner as other takes and it is therefore expected that RDR will play an active role in Water Users’ Groups to manage reliability of supply. As part of delivering on the outcomes in the short term it is expected that some surface water abstractors will switch to groundwater, that water sharing will occur and in the longer term that new storage projects will assist to maintain and improve reliability of supply for water users.

13.1 Other Regional Plans that apply to the Ashburton Sub-regional area

Nil.

13.2 Water Conservation Orders that apply to the Ashburton Sub-regional area


13.3 Fresh water Outcomes

See Table 1 Policy 4.1. Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.

13.4 Policies

The following policies apply in the Ashburton Sub-regional area, in addition to those set out in Section 4 of this Plan.

13.4.1 In order to increase the amount of water in the river that is available to meet the proposed increased minimum flows, the taking of water for community stock

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1076 Clause 16 amendment to more accurately express outcome, and minor amendments to correct English.
1077 250.87 TrustPower Limited
1078 Clause 16 amendment to improve cross-referencing
1079 320.213 Fed Farmers
water supplies from the Hakatere/Ashburton River will progressively decrease so that as soon as possible, but by no later than \textsuperscript{1082} from 1 July 2015 \textsuperscript{2015}, that taking\textsuperscript{1082} shall not exceed 2,900 L/s in total.

13.4.2 No new surface or stream depleting groundwater permits will be granted in the Hakatere/Ashburton River catchment until the minimum flow at the State Highway 1 recorder site is raised to 10,000 L/s, except for the that replacement permits for water permits that expire may be granted and where replacement is sought, however in those cases with consideration must be given to the practicality of using alternative supplies of water. \textsuperscript{1083}

13.4.3 To address over-allocation in the Hakatere/Ashburton catchment, no additional rate or volume of water above that authorised under existing water permits will be granted when those existing permits are sought to be replaced upon their expiry. \textsuperscript{1084}

13.4.4 To avoid over-allocation of the Ashburton River Groundwater Allocation Zone, it is limited to a total of 104.7 million m$^3$ per annum of which:

(a) 69.7 million m$^3$ per annum is available for exiting lawfully established groundwater takes; and

(b) 35 million m$^3$ per annum is available for applicants who surrender surface water and/or stream depleting groundwater takes in accordance with Policies 13.4.5 and 13.4.6.

13.4.5 To address over-allocation of surface water in the Hakatere/Ashburton catchment, enable an applicant to take deep groundwater provided the applicant holds a lawfully established surface water take or stream depleting groundwater take for an equal or greater rate and volume than is sought from the deep groundwater and the surface water take or stream depleting groundwater\textsuperscript{1085} take is surrendered.

13.4.6 The water resulting from any surrendered surface water and stream depleting groundwater takes in the Hakatere/Ashburton River catchment will not be reallocated and will be left in the river, until such time as the catchment is no longer over allocated. \textsuperscript{1086}

13.4.7 For the Hakatere/Ashburton River, the following restrictions shall be applied in respect of the abstraction of surface water and stream depleting groundwater in the Hakatere/Ashburton River catchment.

(a) Between 1 July 2023 and until 30 June 2033 Rangitata Diversion Race A and B allocations shall be subject to the residual flow restrictions specified in Table 12.

\textsuperscript{1080} 329.20 CJ & AM Allen
\textsuperscript{1081} 320.213 Fed Farmers
\textsuperscript{1082} Evidence of Sri Hall on behalf of Ashburton District Council, dated 13 May 2013 (paragraph 60) and Ashburton District Council submission;
\textsuperscript{1083} 18.4 Save the Rivers Mid Canterbury Inc; 200.169 EDS; 347 Fish & Game
\textsuperscript{1084} 200.170 EDS
\textsuperscript{1085} 320 Fed Farmers and others
\textsuperscript{1086} 320.215 Fed Farmers

13-3 18 January 2014
(b) Between 1 July 2023 and until 30 June 2033 all abstractions except Rangitata Diversion Race intake shall be subject to the State Highway 1 minimum flow in addition to the relevant tributary minimum flow as per Table 12.

(c) From 1 July 2033, all abstractions shall only be subject to the State Highway 1 minimum flow as per Table 12.

(d) Any Water Users’ Group will be subject to pro rata reductions.

(dde) All abstractions except Rangitata Diversion Race allocations and Water Users’ Group takes shall be subject to incremental stepped reductions as per Table 13.

13.4.8 In accordance with Section 128 of the RMA, Canterbury Regional Council may complete a review of all existing water permits in the Ashburton Catchment prior to 1 July 2023, to ensure the abstractions comply with the allocation limits and minimum flow requirements specified in Table 12.1088

13.5 Rules

The following rules apply in the Ashburton Sub-regional area, in addition to those set out in Section 5 of this Plan.

13.5.1 The taking of surface water from the Ashburton River catchment1089 by a Water Users’ Group formed by two or more existing abstractors within the same A permit allocation block limit or B permit allocation block limit is a restricted discretionary activity provided that the following conditions are met:

1. The take does not reduce the reliability of supply for any other abstractor or cause the minimum flow in any catchment or sub-catchment (Table 12) to be breached;
2. All members of an A permit allocation block limit Water Users’ Group have water abstraction points located within the same river or stream as set out in Table 12;
3. All abstractors have installed telemetered water use measuring devices; and
4. Individual water take permits subject to the Water Users’ Group shall not be exercised concurrently with the Water Users’ Group water permit.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:

1. The terms and conditions of the operating agreement between the members of the Water Users’ Group;
2. The reduction in the rate of take in times of low flow and restrictions as set out in Policy 13.4.7; and
3. Whether the proposed activity will prevent or compromise the attainment of the environmental outcomes sought by, or is inconsistent with, the objectives and

1087 197.98 RDRML; 146.79 Ashburton DC (all amendments in this policy)
1088 Evidence by Nigel Bryce on behalf of RDRML dated 14 May 2013 (pp23-24).
1089 320.217 Combined Canterbury Provinces, Federated Farmers of New Zealand, 329.24 CJ & AM Allen
policies in the plan in respect of water allocation, flow regimes, and in-stream values, and Ngāi Tahu values.

13.5.2 The take and use of groundwater within the “B” permit allocation block limit of the Ashburton River Groundwater Allocation Zone is a restricted discretionary activity provided that the following conditions are met:
1. The annual volume of the groundwater take, in addition to all existing resource consented takes, does not exceed the B permit allocation block limit as set out in Table 14;
2. The bore interference effects are “acceptable”, as set out in Schedule 12;
3. The abstraction depth is greater than 40 m below ground level; and
4. The applicant holds a lawfully established surface water take or stream depleting groundwater take for an equal or greater rate and volume than is sought and the surface water take or stream depleting groundwater take is surrendered concurrently with the application.

The exercise of discretion is restricted. The CRC will restrict discretion to the following matters:
1. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10;
2. The maximum rate of take, including the capacity of the bore or bore field and any irrigation system; and
3. The effects the take has on any other authorised takes, including interference effects as set out in Schedule 12.

13.5.3 The taking and use of groundwater within the “B” permit allocation block limit of the Ashburton River Groundwater Allocation Zone as set out in Table 14 that does not meet one or more of conditions 2 and 3 in Rule 13.5.2 is a non-complying activity.

13.5.4 The taking and use of groundwater within the “B” permit allocation block limit of the Ashburton River Groundwater Allocation Zone that does not meet one or more of conditions 1 in Rule 13.5.2 is a prohibited activity.

13.5.5 The taking and use of surface water and stream depleting groundwater in the Hakatere/Ashburton River catchment is a discretionary activity provided either of the following conditions are met:

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1090 Clause 16 amendment removes an ultra vires matter of discretion
1091 Clause 16 amendment to correct English
1. The proposed take is the replacement of a lawfully established take affected by the provisions of s124 to 124C of the RMA; or
2. The proposed take, in addition to all existing consented takes, meets a flow regime with an A Block minimum flow of 10,000 L/s and an A Block allocation limit of 15,100 L/s or a B Block minimum flow of 14,000 L/s and a B Block allocation limit of 5,000 L/s.

13.5.6 The taking and use of surface water and stream depleting groundwater in the Hakatere/Ashburton River catchment that does not meet the conditions of Rule 13.5.5 is a prohibited activity.\textsuperscript{1092}

\textsuperscript{1092} 146.79 Ashburton DC consequential amendment
### 13.6 Allocation Limits

#### 13.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, 5 and 5.13.

*Table 12: Hakatere/Ashburton River Catchment Environmental Flow and Allocation Limits*

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site, or site where flow is measured</th>
<th>Topo 50 Map Reference</th>
<th>From August 2012 1 July 2023</th>
<th>From August 2022 1 July 2033</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Minimum flow for A permits (L/s)</td>
<td>Allocation limit for A permits (L/s)</td>
</tr>
<tr>
<td>Ashburton River main</td>
<td>State Highway 1 Bridge</td>
<td>BY21:999-351</td>
<td>6,000</td>
<td>253</td>
</tr>
<tr>
<td>South Branch</td>
<td>Residual flow site immediately downstream of the RDR intake point</td>
<td>BX20:721-576</td>
<td>3,200 (October – February)</td>
<td>5,100</td>
</tr>
</tbody>
</table>

---

1093 Clause 16 amendment to improve cross-referencing
1094 146.79 ADC - consequential amendment
1095 146.79 ADC - consequential amendment

18 January 2014
<table>
<thead>
<tr>
<th>Location</th>
<th>Code</th>
<th>Date</th>
<th>Value 1</th>
<th>Value 2</th>
<th>Value 3</th>
<th>Value 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Branch at North Branch confluence</td>
<td>BY21:976-399</td>
<td>4,650</td>
<td>3,905</td>
<td>10,500</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>North Branch at above confluence</td>
<td>BY21:976-401</td>
<td>1,000</td>
<td>2,194</td>
<td>4,000</td>
<td>540</td>
<td></td>
</tr>
<tr>
<td>Pudding Hill at below ADC water race</td>
<td>BY21:976-404</td>
<td>80</td>
<td>528</td>
<td>1,600</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Taylor’s Stream at above South Branch Confluence</td>
<td>BX20:808-742</td>
<td>500</td>
<td>4,465</td>
<td>3,700</td>
<td>800</td>
<td></td>
</tr>
<tr>
<td>O’Shea Creek at bywash to North Ashburton</td>
<td>BY20:885-527</td>
<td>450</td>
<td>556</td>
<td>1,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Mt. Harding Creek Aitkens Road</td>
<td>BY21:926-502</td>
<td>500</td>
<td>1562</td>
<td>1,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Lagmhor Creek Frasers Road</td>
<td>BY21:962-366</td>
<td>100</td>
<td>295</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

For all other areas see Rule 5.96(2), 1.123.  

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1096 298.20 Dairy Holdings Ltd, Veendrick evidence
1097 Clause 16 amendment to correct cross-referencing following restructure of Section 5
Table 13: Hakatere/Ashburton River Restriction Regime

<table>
<thead>
<tr>
<th>Flow at SH1 (L/s)</th>
<th>Reduction in Take</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,700</td>
<td>0%</td>
</tr>
<tr>
<td>7,275</td>
<td>25%</td>
</tr>
<tr>
<td>6,850</td>
<td>50%</td>
</tr>
<tr>
<td>6,425</td>
<td>75%</td>
</tr>
<tr>
<td>6,000</td>
<td>100%</td>
</tr>
</tbody>
</table>

Note: Table 13 applies from 1 July 2023.

13.6.2 Groundwater Allocation Limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4, 5 and 5.13.1098

Table 14: Ashburton Groundwater Limits

<table>
<thead>
<tr>
<th>Groundwater Allocation Zone (see Planning Maps)</th>
<th>A Allocation Limit (million m³/yr)</th>
<th>B Allocation Limit (million m³/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chertsey</td>
<td>112.4</td>
<td>0</td>
</tr>
<tr>
<td>Ashburton-Lyndhurst</td>
<td>126.60</td>
<td>0</td>
</tr>
<tr>
<td>Hakatere/Ashburton River</td>
<td>69.7</td>
<td>35*</td>
</tr>
<tr>
<td>Valetta</td>
<td>96.6</td>
<td>0</td>
</tr>
<tr>
<td>Mayfield-Hinds</td>
<td>148</td>
<td>0</td>
</tr>
</tbody>
</table>

* Refer to Policies 13.4.5 – 13.4.7

For all other areas see Rule 5.102–5.128.1099

13.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.41, 5.41 to 5.64.1100

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1098 Clause 16 amendment to improve cross-referencing
1099 Consequential change following deletion of 5.102
1100 Clause 16 amendment to correct cross-referencing following restructure of Section 5
### 13.7 Flow Sensitive Catchments

Nil

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hakatere/Ashburton</td>
<td>Bowyers Stream</td>
<td>Catchment above SH 72</td>
<td>At State Highway 72</td>
</tr>
<tr>
<td></td>
<td>Lambies Stream</td>
<td>Whole catchment</td>
<td>Hakatere</td>
</tr>
<tr>
<td></td>
<td>Jacob Stream</td>
<td>Gentleman-Smith Stream</td>
<td>Lake Heron Road Bridge</td>
</tr>
<tr>
<td>Hinds</td>
<td>South-Branch</td>
<td>Whole catchment</td>
<td>Temora Boundary Grid Reference BX19:603-543</td>
</tr>
</tbody>
</table>

30.24 Robert Johnston
### 13.8 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main Lake/River (see Planning Maps)</th>
<th>Topo 50 Map Reference</th>
<th>Outstanding characteristics</th>
<th>Outstanding and Significant Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>High visual amenity value.</td>
</tr>
<tr>
<td>Lake Emily</td>
<td>BX19:577-773</td>
<td>Outstanding natural features and landscapes that includes a regionally significant wetland complex.</td>
<td>Habitat of threatened/endangered indigenous birds and fresh water species including eel and fresh water mussel.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High visual amenity value.</td>
</tr>
<tr>
<td>Maori Lakes</td>
<td>BX19:526-741</td>
<td>Outstanding natural features and landscapes.</td>
<td>Habitat of threatened/endangered indigenous birds, including crested grebe and Australasian bittern.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inflows and outflows high habitat value for maintaining longfinned and shortfinned eel and galaxiidae and the sport fish, brown trout. Outflows high habitat value Chinnook salmon spawning and fresh water mussels.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High visual amenity value.</td>
</tr>
<tr>
<td>Lake Trinity</td>
<td>BX19:512-673</td>
<td>Outstanding natural features and landscapes.</td>
<td>High visual amenity value.</td>
</tr>
<tr>
<td>Lake Clearwater</td>
<td>BX18:422-704</td>
<td>Outstanding natural features and landscapes including a regionally significant red tussock wetland.</td>
<td>Habitat of threatened/endangered indigenous birds and Recommended Area for Protection. High habitat value for indigenous fish such as galaxiidae, eel, fresh water mussels and the sports fish brown trout.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High visual amenity value.</td>
</tr>
<tr>
<td>Lake Camp</td>
<td>BX18:431-891</td>
<td>Outstanding natural features and landscapes.</td>
<td>Habitat of threatened/endangered indigenous birds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High habitat value for Longfinned eel, fresh water mussel, Crested grebe and the sports fish Rainbow trout.</td>
</tr>
<tr>
<td>Lake Emma</td>
<td>BX19:471-668</td>
<td>Outstanding natural features and landscapes including pedestal Carex secta and schoenus wetlands.</td>
<td>Habitat of threatened/endangered indigenous birds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High habitat value for for indigenous fish such as galaxiidae, eel, fresh water mussels and the sports fish brown trout.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>High visual amenity value.</td>
</tr>
</tbody>
</table>

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1102 232.22 Whitewater

1102 232.22 Whitewater

13-11

18 January 2014
Section 14 - Orari-Opihi-Pareora

The area covered by this section is bordered by the Rangitata River (an alpine braided river) in the north and the hill-fed Pareora River in the south, and has the Orari and Opihi hill-fed rivers in the middle. The Opihi catchment includes significant tributaries, including the Tengawai and Opuha Rivers.

Coastal erosion has considerably reduced the size of coastal wetlands and hapua in the Zone, but significant ones remain, most notably Spider, Horseshoe, and Washdyke lagoons, and Milford hapua. Some inland and hill country wetlands remain, such as Seven Sisters wetland, Peel Forest wetland and Deep Spring (Mesopotamia) wetland.

The vision in the Orari-Opihi-Pareora ZIP is:

‘Water is precious and limited. It must be managed in ways that recognise and balance its importance for cultural, economic and recreational use, aesthetic and landscape values and biodiversity values – and delivers both individual and community good. We affirm and recognise tangata whenua and the value they place on mahinga kai, and the priority of available high quality sources of drinking water in rivers, waterways and aquifers. We also recognise the intrinsic value of aquatic ecosystems and river health (quality and flow), and the need to both prevent further decline and then restore wetlands and waterways. We know that to achieve all the targets of the CWMS within our zone it is necessary to find a way to bring more water into the zone.’

The Orari-Opihi-Pareora Zone Committee has identified a suite of recommendations covering ecological, cultural end economic outcomes for the Zone. The Orari Integrated Catchment
Management (ICM) Group has prepared a Catchment Management Strategy and the review of environmental flows is identified as an action point.

In the Orari catchment a three stepped approach to managing flow and allocation in the catchment was developed by the Orari Environmental Flow and Allocation Regime Steering Committee to assist with achieving the Zone vision and the objectives to this Plan. The first step caps current allocation. The next step is introduced three years after the LWRP becomes operative and the final step is a vision for 2040.

The steps involve a combination of increasing environmental flows and reducing allocation limits for the Orari catchment so that in-stream ecological, cultural and economic values are better met. The limits are to be achieved through managing transfers of water permits, storage, metering, reasonable use, water user groups, augmentation and efficiency. Alongside the policies and rules in this Plan, there is also an accord between the Orari Environmental Flow and Allocation Regime Steering Committee and the Zone Committee to implement other actions to achieve the vision for the catchment. The 2040 environmental flow and allocation regime is a vision that may change along with new scientific information. Actions include a collaborative approach to improving water quality through fencing and planting waterways and investigating other practical on the ground solutions to achieve outcomes. There is also a need for increased certainty surrounding the science within the Orari catchment.

Within the Orari environmental flow and allocation regime, two maps along with definitions of each minimum flow site and the different zones are provided at the back of this section. A background to each of the sites is provided below.

Orari mainstem permits are attached to the Upstream Ohapi minimum flow site and allocation block limit. The Orari mainstem contains the mainstem conjunctive use zone and the Coopers Creek conjunctive use zone. Given the lack of hydrological data and scientific understanding with the upper section of Coopers Creek and the Upstream Ohapi, mainstem minimum flow will apply to users within this catchment.

For Ohapi Creek, the existing minimum flows and flow-sharing regimes, including a Water Users’ Group within this catchment, have worked well historically and the ecological situation is considered to be supported under this regime. Therefore the status quo is to remain in place in this Plan, with the addition of a conjunctive use zone.

Given the lack of hydrological data available for Rhodes Stream, the minimum flow and allocation regime is proposed to remain unchanged until a more complete hydrological understanding is obtained. Therefore the status quo is to remain in place in this Plan with the addition of a conjunctive use zone.
14.1 Other Regional Plans that apply to the Orari-Opihi-Pareora Sub-regional area

14.1.1 Opihi River Regional Plan

The Opihi River Regional Plan controls the taking, using, damming and diverting of water from the Opihi River and its tributaries (including hydraulically connected groundwater), and the discharge of contaminants into the Opihi River or its tributaries or onto or into land within the catchment.

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

14.1.2 Pareora Catchment Environmental Flow and Water Allocation Regional Plan

The Pareora Catchment Environmental Flow and Water Allocation Regional Plan controls the taking, using, damming and diverting of water from within the Pareora catchment.

The LWRP’s objectives, policies and rules do not apply to the matters controlled by the Pareora catchment Environmental Flow and Water Allocation Regional Plan.

14.1A Orari Environmental Flow and Allocation Definitions

**Orari catchment:** The entire catchment, including mainstem and tributaries and the three minimum flow sites.

**Orari mainstem:** Orari headwaters through to the lower catchment including all tributaries that do not have their own specific allocation limit regime as per Table 15.10 and are attached to the Upstream Ohapi minimum flow site and allocation block limit. This also includes the Orari mainstem conjunctive use zone and the Coopers Creek conjunctive use zone.

**Ohapi Creek:** A tributary to the mainstem of the Orari, attached to Ohapi Creek minimum flow site. This also includes the Ohapi Creek conjunctive use zone.

**Rhodes Stream:** A tributary to the mainstem of the Orari, attached to Rhodes Stream minimum flow site. This also includes the Rhodes Creek conjunctive use zone.

**Upper Coopers Creek:** A tributary to the mainstem of the Orari, attached to Upstream Ohapi minimum flow site.

**Orari conjunctive use zone:** Groundwater takes which are 30 m deep or less and are considered to have a direct hydraulic connection with surface water.
14.2 Water Conservation Orders that apply to the Orari-Opihi-Pareora Sub-regional area


14.3 Fresh water Outcomes

See Table 1 Policy 4.1, Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.1103

14.4 Policies

The following policies apply in the Orari-Opihi-Pareora sub-regional area, in addition to those set out in Section 4 of this Plan.

14.4.1 Over-allocation of fresh water from the Orari catchment is addressed by prioritising the use of Rangitata South Irrigation Limited scheme water ahead of the use of fresh water in the Orari catchment.

14.4.2 On application for a water permit in the Orari Catchment affected by Section 124B or when consents are reviewed, any property that is supplied by Rangitata South Irrigation Limited scheme water must demonstrate that Rangitata South Irrigation Limited scheme water is being used to the fullest extent possible and minimising the use of fresh water from the Orari catchment.

14.4.3 Over-allocation of fresh water in the Orari catchment is addressed by Timaru District Council surrendering CRC011982 or its replacement in 2013 and increased efficiency with any renewal of CRC011991 in 2017. However, for security of supply a total flow rate of 235 L/s in 2025 of surface water will continue to be reserved for Timaru District Council community drinking and stock water, in addition to the volumes in Table 15, as part of the flow and allocation regime for Orari River.

14.4.4 Over-allocation of fresh water in the Orari catchment is addressed by preventing the transfer of water permits, other than to new owners of the same property at the same location.

14.4.5 As an exception to Policy 14.4.4, to address environmental and reliability issues, water permits in the Upper Coopers Creek zone, identified on Map 2 Orari Catchment may be transferred if scientific studies show an environmental benefit.

1103 Clause 16 amendment to improve cross-referencing
14.4.6 Over-allocation of fresh water in the Orari catchment is addressed by requiring that future allocation of water to any new or replacement resource consent does not exceed the allocation limits in Table 15 and is based on demonstrated need and efficiency.

14.4.7 To prevent the flow falling below the A permit allocation Block limit minimum flows for the Orari catchment in Table 15 the following restrictions shall be applied and strictly adhered to in respect of the abstraction of surface water, stream depleting groundwater and abstractions from within the Orari conjunctive use zone.

(a) In the Orari catchment, all partial restrictions for water permits in the Orari catchment including takes to storage shall be stepped unless the consent applicant is part of a Water Users Group;

(b) In the Orari catchment, when the stepped approach applies, the rate of take is to be reduced in increments of 50% and 100% of the available flow rate to ensure the minimum flow is not breached;

(c) In the Orari catchment, if a water permit holder is part of a Water Users’ Group, any restrictions will be managed according to the Water Users’ Group roster.

14.4.8 To prevent the flow falling below the B permit allocation Block limit minimum flows for the Orari mainstem in Table 15 the following restrictions shall be applied and strictly adhered to in respect of the abstraction of surface water and stream depleting groundwater and abstractions from within the Orari conjunctive use zone:

(a) In the Orari mainstem, if the water permit is part of a water users group then all takes shall cease when the river falls to the B block minimum flow;

(b) In the Orari mainstem, if the water permit is not part of a water users group, when the flow is above the B block minimum flow but below the sum of the minimum flow and the B permit allocation block limit, all permits shall share the available flow above the B permit block allocation limit minimum flow and cease when the minimum flow is reached.

14.4.9 All permits for groundwater takes from the Orari catchment within the conjunctive use zone and where the screen is less than 30 m deep shall have minimum flow conditions consistent with the minimum flow sites and amounts allocations in Table 15.

14.4.10 In the Orari catchment, in addition to the requirements of the Resource Management (measurement and reporting of water takes) Regulations 2010, replacement of an expiring water permit, review or transfer of an existing permit to take 5 L/s or more of water shall include a condition requiring water use to be metered and water use records to be telemetered to the CRC or nominated agent.

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1104 200.174 EDS
1105 180.14 Pye Partnership, 185.14 Orari Water Society Incorporated, 137.1 Mr Alvin Reid, 287.1 PJ & JE Harrison Lochber Station
1106 347.203 Fish & Game
14.4.11 Water users in In the Orari catchment, water used for irrigation shall achieve at least 80% water efficiency.

14.4.12 The in-stream damming of the mainstem of the Orari River below the Orari Gorge is avoided unless:

(a) The dam was lawfully established prior to 1 July 2012; or,

(b) The dam only dams the minimum flow required to effectively divert water into a water intake; and,

(c) No more than 25% of the flow is diverted into the dam at any point in time; and,

(d) No more than 5000 $m^3$ of water is impounded by the dam.

(e) The damming of water maintains a residual flow that ensures that the minimum flow limits in Table 15 will not be exceeded more often than they would be in the absence of the damming and also maintains flow variability.

14.4.13 Prior to water permits in the Orari catchment being reviewed as a result of this Plan, any water permit holder may seek a change of consent conditions to alter the minimum flow restrictions on their permit, to accord with the Orari environmental flow and allocation limits regime in Table 15.

14.5 Rules

The following rules apply in the Orari-Opihi-Pareora Sub-regional area, in addition to those set out in Section 5 of this Plan.

14.5.1 The 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 5,000 $m^3$, the design and construction of the dam is certified by a suitably qualified chartered professional engineer Recognised Engineer;

2. The impounded water is less than 3 m deep; and

3. The land is not contaminated or potentially contaminated.

Note: Consent may be required under the Building Act 2004.

14.5.2 The damming of water within the bed of the mainstem of the Orari River and within the tributaries below the gorge, at or about map reference BY19:553-335, including the
associated constructing, maintaining and operating of structures is a non-complying activity.

14.5.3 The damming of water within the bed of the mainstem of the Orari River upstream from the mouth of the gorge and within any tributary above the gorge, at or about map reference BY19:553-335, is a prohibited activity.

14.5.4 The temporary or permanent transfer, in whole or in part, of a water permit to take or use surface water or groundwater in the Orari catchment, except for Upper Coopers Creek, identified in Map 2 - Orari Catchment, including stream depleting groundwater, is a prohibited activity until allocation limits in Table 15 are met.

14.5.5 The temporary or permanent transfer, in whole or in part, of a water permit to take or use groundwater in the Upper Coopers Creek area, identified in Map 2 - Orari Catchment, including stream depleting groundwater, is a discretionary activity.
### 14.6 Allocation Limits

#### 14.6.1 Environmental Flow and Allocation Limits

**Table 15: Orari River Environmental Flow and Allocation Limits**

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4.5 and 5.1.1113

<table>
<thead>
<tr>
<th>River or stream (see Planning Maps)</th>
<th>Location of recorder site, or site where flow is measured</th>
<th>Topo 50 Map Reference</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orari</td>
<td>Upstream Ohapi</td>
<td>B220:714-005</td>
<td>Current 500</td>
<td>900</td>
<td>Current 1524</td>
<td>1400</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3yrs from Operative Plan</td>
<td>2050</td>
<td></td>
<td>3yrs from Operative Plan</td>
<td>3800</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2040</td>
<td></td>
<td></td>
<td>2040</td>
<td>3800</td>
</tr>
<tr>
<td>Ohapi Creek</td>
<td>Ohapi Creek at Houston’s</td>
<td>B220:711-002</td>
<td>Oct-Jan 570 (restrictions 1500)</td>
<td>2055</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3yrs from Operative Plan</td>
<td></td>
<td></td>
<td>3yrs from Operative Plan</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2040</td>
<td></td>
<td></td>
<td>2040</td>
<td></td>
</tr>
</tbody>
</table>

1113 Clause 16 amendment to improve cross-referencing
Rhodes Creek
Rhodes Stream at Parke Road
BZ20:728-017
60 (no partial restrictions)

See the Pareora Catchment Environmental Flow and Water Allocation Regional Plan for the Pareora catchment flow and allocation limits and the Opihi River Regional Plan for the Opihi Catchment flow and allocation limits. For all other areas see Rule 5.96(2) 5.123.¹¹¹⁴

¹¹¹⁴ Clause 16 amendment to correct cross-referencing following restructure of Section 5
14.6.2 Groundwater Allocation Limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in sections 4, 5 and §14. 1115

Table 16: Orari-Opihi-Pareora Groundwater Limits

<table>
<thead>
<tr>
<th>Zone (see Planning Maps)</th>
<th>Allocation Limit (million m$^3$/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rangitata-Orton</td>
<td>42.5</td>
</tr>
<tr>
<td>Fairlie</td>
<td>37.0</td>
</tr>
<tr>
<td>Levels Plain</td>
<td>32.9</td>
</tr>
<tr>
<td>Orari-Opihi</td>
<td>71.1</td>
</tr>
<tr>
<td>Pareora</td>
<td>7.19</td>
</tr>
<tr>
<td>Timaru</td>
<td>4.24</td>
</tr>
</tbody>
</table>

See the Pareora Catchment Environmental Flow and Allocation Regional Plan for groundwater limits under that Plan.

14.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51, 5.41 to 5.64. 1117

14.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opihi</td>
<td>Opuha River</td>
<td>Gooseberry Stream</td>
<td>Inflow site to Lake Opuha</td>
</tr>
<tr>
<td>Opihi</td>
<td>Opihi River</td>
<td>Halls Creek</td>
<td>State Highway 8</td>
</tr>
<tr>
<td>Temuka River</td>
<td>Hae Hae Te Moana River</td>
<td>Hall Road</td>
<td></td>
</tr>
<tr>
<td>Kakahu River</td>
<td>Catchment upstream from hall Road</td>
<td>Hall Road</td>
<td></td>
</tr>
<tr>
<td>Tengawai River</td>
<td>Whole catchment</td>
<td>Picnic Grounds recorder site</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Opawa River</td>
<td>Te Ngawai confluence</td>
<td></td>
</tr>
<tr>
<td>Pareora</td>
<td>Pareora River</td>
<td>Catchment upstream from Pareora Huts</td>
<td>Pareora at Huts recorder site</td>
</tr>
<tr>
<td></td>
<td>Taiko Stream</td>
<td></td>
<td>Confluence with Pareora River</td>
</tr>
</tbody>
</table>

1115 Clause 16 amendment to improve cross-referencing
1116 167.76 CRC
1117 Clause 16 amendment to correct cross-referencing following restructure of Section 5
14.8 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main River/Lake (see Planning Maps)</th>
<th>Location and Topo 50 Map Reference</th>
<th>Outstanding and significant characteristics</th>
</tr>
</thead>
</table>
| Orari River and tributaries         | From the mouth of the gorge (at or about BY19:553-335) to the headwaters. | - High degree of naturalness.  
- High visual amenity value - very high scenic and recreational values, and very high water clarity. |
Proposed Canterbury Land & Water Regional Plan: Decisions Version

Map 2 - Opari Catchment: Opari River Environmental Flow and Allocation Limits
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Section 15 - Waitaki and South Coastal Canterbury Coast

The area covered by this section contains two of the CWMS Zones – ‘Upper Waitaki’ and ‘Lower Waitaki – South Coastal Canterbury’ – and includes the Waitaki River and Lakes Tekapo, Pukaki, Ohau and Benmore.

Lower Waitaki South Coastal Canterbury Zone

The Lower Waitaki South Coastal Canterbury Zone is characterised by the large alpine Waitaki River, the Hakataramea River, the Waihao River, the Wainono Lagoon and their tributaries. Much of the land along the coast is reclaimed swamp which has now been drained and converted into farm land. The waterways in the lowlands of the Zone are made up of a mixture of spring-fed streams, such as the Waikakahi, and hill-fed streams such as the Otaio. Many of the lowland waterways are important for native and sport-fish species and hold a special place in the hearts and minds of local Tangata Whenua.

The Lower Waitaki South Coastal Canterbury Zone also includes the Morven Glenavy Irrigation Scheme which has been in existence since the late 1970s. As part of the functioning of the scheme it discharges by-wash into the lower Waihao River reach. This discharge has provided flows below the naturally drying reach and has improved the life supporting capabilities of the Lower Waihao River. As the scheme has become more efficient, the by-wash discharge has decreased. With the support of the local community, the scheme now has consent to discharge environmental flows into the lower reach, year round. Hunter Downs and Waihao Downs are two other irrigation schemes in this catchment. These schemes could also provide alternative water
sources that would increase reliability for abstractors and enhance water bodies in this water short catchment.

The following priority outcomes for sustainable water management have been identified by the Lower Waitaki - South Coastal Canterbury Zone Committee in their ZIP:

Lower Waitaki River:
- Reliability of supply;
- Protection of mauri (life-force);
- Flows at the river mouth protect ecosystem health;
- Enhancing recreational and amenity opportunities; and
- Maintenance of existing electricity contribution.

Water quality, water use efficiency, reliability of supply:
- Improved waterway management; and
- Development of shared extension programmes through catchment groups.

Restoration Wainono Lagoon – ki uta ki tai approach.

In achieving the priority outcomes for the Lower Waitaki South Coastal Canterbury Zone, and the objectives in this Plan for the Waihao, Wainono, Sinclairs and Morven catchments, a two stage approach to setting limits has been undertaken. The first stage introduces flow and allocation limits to cap current surface water use. It only allows existing water permits to be issued, prevents damming in the Waihao River above Waihao Forks and prevents any surface water transfers within the catchment until the integrated water quality and quantity limits are set in the Plan. Stage two will address the fact that the outcomes sought by the Plan in Policy 4.1 Table 1 are currently not being achieved when water quality and quantity are considered together and that the catchment is therefore over allocated. Stage two will confirm the integrated water quality and quantity and development outcomes sought by the community for the catchment and both the water quality and quantity limits required to be met to achieve the outcomes sought.

Upper Waitaki Zone

The Upper Waitaki catchment is the most distinctive and largest of New Zealand’s high inland basins. The landscape is almost completely derived from glacial activity with features ranging from alpine ice fields and active glaciers with fresh terminal moraines and lakes, to immense valley moraines, braided river plains and extensive intact sequences of basin floor features of moraine and outwash plains. These latter features are the most extensive in New Zealand.

The following priority outcomes for sustainable water management have been identified by the Upper Waitaki Zone Committee in their ZIP:
- Water quality and water quantity supports mahinga kai gathering and a diversity of aquatic life.
- All lakes and rivers are safe for contact recreation, have improved lake habitat, fish passage, and customary use, and flows that support natural processes. In particular, the
water quality in Lake Benmore is, at all times of the year, consistent with its very high recreational value.

- The braided river systems support ecosystems and the rivers are protected as an outstanding recreation resource.
- The zone has safe and secure drinking water for community supplies.
- The biodiversity of the Zone’s water bodies and dry land systems that are affected by water use are protected with improved biodiversity.
- Highly reliable irrigation water, to a target of 95% reliability, is available in the Zone.
- There is no further reduction in water quality within the Zone and that water quality is set by the community across the Zone.
- Optimal water and nutrient management is common practice.
- Energy security and efficiency – maintains the Zone’s existing contribution to New Zealand’s security of electricity supply.
- Maintenance of communities and sustainable population growth.
- Decisions seek the greatest good for the present community and future generations.
- A balanced and sustainable economic growth strategy and plan.

### 15.1 Other Regional Plans that apply to the Waitaki and South Canterbury Coast Sub-regional area

#### 15.1.1 Waitaki Catchment Water Allocation Regional Plan (September 2005)

The Waitaki Catchment Water Allocation Regional Plan was prepared by the Waitaki Catchment Water Allocation Board under the Resource Management (Waitaki Catchment) Amendment Act 2004, and controls the taking, using, damming and diverting of water from within the Waitaki catchment.

The LWRP’s objectives, policies and rules do not apply to the matters controlled by the Waitaki Catchment Water Allocation Regional Plan.

#### 15.2 Water Conservation Orders that apply to the Waitaki and South Canterbury Coast Sub-regional area


#### 15.3 Fresh water Outcomes

See Table 1, Policy 4.1, Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4.\(^{1119}\)

\(^{1119}\) Clause 16 amendment to improve cross-referencing
15.4 Policies

The following policies apply in the Waitaki and South Canterbury Coast Sub-regional area, in addition to those set out in Section 4 of this Plan.

15.4.1 Until the effects of further land use intensification in the Waihao, Wainono, Sinclairs and Morven Catchments have been comprehensively assessed alongside the water quality outcomes sought for these catchments a precautionary approach to surface water abstraction or stream depleting groundwater will be taken which means that:

(a) No new surface takes or stream depleting groundwater takes from the Waihao, Wainono, Sinclairs and Morven Catchments are to be granted; and

(b) The transfer of water permits, other than to new owners of the same property at the same location, shall not occur.

15.4.2 Any application for water abstraction within the Waihao, Wainono, Sinclairs and Morven catchments affected by section 124B will if granted be generally (subject to the consent authority considering the requirements of sections 104(2A) and 124B(4), where relevant) granted generally for a short term if the abstraction may adversely impact on the ability of the community to find an integrated solution to address current and foreseeable water quality and water quantity issues in the catchments.

15.4.3 The continuation of community drinking water supply is enabled by reserving 20 L/s of surface water in the Hook catchment and 10 L/s of surface water in the Upper Waihao catchment, as part of the flow and allocation regime, in addition to the amounts in Table 17.

15.4.4 In the Waihao, Wainono, Sinclairs and Morven Catchments, in addition to the requirements of the Resource Management (Measuring and Reporting of Water Takes) Regulation 2010, replacement of an expiring water permit or transfer of an existing permit to take 5 L/s or more of water shall include a condition requiring water use to be metered and water use records to be telemetered to the CRC or nominated agent.

15.4.5 The benefits from the Morven Glenavy Irrigation Scheme environmental flow discharge into the lower reach of the Waihao River are to be protected by reducing the flow available for abstraction downstream of Bradshaw’s recorder by a rate equivalent to the environmental discharge.

15.4.6 In-stream values in the Waihao catchment are protected by establishing partial restrictions on all takes attached to the Waihao McCulloughs recorder and by requiring a 50% reduction in the rate of take when the flow reaches 600 L/s and then takes cease at the minimum flow.

\[1120\] 200.176 EDS
\[1121\] Minor amendment to improve clarity
15.4.7 On application for a water permit in the Waihao and Wainono catchments affected by section 124B or when consents are reviewed, and where the property has access to irrigation scheme water, the application must demonstrate that scheme water is being used to the fullest extent possible and the use of fresh\textsuperscript{1122} water from the Waihao and Wainono catchments is minimised to the fullest extent possible.

15.5 Rules

The following rules apply in the Waitaki and South Canterbury Coast Sub-regional area, in addition to those set out in Section 5 of this Plan.

15.5.1 The temporary or permanent transfer, in whole or in part, of a water permit to take or use surface water or groundwater, including stream depleting groundwater, in the Waihao, Wainono, Sinclairs and Morven Catchment is a prohibited activity.

15.5.2 The damming of water in the main stem North Branch\textsuperscript{1123} of the Waihao River, upstream of the confluence of the North and South branch (Waihao Forks at or about Topo 50 CB18:372-388) is a prohibited activity.

\textsuperscript{1122} 347.218 Fish & Game
\textsuperscript{1123} 347.220 Fish & Game
15.6 Allocation Limits

15.6.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, 5 and §15.\(^{1124}\)

**Table 17: Waihao, Wainono, Sinclairs and Morven Catchment Environmental Flow and Allocation Limits**

<table>
<thead>
<tr>
<th>Catchment (see Planning Maps)</th>
<th>Min flow Location</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hook</td>
<td>Sth Branch Hook (Gunns Bush)</td>
<td>20</td>
<td>7</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>n/a</td>
<td>0</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Upper Hook (above intake)</td>
<td>32</td>
<td>47</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>n/a</td>
<td>0</td>
<td>200</td>
<td>44</td>
<td>1 May - 30 Sept</td>
</tr>
<tr>
<td></td>
<td>Hook Beach Rd area</td>
<td>64</td>
<td>15</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>n/a</td>
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<td>n/a</td>
<td>0</td>
<td>0</td>
<td>45</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Merry Stream</td>
<td>SH1</td>
<td>5</td>
<td>13</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>45</td>
<td>50</td>
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<tr>
<td></td>
<td>45</td>
<td>1 May - 30 Sept</td>
<td>55</td>
<td>1 May - 30 Sept</td>
<td>400</td>
</tr>
<tr>
<td></td>
<td>Hook Beach Drain</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Waituna</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Waimate</td>
<td>At ds intake</td>
<td>15</td>
<td>42</td>
<td>400</td>
</tr>
<tr>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>400</td>
<td>100</td>
</tr>
</tbody>
</table>

\(^{1124}\) Clause 16 amendment to improve cross-referencing
<table>
<thead>
<tr>
<th>Catchment (see Planning Maps)</th>
<th>Min flow Location</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>100</td>
<td>100</td>
<td>1 May - 30 Sept</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>100</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sir Charles</td>
<td>Rooney’s Bridge</td>
<td>100</td>
<td>149</td>
<td>1 Oct-30 Apr</td>
<td>380</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Oct-30 Apr</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>120</td>
<td>139</td>
<td>1 May - 30 Sept</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buchanans</td>
<td>Fletcher’s Bridge recorder</td>
<td>150</td>
<td>123-153</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Oct-30 Apr</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>178</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Waihao</td>
<td>McCulloughs recorder</td>
<td>300</td>
<td>378</td>
<td>1325</td>
<td>285</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Oct-30 Apr</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>600</td>
<td>269</td>
<td>1 Oct-30 Apr</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower Waihao</td>
<td>Bradshaws Bridge</td>
<td>Modified minimum flow 100**</td>
<td>152</td>
<td>Modified flow 600**</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 Oct-30 Apr</td>
<td>1 Oct-30 Apr</td>
<td>Pro rata restrictions apply for all takes*</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pro rata restrictions apply for all takes*</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Modified flow 600**</td>
<td></td>
<td>Pro rata restrictions apply for all takes*</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 May - 30 Sept</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waihao Dead Arm</td>
<td>Poingdestres</td>
<td>Height not to fall below 1.3 metres above mean sea level</td>
<td>80</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td>Wainono Lagoon</td>
<td></td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
</tr>
<tr>
<td>Sinclairs</td>
<td></td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
</tr>
</tbody>
</table>

1125 356.2 Mr Samuel Small
<table>
<thead>
<tr>
<th>Catchment (see Planning Maps)</th>
<th>Min flow Location</th>
<th>Minimum flow for A permits (L/s)</th>
<th>Allocation limit for A permits (L/s)</th>
<th>Minimum flow for B permits (L/s)</th>
<th>Allocation limit for B permits (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morven Drain</td>
<td>n/a</td>
<td>0</td>
<td>n/a</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

* Unless in a functioning Water Users’ Group. See Policy 4.4162(b).\(^{1126}\)

** The modified flow is the calculated flow after the environmental discharge (consistent with CRC897381C.2 and CRC091998 and renewed consents) is removed from the recorded flow.

See the Waitaki Catchment Water Allocation Regional Plan for the Waitaki catchment flow and allocation limits. For all other areas see Rule 5.96(2)–5.123.\(^{1127}\)

\(^{1126}\) Clause 16 amendment to correct cross-referencing following restructure of Section 4

\(^{1127}\) Clause 16 amendment to correct cross-referencing following restructure of Section 5
15.6.2 Groundwater Allocation limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4, 5 and 5.15. 1128

Table 18: Waitaki and South Canterbury Coastal Groundwater Limits

<table>
<thead>
<tr>
<th>Zone (see Planning Maps)</th>
<th>Allocation Limit (million m$^3$/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Otaio</td>
<td>4.93</td>
</tr>
<tr>
<td>Makikihi</td>
<td>18.05</td>
</tr>
<tr>
<td>Hook</td>
<td>2.49</td>
</tr>
<tr>
<td>Waimate</td>
<td>8.18</td>
</tr>
<tr>
<td>Waihao</td>
<td>7.73</td>
</tr>
<tr>
<td>Whitneys Creek</td>
<td>15.44</td>
</tr>
</tbody>
</table>

For all other areas, see Rule 5.102 5.128 1129

15.6.3 Catchment Nutrient Load Limits and Allowances

Nil. See Rules 5.39 to 5.51 5.41 to 5.64. 1130

15.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Major Catchment (see Planning Maps)</th>
<th>Sub-catchment</th>
<th>Sensitive part of catchment</th>
<th>Monitoring site – lower boundary of catchment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Otaio</td>
<td>Mainstem</td>
<td>Upstream of Otaio Gorge</td>
<td>Otaio Gorge recorder site</td>
</tr>
<tr>
<td></td>
<td>St Andrews Stream</td>
<td>Whole catchment</td>
<td>Otaio Gorge recorder site</td>
</tr>
<tr>
<td>Morven</td>
<td>Dog Kennel Stream</td>
<td>Upstream from Old Ferry Road</td>
<td>Old Ferry Road</td>
</tr>
<tr>
<td>Waihao</td>
<td>Waihao River</td>
<td>Catchment upstream from McCulloughs Bridge</td>
<td>McCulloughs Bridge recorder site</td>
</tr>
<tr>
<td></td>
<td>North Branch</td>
<td>Whole catchment</td>
<td>Waihao Forks</td>
</tr>
<tr>
<td>Waitaki</td>
<td>Hakataramea River</td>
<td>Whole catchment</td>
<td>Above Main Highway Bridge recorder site</td>
</tr>
<tr>
<td></td>
<td>Cattle Creek</td>
<td></td>
<td>Cattle yards Grid ref I39:208:319</td>
</tr>
<tr>
<td></td>
<td>Padkins Stream</td>
<td></td>
<td>Hakataramea Valley Road</td>
</tr>
<tr>
<td></td>
<td>Deep Stream</td>
<td>Whole catchment</td>
<td>Lower gorge inlet Grid ref 140:009-1571131</td>
</tr>
<tr>
<td></td>
<td>Mt Harris Stream</td>
<td>Whole catchment</td>
<td>Pikes Point Road</td>
</tr>
</tbody>
</table>

1128 Clause 16 amendment to improve cross-referencing
1129 Consequential change following deletion of 5.102
1130 Clause 16 amendment to correct cross-referencing following restructure of Section 5
1131 30.25 Robert Johnston
## 15.8 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

<table>
<thead>
<tr>
<th>Main River/Lake (see Planning Maps)</th>
<th>Location and Topo 50 Map Reference</th>
<th>Outstanding and significant characteristics</th>
</tr>
</thead>
</table>
| Hook River                          | Above the confluence of Hook stream and mainstem of the Hook River (at or about CA18:413-537) | • High degree of naturalness.  
• High visual amenity value |
| Waimate Creek                       | Above Kelcey’s Bush gauging site on Waimate Creek Map (at or about CA18:390-482) | • High degree of naturalness.  
• High visual amenity value |
# Section 16 - Schedules

## Index to Schedules

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<th>Title</th>
<th>Page Number</th>
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<td>Industry Derived Nitrogen Discharges Region-wide Water Quality Limits</td>
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<td>Assessment of Stream Depletion Effect</td>
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<td></td>
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<td>Well Interference Effects</td>
<td></td>
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<td>Requirements for Implementation of Water Allocation Regimes</td>
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<td>Excavation of Bed Material (50 m³)</td>
<td></td>
</tr>
<tr>
<td>Schedule 15</td>
<td>Excavation of Bed Material (100 m³)</td>
<td></td>
</tr>
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<td>Rūnanga Takiwā in the Canterbury Region</td>
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</tr>
<tr>
<td>Schedule 20</td>
<td>Tōpuni Areas and Descriptions</td>
<td></td>
</tr>
<tr>
<td>Schedule 21</td>
<td>Sites over which Nohoanga Entitlements are to be Granted in the Canterbury region</td>
<td></td>
</tr>
<tr>
<td>Schedule 22</td>
<td>Taonga Species List</td>
<td></td>
</tr>
<tr>
<td>Schedule 23</td>
<td>Customary Fisheries Species List</td>
<td></td>
</tr>
</tbody>
</table>
(This page is intentionally blank)
**Schedule 1 - Group or Community Drinking-water Protection Zones 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 provides more than 25 one household but fewer than 501 people with drinking-water for not less than 60 days each calendar year.

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

Existing group or community drinking-water supply wells will have provisional Group or Community Drinking-water Supply Protection Zones (using the method of this schedule) until the relevant resource consent requires replacement.

In any resource consent application for a new group or community drinking-water supply take and replacement of any existing group or community drinking-water supply take, the need for, and extent of, a specific protection zone will be considered. The dimensions of a protection zone around a group or community drinking-water supply are to be determined using site specific information, including the depth of the well, pumping rates, the type of aquifer, the types of actual or potential contaminants, and the potential risk to water quality.

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

Existing groundwater group or community drinking-water supplies are protected for distances specified in Figure 1A and Table 1A.

---

1132 86.2 Hurunui DC
Figure 1A Method for calculating the area of a provisional Group or Community Drinking-water Supply Protection Zone.

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

Table 1A – Protection Areas

<table>
<thead>
<tr>
<th>Screen Depth (or well depth if no screen depth is recorded)</th>
<th>Aquifer Type</th>
<th>Protection distances (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Upgradient from the bore (A)</td>
</tr>
<tr>
<td>&lt;10 m (^{1133})</td>
<td>All (^{1134})</td>
<td>2000 (^{1135})</td>
</tr>
<tr>
<td>10 – 30 m (^{1136})</td>
<td>Unconfined or semi confined</td>
<td>1000</td>
</tr>
<tr>
<td></td>
<td>Confined</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Coastal Confined Gravel (^{1137}) Aquifer 1</td>
<td>400</td>
</tr>
<tr>
<td>30 – 70 m</td>
<td>Unconfined or semi confined</td>
<td>500</td>
</tr>
<tr>
<td></td>
<td>Confined</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Coastal Confined Gravel (^{1138}) Aquifer 1</td>
<td>400</td>
</tr>
<tr>
<td>&gt; 70 m</td>
<td>Unconfined or semi confined</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Confined</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Coastal Confined Gravel (^{1139}) Aquifer 1</td>
<td>400</td>
</tr>
</tbody>
</table>

\(^{1133}\) 167.80 CRC  \\
\(^{1134}\) 167.80 CRC  \\
\(^{1135}\) 167.80 CRC  \\
\(^{1136}\) 167.80 CRC  \\
\(^{1137}\) 167.80 CRC  \\
\(^{1138}\) 167.80 CRC  \\
\(^{1139}\) 167.80 CRC  \\

18 January 2014
Existing surface water group or community drinking-water supplies, including galleries, are protected from discharges for the following distances, across the full width of the bed, and within a lateral distance of 50 m from the bed:\textsuperscript{1140}

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

\textsuperscript{1140} 125.44 Kaikoura DC
Schedule 2 - Fish Screen Standards and Guidelines

1. Where the diversion or and take does not exceed a maximum rate of 10 L/s and a maximum volume of 100 m³ per day, a fish screen shall be installed to prevent fish from entering the intake. The fish screen shall be designed to the following standard and kept functional at all times that water is being taken:
   (a) Water shall only be taken when a fish screen with a mesh size or slot width not exceeding 2 mm for intakes within 2 km of the coast, a coastal lake or estuary, or 3 mm for anywhere else, is operated and maintained across the full width of the intake to ensure that fish and fish fry are prevented from bypassing the screen into the intake; and
   (b) The screen area shall be designed to ensure the calculated average through screen velocity does not exceed 0.12 m/s (screens should generally be designed to exceed this area to account for some routine level of clogging of the screen with detritus). The required area (m²) of fish screen should exceed = Flow (L/s)/120.

   Example: The minimum required fish screen area for a cylindrical screen can therefore be calculated from:

   \[ \text{Area} = 2\pi r(r + h) \times z \]

   Where: \( \pi = 3.14159 \)
   \( r = \text{radius of cylinder (m)} \)
   \( h = \text{length or height of cylinder (m)} \)
   \( z = \text{proportional open mesh area of screen material (i.e. 0.5 for mesh that is 50% open area)} \)

   Note: The above formula holds where the screen is fully immersed in water as is usually the case with pump takes. Where this is not the case, the area will need to be adjusted accordingly. Where 50% of the screen may be exposed, then the area calculation will need to be adjusted to half (or multiplied by 0.5), or the actual screen area would need to be doubled (multiplied by 2) in order to achieve the same area immersed. This example makes no allowance for the area taken up by the end of the intake pipe. Where high levels of detritus and other clogging materials are present, screen areas should be increased to account for reduced effective screen area.

2. Where the diversion or and take does not exceed a maximum rate of 10 L/s and a maximum volume of 100 m³ per day but does not meet the standards in A 1141 above; or where the diversion or and take exceeds a maximum rate of 10 L/s and a maximum volume of 100 m³ per day and the diversion is less than 10 m³/s or the take is less than 500

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1141 Cl 16 Minor amendment – to make consistent with revised treatment of diversions
1142 Cl 16 Minor amendment – to make consistent with revised treatment of diversions
1143 146.84 Ashburton DC
1144 Cl 16 Minor amendment – to make consistent with revised treatment of diversions
L/s pumped, a fish screen shall be installed to prevent fish from entering the intake. The fish screen shall be designed with the following features:

(a) The site is located as close to the river source as possible to minimise exposure of fish to the fish screen structure, and minimises the length of stream affected while providing the best possible conditions for (b) - (f) below;

(b) Water velocity through the screen (“approach velocity”) is slow enough (generally <0.12 m/s) to allow fish to escape entrainment (being sucked through or washed over the screen) or impingement (being squashed or rubbed against the screen);

(c) Water velocity across (or past) the screen (“sweep velocity”) is greater than the approach velocity (b) and is sufficient to sweep the fish past the intake;

(d) An effective bypass system is provided that is easily accessible to entrained fish, and fish are taken away from the intake and back into the source channel, or into water which provides the fish with unimpeded passage back into the source channel;

(e) Screening material (mesh, profile bars or other) on the screen needs to have a smooth surface and openings that prevent any damage to fish coming into contact with the screening material; and

(f) The intake structure and fish screen are operated to a consistent, appropriate standard with appropriate operation and maintenance procedures, and this operation and maintenance should be regularly checked or monitored. A record should be kept of all the maintenance and monitoring carried out.

3. Where the diversion is more than 10 m$^3$/s or the take is more than 500 L/s pumped, in addition to the features listed in B 21145 (a) to (f) above, it will be necessary for the intake to be purpose designed and to consider on a case by case basis whether any additional features will be necessary to ensure fish are prevented from entering the intake.

Notes:

1. Submerged galleries (abstracting water vertically) and galleries in river banks (abstracting water horizontally), or behavioural barriers and devices such as those that use light and sound diversions may not meet all of the engineering features set out in B 21146 above, but shall be considered to comply with them where it is demonstrated that they are able to exclude fish to the same degree of effectiveness.

2. In conjunction with a number of stakeholder groups, the CRC has developed good practice guidelines for fish screening in Canterbury. A copy of this guideline can be obtained from the CRC to help in ensuring fish screens are designed, installed and operated to include the features identified in B 21147 above.
Schedule 3 - Hazardous Industries and Activities

A. Chemical manufacture, application and bulk storage
   1. Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application
   2. Chemical manufacture, formulation or bulk storage
   3. Commercial analytical laboratory sites
   4. Corrosives including formulation or bulk storage
   5. Dry-cleaning plants including dry-cleaning premises or the bulk storage of dry-cleaning solvents
   6. Fertiliser manufacture or bulk storage
   7. Gasworks including the manufacture of gas from coal or oil feedstocks
   8. Livestock dip or spray race operations
   9. Paint manufacture or formulation (excluding retail paint stores)
  10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds
  11. Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application
  12. Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides
  13. Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground
  14. Pharmaceutical manufacture including the commercial manufacture, blending, mixing or formulation of pharmaceuticals, including animal remedies or the manufacturing of illicit drugs with the potential for environmental discharges
  15. Printing including commercial printing using metal type, inks, dyes, or solvents (excluding photocopy shops)
  16. Skin or wool processing including a tannery or fellmongery, or any other commercial facility for hide curing, drying, scouring or finishing or storing wool or leather products
  17. Storage tanks or drums for fuel, chemicals or liquid waste
  18. Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside

B. Electrical and electronic works, power generation and transmission
   1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)
2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
4. Power stations, substations or switchyards

C. Explosives and ordinances production, storage and use
1. Explosive or ordinance production, maintenance, dismantling, disposal, bulk storage or re-packaging
2. Gun clubs or rifle ranges, including clay targets clubs that use lead munitions outdoors
3. Training areas set aside exclusively or primarily for the detonation of explosive ammunition

D. Metal extraction, refining and reprocessing, storage and use
1. Abrasive blasting including abrasive blast cleaning (excluding cleaning carried out in fully enclosed booths) or the disposal of abrasive blasting material
2. Foundry operations including the commercial production of metal products by injecting or pouring molten metal into moulds
3. Metal treatment or coating including polishing, anodising, galvanising, pickling, electroplating, or heat treatment or finishing using cyanide compounds
4. Metalliferous ore processing including the chemical or physical extraction of metals, including smelting, refining, fusing or refining metals
5. Engineering workshops with metal fabrication

E. Mineral extraction, refining and reprocessing, storage and use
1. Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition
2. Asphalt or bitumen manufacture or bulk storage (excluding single-use sites used by a mobile asphalt plant)
3. Cement or lime manufacture using a kiln including the storage of wastes from the manufacturing process
4. Commercial concrete manufacture or commercial cement storage
5. Coal or coke yards
6. Hydrocarbon exploration or production including well sites or flare pits
7. Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings

F. Vehicle refuelling, service and repair
1. Airports including fuel storage, workshops, washdown areas, or fire practice areas
2. Brake lining manufacturers, repairers or recyclers
3. Engine reconditioning workshops
4. Motor vehicle workshops
5. Port activities including dry docks or marine vessel maintenance facilities
6. Railway yards including goods-handling yards, workshops, refuelling facilities or maintenance areas
7. Service stations including retail or commercial refuelling facilities
8. Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances

G. Cemeteries and waste recycling, treatment and disposal
   1. Cemeteries
   2. Drum or tank reconditioning or recycling
   3. Landfill sites
   4. Scrap yards including automotive dismantling, wrecking or scrap metal yards
   5. Waste disposal to land (excluding where biosolids have been used as soil conditioners)
   6. Waste recycling or waste or wastewater treatment

H. Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment

I. Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment.\textsuperscript{1149}
Schedule 4 - Hazardous Substances

Part A – Hazardous Substances

Hazardous substance means, unless expressly provided otherwise by regulations, any substance defined in the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 —

(a) with one or more of the following intrinsic properties:
   (i) explosiveness:
   (ii) flammability:
   (iii) a capacity to oxidise:
   (iv) corrosiveness:
   (v) toxicity (including chronic toxicity):
   (vi) ecotoxicity, with or without bioaccumulation; or

(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition; and

(c) is environmentally persistent or will bio-accumulate to a level that has acute or chronic toxic effects on humans or other non-target species.

Part B – Decommissioning

Information to be provided:
1. the information required by clauses 8(b)(i) – 8(b)(iii) of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;
2. the capacity of the container;
3. the type of specified hazardous substance that is or has been stored in the container;
4. the legal description of the site and the location of the container on the site;
5. the name and address of the person undertaking the decommissioning of the container;
6. the proposed method of decommissioning;
7. the date and approximate time the container is to be decommissioned;
8. the reason for the decommissioning of the container;
9. the destination or proposed use of the decommissioned container;
10. the process for cleaning or decontaminating the container, and the disposal of any residue from this process;
11. the proposed method of backfilling and/or repairing disturbed land as a result of the decommissioning and a description of any backfill materials to be used;
12. a copy of any site assessment report and remedial action plan.

Consequential amendment (270.68 Fonterra)
Schedule 5 - Mixing Zones and Receiving Water Standards

Mixing Zones

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

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

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

Notes:
\(^1\) The wetted channel width is estimated by a suitably experienced and qualified person for the proposed discharge location. For a braided river the wetted channel width is the width of water in the braid receiving the discharge.
\(^2\) The 7DMALF for a specific location is estimated using a generally accepted calculation method undertaken by a suitably experienced and qualified person.
\(^3\) The lake water edge is estimated by a suitably experienced and qualified person for the proposed discharge location at the lowest lake level with a ten year reoccurrence interval.

Receiving Water Standards
(Refer to tables on the following pages).
**Table 5A** \(^{1151}\) – Water quality standards for waters not classified as NATURAL

<table>
<thead>
<tr>
<th>Water quality class</th>
<th>DOC*</th>
<th>Temperature</th>
<th>pH</th>
<th>Visual clarity</th>
<th>Colour</th>
<th>DIN*</th>
<th>DRP</th>
<th>E. coli*</th>
<th>Toxicants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers and artificial watercourses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alpine-upland</td>
<td>2.0</td>
<td>2.0</td>
<td>6.5–8.5</td>
<td>20</td>
<td>5</td>
<td>0.08</td>
<td>0.005</td>
<td>260</td>
<td>99%</td>
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<tr>
<td>Alpine-lower</td>
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<td>Hill-fed – upland</td>
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<tr>
<td>Hill-fed – lower</td>
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<td></td>
<td></td>
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<tr>
<td>Hill-fed – lower – urban</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Lake-fed</td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Banks Peninsula</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Spring-fed – upland</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Spring-fed – lower basin</td>
<td></td>
<td></td>
<td>35</td>
<td>10</td>
<td>0.09</td>
<td>0.025</td>
<td>550</td>
<td>99%</td>
<td></td>
</tr>
<tr>
<td>Spring-fed – plains</td>
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<tr>
<td>Spring-fed – plains – urban</td>
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<td></td>
<td>35</td>
<td>10</td>
<td>1.50</td>
<td>0.016</td>
<td>550</td>
<td>95%</td>
<td></td>
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<tr>
<td>Lakes</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large high country lakes</td>
<td>2.0</td>
<td>2.0</td>
<td>6.5–8.5</td>
<td>20</td>
<td>5</td>
<td>0.073</td>
<td>0.004</td>
<td>260</td>
<td>99%</td>
</tr>
<tr>
<td>Small to medium high country lakes</td>
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<td></td>
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<tr>
<td>Coastal lakes and lagoons</td>
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<tr>
<td>Artificial – on-river</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Artificial – other</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**Key to Abbreviations**

DOC = Dissolved organic carbon
DIN = Dissolved inorganic nitrogen
TN = Total nitrogen

\(^{1151}\) 167.81 CRC
\(^{1152}\) 167.83 CRC
DRP = Dissolved reactive phosphorus
TP = Total phosphorus
E. coli = Escherichia coli
### Table 5B: Toxicant water quality standards for all water classes except Class NATURAL

<table>
<thead>
<tr>
<th>CHEMICAL</th>
<th>LEVEL OF PROTECTION (% species)</th>
<th>Numerical standards</th>
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<tbody>
<tr>
<td></td>
<td>99%</td>
<td>95%</td>
</tr>
<tr>
<td></td>
<td>90%</td>
<td>(µg/l)</td>
</tr>
<tr>
<td><strong>Narrative Standards</strong></td>
<td>Adverse effects on aquatic organisms are less than negligible.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adverse effects on aquatic organisms are less than minor.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adverse effects on aquatic organisms are minor.</td>
<td></td>
</tr>
<tr>
<td><strong>METALS AND METALLOIDS</strong></td>
<td></td>
<td>(µg/l)</td>
</tr>
<tr>
<td>Aluminium</td>
<td>27</td>
<td>55</td>
</tr>
<tr>
<td>Arsenic (As III)</td>
<td>1</td>
<td>24</td>
</tr>
<tr>
<td>Arsenic (AsV)</td>
<td>0.8</td>
<td>13</td>
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<tr>
<td>Boron</td>
<td>90</td>
<td>370</td>
</tr>
<tr>
<td>Cadmium</td>
<td>0.06</td>
<td>0.2</td>
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<tr>
<td>Chromium (CrVI)</td>
<td>0.01</td>
<td>1.0</td>
</tr>
<tr>
<td>Copper</td>
<td>1.0</td>
<td>1.4</td>
</tr>
<tr>
<td>Lead</td>
<td>1.0</td>
<td>3.4</td>
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<tr>
<td>Manganese</td>
<td>1200</td>
<td>1900</td>
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<tr>
<td>Mercury (inorganic)</td>
<td>0.06</td>
<td>0.06</td>
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<tr>
<td>Nickel</td>
<td>8</td>
<td>11</td>
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<tr>
<td>Selenium (Total)</td>
<td>5</td>
<td>11</td>
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<tr>
<td>Silver</td>
<td>0.02</td>
<td>0.05</td>
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<tr>
<td>Zinc</td>
<td>2.4</td>
<td>8.0</td>
</tr>
<tr>
<td><strong>NON-METALLIC INORGANICS</strong></td>
<td></td>
<td>(µg/l)</td>
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<tr>
<td>Ammonia (Total N)</td>
<td>320</td>
<td>57</td>
</tr>
<tr>
<td>Chlorine (Total Cl)</td>
<td>0.4</td>
<td>3</td>
</tr>
<tr>
<td>Cyanide (Unionised, as CN)</td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td>Hydrogen sulphide (Un-ionised as S)</td>
<td>0.5</td>
<td>3.0</td>
</tr>
<tr>
<td><strong>AROMATIC HYDROCARBONS</strong></td>
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<td>(µg/l)</td>
</tr>
<tr>
<td>Benzene</td>
<td>600</td>
<td>950</td>
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<tr>
<td>o-xylene</td>
<td>200</td>
<td>350</td>
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<tr>
<td>p-xylene</td>
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<td>200</td>
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<tr>
<td><strong>CHLOROETHANES</strong></td>
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<td>(µg/l)</td>
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<tr>
<td>1,1,2-TRICHLOROETHANE</td>
<td>5400</td>
<td>6500</td>
</tr>
<tr>
<td><strong>HEXACHLOROETHANE</strong></td>
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<td>290</td>
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<tr>
<td><strong>ANILINES</strong></td>
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<td>(µg/l)</td>
</tr>
<tr>
<td>Aniline</td>
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<td>8</td>
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<tr>
<td>2,4-DICHLOROANILINE</td>
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<td>7</td>
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<tr>
<td>3,4-DICHLOROANILINE</td>
<td>1.3</td>
<td>3</td>
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<tr>
<td><strong>POLYCYCLIC AROMATIC HYDROCARBONS</strong></td>
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<tr>
<td>Naphthalene</td>
<td>2.5</td>
<td>16</td>
</tr>
<tr>
<td><strong>NITROBENZENES</strong></td>
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<td>(µg/l)</td>
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<tr>
<td>Nitrobenzene</td>
<td>230</td>
<td>550</td>
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</tbody>
</table>

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1153 167.82 CRC
1154 106.92 CCC
<table>
<thead>
<tr>
<th>CHEMICAL</th>
<th>LEVEL OF PROTECTION (% species)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,4-dinitrotoluene</td>
<td>99% 16 95th% 16 90th% 16</td>
</tr>
<tr>
<td>2,4,6-trinitrotoluene</td>
<td>100 140</td>
</tr>
<tr>
<td>1,2,4-trichlorobenzene</td>
<td>85 85</td>
</tr>
<tr>
<td>Phenol</td>
<td>85 320</td>
</tr>
<tr>
<td>1,4-dichlorobenzene</td>
<td>160 260</td>
</tr>
<tr>
<td>1,2,3-trichlorobenzene</td>
<td>40 60</td>
</tr>
<tr>
<td>1,2,4-trichlorobenzene</td>
<td>100 140</td>
</tr>
<tr>
<td>1,4-dichlorobenzene</td>
<td>120 120</td>
</tr>
<tr>
<td>2,4-dichlorophenol</td>
<td>340 340</td>
</tr>
<tr>
<td>1,3-dichlorobenzene</td>
<td>160 260</td>
</tr>
<tr>
<td>1,2,4-trichlorophenol</td>
<td>40 60</td>
</tr>
<tr>
<td>2,4-dinitrophenol</td>
<td>160 260</td>
</tr>
<tr>
<td>2,3,4,6-tetrachlorobenzene</td>
<td>100 100</td>
</tr>
<tr>
<td>2,3,4,6-tetrachlorophenol</td>
<td>10 10</td>
</tr>
<tr>
<td>2,6-dinitrophenol</td>
<td>100 140</td>
</tr>
<tr>
<td>Dimethylphthalate</td>
<td>3000 3700</td>
</tr>
<tr>
<td>Diethylphthalate</td>
<td>900 1000</td>
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<tr>
<td>Dibutylphthalate</td>
<td>9.9 9.9</td>
</tr>
<tr>
<td>Poly(acrylonitrile-co-butadiene-co-styrene)</td>
<td>200 530</td>
</tr>
<tr>
<td>Azinphos methyl</td>
<td>0.01 0.02 0.05</td>
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<td>Chlorpyrifos</td>
<td>0.00004 0.00004 0.11</td>
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<tr>
<td>Diazinon</td>
<td>0.00003 0.01 0.2</td>
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<tr>
<td>Dimethoate</td>
<td>0.1 0.15 0.2</td>
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<tr>
<td>Fenitrothion</td>
<td>0.1 0.2 0.3</td>
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<td>Malathion</td>
<td>0.002 0.05 0.2</td>
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<tr>
<td>Carbofuran</td>
<td>0.06 0.06 4</td>
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<tr>
<td>Methomyl</td>
<td>0.5 3.5 9.5</td>
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<tr>
<td>Diquat</td>
<td>0.01 1.4 10</td>
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<tr>
<td>2,4-D</td>
<td>140 280 450</td>
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<tr>
<td>Molinate</td>
<td>0.1 3.4 14</td>
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<tr>
<td>Thiobencarb</td>
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<td>Thiram</td>
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<tr>
<td>Atrazine</td>
<td>0.7 13 45</td>
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<tr>
<td>Simazine</td>
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<tr>
<td>Tebuthiuron</td>
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<tr>
<td>Glyphosate</td>
<td>370 1200 2000</td>
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<tr>
<td>Trifluralin</td>
<td>2.6 2.6 6</td>
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<tr>
<td>Linear alkylbenzene sulfonates (LAS)</td>
<td>65 280 520</td>
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<tr>
<td>Alcohol ethoxylated sulfate (AES)</td>
<td>340 650 850</td>
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1155 167.84 CRC
1156 167.84 CRC
### Table 5C: Maximum total ammonia concentrations for 95% species protection at different pH

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<tr>
<th>pH</th>
<th>Total Ammonia (N µg/l)</th>
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<td>6.0</td>
<td>2570</td>
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<tr>
<td>6.1</td>
<td>2555</td>
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<tr>
<td>6.2</td>
<td>2540</td>
</tr>
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<td>6.3</td>
<td>2520</td>
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<tr>
<td>6.4</td>
<td>2490</td>
</tr>
<tr>
<td>6.5</td>
<td>2460</td>
</tr>
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<td>6.7</td>
<td>2380</td>
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</tr>
<tr>
<td>7.0</td>
<td>2180</td>
</tr>
<tr>
<td>7.1</td>
<td>2090</td>
</tr>
<tr>
<td>7.2</td>
<td>1990</td>
</tr>
<tr>
<td>7.3</td>
<td>1880</td>
</tr>
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<td>7.4</td>
<td>1750</td>
</tr>
<tr>
<td>7.5</td>
<td>1610</td>
</tr>
<tr>
<td>7.6</td>
<td>1470</td>
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<tr>
<td>7.8</td>
<td>1180</td>
</tr>
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<td>7.9</td>
<td>1030</td>
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<tr>
<td>8.0</td>
<td>900</td>
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<td>8.1</td>
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<td>560</td>
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<tr>
<td>8.9</td>
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<td>9.0</td>
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\[157] 106.92 CCC

18 January 2014
## Schedule 6 - Areas on rivers or lakes commonly used for freshwater bathing

<table>
<thead>
<tr>
<th>Area</th>
<th>River or lake site</th>
<th>Map reference of site</th>
<th>The distance upstream from the site where stock are excluded from the river or lake. (metres)</th>
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</thead>
<tbody>
<tr>
<td><strong>North Canterbury</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Ashley Gorge Picnic Ground</td>
<td>L34:473-752</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Hurunui River SH1</td>
<td>N33:179-121</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Hurunui River SH7</td>
<td>N33:909-150</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Waipara River - Boys Brigade Camp</td>
<td>N34:901-929</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Selwyn - Upper Huts</td>
<td>M36:648-215</td>
<td>1000</td>
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<tr>
<td>Selwyn - Coes Ford</td>
<td>M36:627-234</td>
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<tr>
<td>Selwyn - Chamberlains</td>
<td>M36:596-242</td>
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<td>Selwyn - Glentunnel</td>
<td>L35:242-463</td>
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<td><strong>Mid Canterbury</strong></td>
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<td>Ashburton River/Hakatere - SH1</td>
<td>K37:087-990</td>
<td>1000</td>
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<tr>
<td>Lake Clearwater</td>
<td>J36:525-315</td>
<td>1000</td>
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</tr>
<tr>
<td>Lake Camp</td>
<td>J36:526-310</td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>Orari Gorge</td>
<td>J37:653-951</td>
<td>1000</td>
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</tr>
<tr>
<td><strong>South Canterbury</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pareora River - Brasells Bridge</td>
<td>J39:618-371</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Pareora - Pareora Huts</td>
<td>J39:552-422</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Pareora - Evans Crossing</td>
<td>J39:540-437</td>
<td>1000</td>
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</tr>
<tr>
<td>Otaio Gorge</td>
<td>J39:454-296</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Waihao - Bradshaws</td>
<td>J40:643-015</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Waihao - Black Hole</td>
<td>J40:479-995</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td><strong>Waitaki catchment</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hakataramea River at the hotel</td>
<td>I40:112-061</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Benmore – Falstone</td>
<td>H39:870-419</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Benmore – Haldon</td>
<td>H39:888-475</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Benmore – Ohau C</td>
<td>H38:772-543</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Benmore – Sailors Cutting</td>
<td>H39:788-250</td>
<td>1000</td>
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<td>Lake Benmore - Glenburn</td>
<td>H39:759-276</td>
<td>1000</td>
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<td>Lake Aviemore – Loch Laird</td>
<td>H39:862-228</td>
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<td></td>
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<tr>
<td>Lake Aviemore - Waitangi</td>
<td>I40:959-192</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Aviemore – Te Akatarawa</td>
<td>I40:933-187</td>
<td>1000</td>
<td></td>
</tr>
<tr>
<td>Lake Ruataniwha – Camping Ground</td>
<td>H38:743-552</td>
<td>1000</td>
<td></td>
</tr>
</tbody>
</table>
Schedule 7 - Farm Environment Plan

Part A – Farm Environment Plans

A Farm Environment Plan can be based on either of:

1. The material set out in Part B below;

OR

2. Industry prepared Farm Environment Plan templates and guidance material that:
   (a) Include the following minimum components:
       (i) The matters set out in 1, 2, and 3 of Part B below;
       (ii) Contains a methodology that will enable development of a plan that will identify actual and potential environmental effects and risks specific to the property, addresses those effects and risks and has a high likelihood of appropriately avoiding, remedying or mitigating those effects;
       (iii) Performance measures that are capable of being audited as set out in Part C below; and
   (b) Has been approved as meeting the criteria in (a) and being acceptable to the Canterbury Regional Council by the Chief Executive of the Canterbury Regional Council.

Part B – Farm Environment Plan Default Content

A Farm Environment Plan shall be prepared by a person with the appropriate professional qualifications. The plan shall take into account all sources of nutrients used for the farming activity and identify all relevant nutrient management practices and mitigation measures.

The plan requirements will apply to:
1. a plan prepared for an individual property or farm enterprise; or
2. a plan prepared for an individual property which is part of a collective of properties,—including an irrigation scheme, principal water supplier, or an Industry Certification Scheme, or catchment club.

Plan requirements

The Farm Environment Plan must clearly identify how when the assigned industry ‘good practices’ and/or property nutrient allowances will be achieved.

The plan shall contain as a minimum:
1. Property or farm enterprise details
   a. Physical address
   b. Description of the ownership and name of a contact person
   c. Legal description of the land and farm identifier
2. A map(s) or aerial photograph at a scale that clearly shows:
   a. The boundaries of the property or land areas comprising the farm enterprise.
   b. The boundaries of the main land management units on the property or within the farm enterprise.
   c. The location of permanent or intermittent rivers, streams, lakes, drains, ponds or wetlands.
   d. The location of riparian vegetation and fences adjacent to water bodies.
   e. The location on all waterways where stock access or crossing occurs.
   f. The location of storage facilities, offal or refuse disposal pits, feeding or stock holding areas, effluent blocks, raceways, tracks and crossings.
   g. The location of any areas within or adjoining the property that are identified in a District Plan as “significant indigenous biodiversity”.

3. An assessment of the risks to water quality associated with the major farming activities on the property and how the identified risks will be managed.

3. A list of all Canterbury Regional Council resource consents held for the property or farm enterprise.

4. An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed, including irrigation, application of nutrients, effluent application, stock exclusion from waterways, offal pits and farm rubbish pits.

5 A description of how each of the following management objectives will, where relevant, be met.
   a) Nutrient management: To maximise nutrient use efficiency while minimising nutrient losses to water in order to meet specified nutrient allowances.
   b) Irrigation management: To operate irrigation systems that are capable of applying water efficiently and ensuring that the management that ensures actual use of water is monitored and is efficient.
   c) Soils management: To maintain or improve the physical and biological condition of soils in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.
   d) Wetlands and riparian management: To manage wetland and waterway margins to avoid damage to the bed and margins of a water body, avoid direct input of nutrients, and to maximise riparian margin nutrient filtering.
   
   (d) Collected animal effluent management: To manage the risks associated with the operation of effluent systems to ensure effluent systems are compliant 365 days of the year.
   
   e) Livestock management: To manage wetlands and water bodies so that stock are excluded as far as practicable from water, to avoid damage to the bed and margins of a water body, and to avoid the direct input of nutrients, sediment, and microbial pathogens.
   
   f) Offal pits: to manage the number and locations of pits to minimise risks to health and water quality

The plan shall include for each objective in 5 above management objective;
a. detail commensurate with the scale of the environmental effects and risks;
b. user defined measurable targets that clearly set a pathway and timeframe for achievement and set out defined and auditable “pass/fail” criteria of the objective;
c. a description of the good management practices together with actions required to achieve the objective and targets;
d. the records required to be kept for measuring performance and achievement of the target.

Nutrient budgets are prepared by a suitably qualified person, using the OVERSEER™ nutrient budget model, or equivalent model approved by the Chief Executive of Environment Canterbury, for each of the identified land management units and the overall farm or farm enterprise.

Part C – Farm Environment Plan Audit Requirements

The Farm Environment Plan must be audited by a Farm Environment Plan Auditor who is independent of the farm being audited (i.e. is not a professional adviser for the property) and has not been involved in the preparation of the Farm Environment Plan.

The farming activity occurring on the property will be audited against the following minimum criteria:
1. An assessment of the performance against the objectives, targets, good practices and timeframes in the Farm Environment Plan;
2. An assessment of the robustness of the nutrient budget/s;
3. An assessment of the efficiency of water use (if irrigated).

Part D – Farming Information

Whenever one of Rules 5.41-5.58 requires information to be submitted, the following is to be provided:

1. The OVERSEER™, or equivalent model approved by the Chief Executive of Environment Canterbury, input and output files for the property; or
2. Information detailing:
   (a) The site area to which the farming activity relates;
   (b) Monthly stocking rates (numbers, types and classes) including breakdown by stock class;
   (c) Annual yield of arable or horticultural produce;
   (d) A description of the farm management practices used on each block including:
      (i) Ground cover – pasture, crops, fodder crops, non-grazed areas (including forestry, riparian and tree areas) and any crop rotation;
(ii) Stock management – lambing/calving/fawning dates and percentages, any purchases and sales and associated dates, types and age of stock;

(iii) Fertiliser application – types and quantities per hectare for each identified block, taking into account any crop rotation;

(iv) Quantities of introduced or exported feed;

(e) Farm animal effluent, pig farm effluent, feed pad and stand-off pad effluent management including:
   (i) Area of land used for effluent application;
   (ii) Annual nitrogen loading rate and nitrogen load rate per application;
   (iii) Instantaneous application rate;

(f) Irrigation – areas, rates, monthly volumes and system type.

The information is to be collated for the period 1 July to 30 June in the following year and be provided annually, no later than 31 of October. \(^{1158}\)

\(^{1158}\) A range of submission points have been used to develop the above provisions. In particular, the following submissions have been used to formulate the recommendations: Deer Farmers Assn (Canty) (175), Horticulture NZ (326), Beef & Lamb (318), Fed Farmers (Combined Canty) (320), Fonterra (270), C & PH ChCh (93), and the Fertiliser Assn (239).
Schedule 8 – Region-wide Water Quality Limits Industry-Derived Nitrogen Discharges

This Schedule is currently blank, but will be established to articulate industry-developed good-practice discharge allowances, and build upon Report No. R10/127 Estimating nitrate-nitrogen leaching rates under rural land uses in Canterbury. ¹¹⁵⁹

Rivers:

<table>
<thead>
<tr>
<th>River type</th>
<th>Type</th>
<th>Measurement</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowland streams</td>
<td>Nitrate toxicity</td>
<td>annual median</td>
<td>3.8 mgN/L</td>
</tr>
</tbody>
</table>

Lakes:

<table>
<thead>
<tr>
<th>TLI</th>
<th>Trophic State</th>
<th>Lake types</th>
<th>TP¹</th>
<th>TN¹</th>
<th>Chl A³</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Oligotrophic</td>
<td>Large High Country</td>
<td>0.004</td>
<td>0.073</td>
<td>0.82</td>
</tr>
<tr>
<td>3</td>
<td>Mesotrophic</td>
<td>small/medium high country lakes</td>
<td>0.009</td>
<td>0.160</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>on-river artificial lakes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Eutrophic</td>
<td>other artificial lakes</td>
<td>0.020</td>
<td>0.340</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coopers Lagoon/Muriwai</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Supertrophic</td>
<td>All other coastal lakes</td>
<td>0.096</td>
<td>1.560</td>
<td>30</td>
</tr>
</tbody>
</table>

¹ as a maximum annual average

Groundwater:

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>Measurement</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrate-N</td>
<td>Maximum concentration</td>
<td>&lt;11.3 mg/L</td>
</tr>
<tr>
<td>Nitrate-N</td>
<td>Annual average concn</td>
<td>&lt;5.65 mg/L</td>
</tr>
<tr>
<td>E coil</td>
<td>any sample</td>
<td>&lt;1 organism/100 millilitres</td>
</tr>
<tr>
<td>Other contaminants²</td>
<td>any sample</td>
<td>&lt;50% MAV²</td>
</tr>
</tbody>
</table>

² Other contaminants of health significance as listed in NZ Drinking-water Standards.
³ Maximum acceptable value (as listed in ² above) ¹¹⁶⁰

¹¹⁵⁹ 239.77 Fertiliser Assn
¹¹⁶⁰ 347.4 Fish & Game
Schedule 9 - Assessment of Stream Depletion Effect

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

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

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

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

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

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

**Table 9.1: Stream depletion effect to be included in the surface and groundwater allocations**

<table>
<thead>
<tr>
<th>Stream depletion effect</th>
<th>Amount to be included in the surface water allocation limit</th>
<th>Amount allocated from the groundwater zone</th>
<th>Pumping schedule</th>
<th>Subject to surface water minimum flow restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct</td>
<td>Maximum Average $^{1161}$ daily rate of take (the rate at which water can be continuously taken to abstract the maximum daily volume that is to be taken), and 100% of the annual volume</td>
<td>None</td>
<td>Not applicable</td>
<td>Yes</td>
</tr>
<tr>
<td>High</td>
<td>The stream depletion effect $^1$ estimated using the pumping schedule; and 75% of the annual volume</td>
<td>25% of the annual volume</td>
<td>150 days continuous steady pumping required to deliver the annual volume</td>
<td>Yes if above stream depletion effect cut-off.</td>
</tr>
<tr>
<td>Moderate</td>
<td>The stream depletion effect $^2$ estimated using the pumping schedule; and 50% of the annual volume</td>
<td>50% of the annual volume</td>
<td>150 days continuous steady pumping required to deliver the annual volume</td>
<td>No</td>
</tr>
<tr>
<td>Low</td>
<td>None</td>
<td>100% of the annual volume</td>
<td>Not applicable</td>
<td>No$^{1162}$</td>
</tr>
</tbody>
</table>

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

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$^{1161}$ DOC see s42A Rpt
$^{1162}$ Bowden (89 – detailed in methodology of submission relating to Groundwater Abstraction)
Schedule 10 - Reasonable Use Test

This Schedule only applies to the activity of using water for irrigation purposes, and does not apply to wastes that are discharged to land under an authorised discharge permit. Such discharges will be subject to the relevant policy provisions and rules set out in Section 5.

This schedule provides three methods for determining the seasonal irrigation demand.

1. Records of past use, moderated to ensure the annual volume is sufficient to meet demand conditions that occur in nine out of ten years for a system with an irrigation application efficiency of 80%; or

2. Use of a model that has been field validated and shown to reliably predict annual irrigation volume within an accuracy of 15%. The annual volume calculated using the model shall be compliant with the following criteria:
   (a) an irrigation application efficiency of 80%;
   (b) a system capacity to meet peak demand between 4.0 - 6.5 mm/d\(^{1163}\);
   (c) a nominal irrigation season from 1 September to 30 April; and
   (d) demand conditions that occur in nine out of ten years.

3. Using the methodology set out below and the figures set out in Table 10.1.

To determine the applicable seasonal irrigation demand standard and derive an annual volume:

1. find the total seasonal demand from Table 10.1 for the particular soil PAW class. Where the soil PAW class is between 100 - 200 mm, insert the appropriate PAW for the soil to be irrigated into the formula to determine the total seasonal demand;

2. determine effective irrigation season rainfall for the location using Figures 10.1 and 10.2: Map of effective irrigation season rainfall;

3. deduct this rainfall amount from the total seasonal demand amount to give the irrigation requirement in millimetres – this provides the seasonal irrigation demand standard;

4. adjust this seasonal irrigation demand standard by multiplying by 10 to find the volume of water (cubic metres) per hectare per season; and

5. multiply this amount by the area that is to be irrigated to give the annual volume.

Example

Consent details:
- Maximum instantaneous pump rate: 110 L/s
- Volume per DRP: 9,108 m\(^3\)
- Design Return Period (DRP): 1 day
- Area to be irrigated: 200 ha
- Profile Available Water (PAW) at location: 69 mm
- Total Seasonal Demand: 910 mm (taken from Table 10.1)

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\(^{1163}\) 182.15 HydroServices, 187.90 Synlait Milk Limited, 188.90 Synlait Farms Limited, 326.68 Horticulture NZ, 189.43 Dunsandel Groundwater Users Group, 320.223 Fed Farmers (Combined Canty), 192.68 Irrigation NZ, 311.169 Simons Pass Station Limited

18 January 2014
Effective rainfall (exceeded 860% of time) 230 mm (determined from Figure 10.1)
Annual irrigation allocation (910 mm – 230 mm) X 10 X 200 ha = 1 360 000 m³

Table 10.1: Total seasonal demand to meet plant water requirements

<table>
<thead>
<tr>
<th>Soil PAW Class</th>
<th>Total Seasonal Demand</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;100 mm</td>
<td>910 mm</td>
</tr>
<tr>
<td>100-200 mm</td>
<td>910 – 1.6 (PAW – 100) mm</td>
</tr>
<tr>
<td>&gt;200 mm</td>
<td>750 mm</td>
</tr>
</tbody>
</table>

Soil PAW Class represents the upper and lower limits of the soils that are generally irrigated in Canterbury in terms of the profile available water (PAW) of the soils. Between the upper and lower limits set out in Table 10.1, a sliding scale is used to determine the relevant total seasonal demand.

Total seasonal demand is the total amount of water required to satisfy plant water needs during the main growing period. This demand can be satisfied by rainfall and irrigation. In determining the irrigation component, provision has been made for:
1. an irrigation application efficiency of 80%;
2. a system capacity to meet peak demand between 4.0 – 6.5 mm/d1164;
3. a nominal irrigation season from 1 September to 30 April;
4. demand conditions that occur in nine out of ten years; and
5. a land use of intensive pasture production.

Effective irrigation season rainfall is the amount of rain that will contribute to crop growth over the nominal irrigation season. In determining this amount, provision has been made for:
1. rainfall that occurs on average in six out of ten years (which, together with a complementary seasonal irrigation allowance, is estimated to meet total water demand with a reliability of nine out of ten years based on analysis of long-term climate data); and
2. excluding daily rainfall amounts of less than 5 mm, or cumulative rainfall amounts in consecutive days in excess of 50 mm.

Seasonal irrigation demand standard for a given soil PAW the depth of water (measured in millimetres) per hectare per year required to be supplied by irrigation to satisfy plant water demand after allowing for effective irrigation season rainfall.

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1164 182.15 HydroServices, 187.90 Synlait Milk Limited, 188.90 Synlait Farms Limited, 326.68 Horticulture NZ, 189.43 Dunsandel Groundwater Users Group, 320.223 Fed Farmers (Combined Canty), 192.68 Irrigation NZ, 311.169 Simons Pass Station Limited
Figure 10.1: Map of effective irrigation season rainfall (millimetres) (northern and central Canterbury)

Figure 10.2: Map of effective irrigation season rainfall (millimetres) (mid and southern Canterbury)
Schedule 11 - Aquifer testing

Aquifer testing minimum requirements – Constant rate

1. Water levels shall be recorded in each production and monitoring bore being used in the constant rate discharge test for a period of at least 12 hours prior to the test period to determine the water level trends and fluctuations in these bores.
2. Barometric pressure shall be recorded throughout testing.
3. Recovery shall be recorded for at least 12 hours (preferably for a period equal to the pumping duration) after the cessation of pumping.
4. Automatic level loggers shall be used with a logging frequency of no longer than 5 minutes for the pumped well and no longer than 15 minutes for any observation wells.
5. Flow from the production bore shall be measured and recorded and any changes recorded. Flow shall be measured to within a precision of 10%. Note that achieving constant flow rate throughout the test will simplify the analysis of the test and is particularly important where useable water level observations may be limited to the production bore.
6. The duration of the constant rate discharge test shall be no less than 2880 minutes or two days, unless sufficient information is provided to justify a more appropriate duration.
7. Discharge water from the pumping test shall be diverted to a drain, water race or surface water body not hydraulically connected to the pumped aquifer. If water is being pumped from a well screened 50 m or deeper, water may be discharged to ground through an irrigator. Approval shall be sought from the owner or maintainer of any drains or water race prior to use.

It is strongly recommended that prior to testing that a step drawdown test is conducted on the production bore to determine the optimal pumping rate for the constant rate discharge test, and to estimate local transmissivity. These estimates will assist with the analysis of the constant rate test.

Aquifer testing minimum requirements – Step test

1. Initial static water level in well recorded.
2. A 4-step drawdown test with each step having a minimum duration of 30 minutes/1 hour recommended.
3. Water level and time measured simultaneously throughout the duration of the test at least every 5 minutes, including recovery.
4. Flow from the production bore shall be measured and recorded and any changes recorded. Flow shall be measured to within a precision of 10%.
5. Discharge water from the pumping test should be diverted to a drain, water race or surface water body not hydraulically connected to the pumped aquifer. However, if water is being pumped from 50 m or deeper, water may be discharged to ground.

1165 279.36 Aqualinc Research Limited, 320.223 Fed Farmers (Combined Canty)
Information to submit to the CRC:

1. Well details including: Location (GPS and location map), depth, diameter, and screen information if available.
2. Initial static water level in each well.
3. Date of test
4. Discharge records
5. Drawdown data records (corrected and uncorrected)
7. Any analysis, or in the case of a constant discharge test, a full aquifer test report

The aquifer test report shall include, in addition to the above:

1. Conceptual hydrogeological model, based on well logs, geology, hydrogeological setting and test results.
2. Test setup including details about the discharge of the pumped water.
3. Summary of corrections applied and correction methods used
4. Analysis summary, including assumptions and models
5. Test results
6. Aquifer parameters (transmissivity, storativity, etc.).
7. References for all cited information.
Schedule 12 - Well Interference Effects

The direct cumulative interference effect on a bore shall be the combined interference of abstracting from all bores (including the new bore):

1. That are authorised by a resource consent to take groundwater for abstractive purposes (but excluding those that are authorised to take groundwater through an operative permitted activity rule) and bores used for which no water permit to take groundwater is required, but which are intended to be used for water level observations; and

2. That are located within 2 km of the bore, and have a calculated interference effect on that bore of more than 0.1 m, when abstracting at either the authorised rate of abstraction over 150 days to deliver their seasonal allocation, or pumping at the authorised average daily rate over seven continuous days, whichever is the greater.

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 that is exceeded 80% of the time during the period of proposed water use, having taken into account individual bore and pump installation details (see Figure 12.1).

Figure 12.1: Illustration showing the available drawdown in a well

Where an existing bore adequately penetrates an aquifer, the existing bore should not have its protected available drawdown reduced due to the direct cumulative interference effects from other bores, unless it can be demonstrated that the proposal will not have an impact upon the yield of the bore that is any more than minor or the effect is mitigated.

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1166 187.91 Synlait Milk Limited, 188.91 Synlait Farms Limited
1167 279.37 Aqualinc Bubb evidence
For a bore to adequately penetrate the aquifer, an adequate penetration depth shall be determined as follows:

1. where the aquifer is included in Sections 6 to 15, the depth specified in Sections 6 to 15; or
2. for aquifers where the depth is not specified in Sections 6 to 15:
   (a) either a depth below the calculated minimum water level, or below the level to which 50% of bores within 2 km penetrating the aquifer are already established at 1 January 2002, whichever is the deeper; or
   (b) a depth determined by the application of the best available technical information and/or advice to be an adequate penetration depth.

Where an existing bore inadequately penetrates an aquifer, the interference effect of a new bore will be assessed as if the existing bore is also adequately penetrating.
Schedule 13 - Requirements for implementation of water allocation regimes

Surface water allocation regimes

1. The amount of water allocated within an allocation block limit is the sum of:
   (a) the average daily maximum\textsuperscript{1168} rate of abstraction of each surface water take or diversion\textsuperscript{1169} and
   (b) the stream depletion effect of each groundwater take that is calculated in accordance with Schedule 9;
   \textbf{Note: (1)(a) does not apply to non-consumptive take of water required for the effective operation of a fish screen where the water is used to facilitate the return of fish back to the river.\textsuperscript{1170}}

2. The amount of water allocated is to be assessed on a monthly basis for the period in each year (period of abstraction) that each take requires the water, on the following basis:
   (a) the period of abstraction authorised as a condition of each permit, if such a condition exists;
   (b) where the water permit is to take water for irrigation use and no storage is authorised by the water permit, the calculated period of abstraction is the months of September to May inclusive; or
   (c) 12 months of the year in all other cases;

3. Where a surface water body is dammed and/or water is stored, the allocation limit for each class of permit allocation block may also be set to include an annual volume. Where the annual volume is used, the effective\textsuperscript{1171} allocation shall be determined in the same way as set out for groundwater allocation zones in Schedule 13 below.

Groundwater allocation regimes

1. The amount of water allocated within a groundwater allocation block limit is the sum of each seasonal or annual volume of each groundwater take, less any contribution from surface water calculated in accordance with Schedule 9;

2. The seasonal or annual volume allocated is to be determined as either:
   (a) that specified as part of a water permit; or
   (b) when not specified as part of a water permit, the annual volume shall be determined as follows:
      (i) where the water permit is to take water for irrigation use, either the annual volume calculated using Schedule 10, or the annual volume calculated using the average daily rate of take derived from the water permit x 212 (days), whichever is the lesser;

\textsuperscript{1168} 167.85 CRC, 347.231 Fish & Game, 120.314 DOC, 89.6 Bowden Environmental
\textsuperscript{1169} 198.45 Irricon, 237.5 Mr S Nevin
\textsuperscript{1170} 198.45 Irricon, 237.5 Mr S Nevin
\textsuperscript{1171} 57.2 Environmental Consultancy Services Limited
(ii) where the water permit is to take water for group drinking-water supply use or community drinking-water supply use, as the maximum daily volume multiplied by 150; and

(iii) where the water permit is to take water for industrial or commercial use and:
   1. the activity occurs continually throughout the whole year, as the maximum weekly volume multiplied by 52; or
   2. the activity is carried out on a seasonal basis, as the maximum weekly volume multiplied by the number of weeks of the season for which the activity is typically carried out; and

(iv) for other uses not specified above, or where there is a combination of uses listed in (i), (ii) or (iii) above, on a case by case basis; and

(c) in any case, the maximum instantaneous rate of take consented from a bore should not exceed the rate that is physically capable of being yielded from the bore.
Schedule 14 - Excavation of bed material (10 m³)

1. Kekerengu River from 500 m upstream, (at or about P30:9286:1433) to 1 kilometre downstream of the Benmore Stream confluence (at or about P30:9275:1286).
2. Hapuku River from Grange Road crossing (at or about O31:6705:7821) downstream to the coastal marine area (at or about P31:7102:7543).
3. Puhi Puhi Stream from Jordons Stream confluence (at or about P31:7230:8487) to Hapuka River confluence (at or about O31:6915:7728).
4. Waimangarara River from 250 m upstream of Postmans Road crossing (at or about O31:6489:7274), to 250 m downstream of Postmans Road crossing (at or about O31:6494:7222).
5. Luke Creek from 250 m upstream of Postmans Road crossing (at or about O31:6321:7245), to 250 m downstream of Postmans Road crossing (at or about O31:6340:7198).
6. Kowhai River (Kaikoura) from the confluence with Floodgate Creek downstream (at or about O31:5938:7002) to the coastal marine area (at or about O31:6213:6526).
7. Kahutara River from 1 kilometre upstream of the Inland Kaikoura Road bridge (at or about O31:4950:7042), downstream to the coastal marine area (at or about O31:5845:6346).
8. Oaro River from 1 kilometre upstream of the State Highway One bridge (at or about O32:5031:5415), downstream to the coastal marine area (at or about O32:5168:5473).
9. Charwell River from 1 kilometre upstream of the Inland Kaikoura Road bridge (at or about O31:4950:7041), to 1 kilometre downstream of the Inland Kaikoura Road bridge (at or about O31:4007:6423).
10. Linton Stream from 1 kilometre upstream of the Inland Kaikoura Road bridge (at or about O31:4950:7041), to 1 kilometre downstream of the Inland Kaikoura Road bridge (at or about O31:5083:6914).
11. Cribb Creek from 1 kilometre upstream of the Inland Kaikoura Road bridge (at or about O31:5152:6980), to 1 kilometre downstream of the Inland Kaikoura Road bridge (at or about O31:5244:6815).
12. Stanton River from the Leader - Waiau Road bridge (at or about N32:2370:4285) downstream to the confluence with the Waiau River (at or about N32:2110:3842).
13. Mason River from the Inland Kaikoura road bridge (at or about N32:2371:5575) downstream to the confluence with the Waiau River (at or about N32:1283:3937).
14. Lottery River from the Sherwood Road crossing (where the road reverts to a walking track) (at or about N32:1574:5224) to the confluence with the Mason River (at or about N32:1780:4286).
15. Chatterton River from the Rogerson River Confluence (at or about N32:9455:5487) downstream to confluence with the Percival River (at or about N32:9407:5050).
16. Percival River from the Switchback Stream confluence (at or about N32:9773:5290) downstream to the confluence with the Waiau River (at or about N32:9204:4772).
17. Hanmer River from immediately downstream of The Hossack homestead (at or about N32:0629:5178), downstream to the confluence with the Waiau River (at or about N32:9216:4750).
18. Pahau River from the Top Ford Road/Top Pahau Road crossing (at or about N33:9218:2703), downstream to the confluence with the Hurunui River (at or about N33:0204:1919).
19. Leamington Stream from Leamington Road crossing (at or about N33:2297:2380) downstream to the confluence with the Waiau River (at or about O32:3277:3128).
20. Lyndon Stream from the Lyndon Road bridge (at or about N32:0802:4269) downstream to the confluence with the Home Stream (at or about N32:0953:4132).
21. Home Stream from the confluence with Lyndon Stream (at or about N32:0953:4132), to the confluence of the Waiau River (at or about N32:1043:4094)
22. Waikari River from McRaes Road crossing (at or about M33:8899:0679), downstream to the confluence with the Hurunui River (at or about N33:1422:1379).
23. Kowai River (North Branch) (Leithfield) from Douglas Road bridge (at or about M34:8424:8662), downstream to the coastal marine area (at or about N34:9079:7875).
24. Kowai River (South Branch) from Marshmans Road crossing (at or about M34:8269:7942), downstream to the confluence with North Branch of the Kowai River (at or about M34:8935:7961).
25. Karetu River from 1 kilometre upstream of the Loburn – White Rock Road bridge (at or about M34:6504:8097), downstream to the confluence with the Grey River (at or about M34:6631:7831).
26. Grey River from the West Branch Confluence (at or about M34:6849:8195) downstream to the confluence with the Okuku River (at or about M34:6598:7781).
27. Makerikiki River from the Carrs Road Bridge (at or about M34:7130:7643), downstream to the confluence with the Ashley River/Rakahuri (at or about M35:7415:6966).
28. Okuku River from 2 kilometres upstream of Okuku Pass Road (at or about M34:5551:9601) to 500 m downstream of Okuku Pass Rd (at or about M34:5726:9455).
29. Okuku River from the confluence with Kowhai Stream (at or about M34:6245:8208), downstream to the confluence with the Ashley River/Rakahuri (at or about M34:6669:7152).
30. Hororata River from State Highway 72 bridge (at or about L35:1329:4268) downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3615:3312).
31. Hawkins River from Bangor Roadbridge (at or about L35:3400:4665), downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3974:3264).
32. Waianiwaniwa River from the State Highway 72 bridge (at or about L35:2938:4724), downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3569:3406).
33. Taylors Stream from State Highway 72 bridge (at or about K36:8762:3106), downstream to the confluence with the Bowyers Stream (at or about K36:9148:1886).
34. Bowyers Stream from State Highway 72 bridge (at or about K36:8474:2363), downstream to the confluence with south branch of the Ashburton River/Hakatere (at or about K36:9214:1766).
35. Hinds River (Hekeao) (North Branch) from the Lower Downs Rd bridge (at or about K36:7999:1688), downstream to the confluence with the south branch of the Hinds River (Hekeao) (at or about K37:8369:0960).
36. Hinds River (Hekeao) (South Branch) from the Lower Downs Rd bridge (at or about K36:7835:1140), downstream to the confluence with the north branch of the Hinds River (Hekeao) (at or about K37:8369:0960).
37. Hinds River (Hekeao) (Main Stream) from the confluence of the north and south branches (at or about K37:8369:0960), downstream to the coastal marine area (at or about K38:0254:7641).
38. Waihi River from the Burdons Road bridge (at or about J37:6706:8561), downstream to the confluence with the Temuka River (at or about K38:7141:6345).
39. Te Moana River from Sheep Dip Road bridges (at or about J37:5852:8340), downstream to the confluence with the Temuka River (at or about K38:7141:6345).
40. Temuka River, from the confluence of the Waihi – Te Moana Rivers (at or about K38:7141:6345), downstream to the confluence with the Opihi River (at or about K38:7529:5908).
41. Kowhai Stream (Peel Forest) from 250 m upstream of Blandsford Ford (at or about J37:6796:9923), downstream to the confluence with Coopers Creek (at or about K37:7046:9278).
42. Scotsburn Stream from 250 m upstream of Horsfall Roadbridge (at or about J37:6813:9654), downstream to the confluence with Coopers Creek (at or about K37:7062:9205).
43. Coopers Creek from confluence of Scotsburn and Kowhai streams, (at or about K37:7063:9205) downstream to the confluence with Orari River (at or about K38:7914:6537).
44. Sweetwater Creek from Burdon Roadbridge, (at or about J37:6732:8667) downstream to the confluence with Orari River (at or about K37:7103:8353).
45. Barkers Creek from McKeown Road bridge (at or about J37:6497:8231), downstream to the confluence with the Waihi River (at or about J37:6905:8058).
46. Kakahu River from State Highway 79 bridge (at or about J38:6427:7500), downstream to the confluence with the Hae Hae te Moana River (at or about J38:6870:6706).
47. Waimate Creek from Mill Road bridge (at or about J40:5332:0705), downstream to Hannaton Road bridge (at or about J40:6239:0620).
48. Hook River from Hunter Road bridge (at or about J40:5314:1520) to Hook Swamp (at or about J40:6353:1193).
49. Elephant Hill Stream from Elephant Hill Road bridge (at or about J40:3930:9725), to 100 m downstream to the Tawai – Ikawai Road crossing (at or about J40:4087:9106).
50. Maerewhenua River from Pukeraro Road crossing (at or about I41:1974:8199) to the confluence with the Waitaki River (at or about I40:2812:9241).
51. Otekaike River from 1 kilometre upstream of State Highway 83 (at or about I40:9442), downstream to the confluence with the Waitaki River (at or about I40:1847:9620).
52. Otiake River from 1 kilometre upstream of State Highway 83 (at or about I40:1425:9797), downstream to the confluence with the Waitaki River (at or about I40:1532:9884).
53. Kurow River from 500 m upstream of State Highway 83 (at or about I40:1067:0275), downstream to the confluence with the Waitaki River (at or about I40:1151:0366).
54. Otematata River from 500 m above State Highway 83 (at or about H40:8782:1823), downstream to the confluence with Lake Aviemore (at or about H40:8816:1921).
Schedule 15 - Excavation of bed material (20 m³)

1. Clarence River from the George Stream confluence (at or about P30:7948:9962), downstream to the coastal marine area (at or about P30:8665:9266).
2. Conway River from Ferniehurst bridge (at or about O32:3762:4225), downstream to the coastal marine area (at or about O32:4835:4348).
3. Waiau River from the Hope River confluence (at or about M32:7378:4601), downstream to the coastal marine area (at or about O33:4040:2555).
4. Leader River from the Mendip Road bridge (at or about O32:3262:4044), downstream to the confluence with the Waiau River (at or about O32:3553:3066).
5. Hurunui River from the Mandamus River confluence (at or about M33:7362:2381), downstream to the coastal marine area (at or about O33:3301:1061).
6. Waitohi River from Barkers Road crossing (at or about M33:7989:1540), downstream to the confluence with the Hurunui River (at or about N33:9091:1482).
7. Waipara River from Stringers Road bridge (at or about M34:8297:9383), downstream to the coastal marine area (at or about N34:9347:8378).
8. Ashley River/Rakahuri from 200 m below the gorge bridge (at or about L34:4748:7489), downstream to the Okuku River confluence (at or about M34:6667:7153).
9. Ashley River/Rakahuri from the upper gorge (3 km upstream of the Lees Valley Rd bridge) (at or about L34:4458:8859) downstream to the confluence with the Whistler River (at or about L34:4148:8044).
10. Whistler River from the gorge (5 km upstream of the Lees Valley Rd bridge) (at or about L34:3963:8693) downstream to the confluence with the Ashley River/Rakahuri (at or about L34:4148:8044).
11. Ashley River/Rakahuri from a line extended from Toppings Road (at or about M34:8319:7007), downstream to the coastal marine area (at or about M35:8662:6978).
12. Selwyn River/Waikirikiri from Coalgate bridge (at or about L35:2591:4618), downstream to 1 kilometre below Coes Ford (at or about M36:6337:2283).
13. Rakaia River from the Gorge bridges (at or about K35:0147:4244) downstream to the coastal marine area (at or about L37:4676:0089).
14. Ashburton River/Hakatere (north branch) from State Highway 72 Bridge (at or about K36:9151:3247), downstream to the confluence with the south branch of the Ashburton River/Hakatere (at or about K37:0750:0171).
15. Ashburton River/Hakatere (south branch) from State highway 72 bridge (at or about K36:8075:2028), downstream to the confluence with the north branch of the Ashburton River/Hakatere (at or about K37:0750:0171).
16. Rangitata River from the Rangitata Diversion race intake (at or about J36:6805:1437), downstream to the coastal marine area (at or about K38:9021:6805).
17. Orari River from the Orari Gorge (at or about J37:6580:9332), downstream to the coastal marine area (at or about K38:8273:6158).
18. Opuha River from the Skipton Bridge (at or about J38:4817:7884), downstream to the confluence with the Opihi River (at or about J38:4954:6836).
19. Tengawai River from 100 m upstream of the Exe Stream confluence (at or about J38:2702:6465), downstream to the confluence with the Opihi River (at or about J38:6143:6037).
20. Opihi River from Horseshoe Bend (Mount Dobson road) (at or about J37:2609:8363),
downstream to the coastal marine area (at or about K38:7825:5737).

21. Pareora River from immediately downstream of the Pareora Huts (at or about

22. Otaio River from 500 m upstream of the Bluecliffs bridge (at or about J39:5289:3279),
downstream to the coastal marine area (at or about J39:6556:2674).

23. Makikihi River from two kilometres upstream of State Highway 1 (at or about
J40:6067:1851), downstream to the coastal marine area (at or about J40:6396:1859).

24. Waihao River from McCullochs Bridge (at or about J40:4999:9891), downstream to the
coastal marine area (at or about J40:6512:0228).

25. Waitaki River from the Kurow Hakataramea Bridge (at or about J40:1016:0584)
downstream to the coastal marine area (at or about J41:6290:8410).

26. Hakataramea River from 250 m above Moorland Settlement Road bridge (at or about
J39:2553:3065), downstream to the confluence with the Waitaki River (at or about
Schedule 16 - Regional Concept Plan

The following extracts from the CWMS Regional Implementation Programme May 2012 provides the background to and context for the Water Availability diagram that follows and together these comprise the regional concept for water harvest, storage and distribution referred to in Policy 4.8 of this Plan.

Background

The CWMS (2010) recognised the potential benefits and constraints that new water supply and distribution infrastructure could have as part of an integrated regional approach to water management. The strategy acknowledged that there were important considerations to be dealt with in relation to new storage, such as the environmental and recreational impacts of infrastructure projects, and the consequential effects of further land use intensification, but that without the development of new water storage, the potential to increase irrigated land would not be realised. The strategy also recognised the potential for more efficient use of water to “free up” water for new uses or users, or for environmental enhancement or restoration, and the role of existing storage and distribution infrastructure in an integrated approach.

The Regional Committee acknowledges the obligations of Environment Canterbury (and others) under the RMA to recognise and provide for renewable electricity generation and the requirements of the National Policy Statement on Renewable Electricity Generation (NPSREG).

The Regional Committee believes that in order for a regional approach to supply and distribution infrastructure to succeed, it needs to benefit the economy, the environment, and our communities (local and regional) in an integrated way. The storage, supply, and distribution of water for “multiple uses” to help deliver the cross-cutting targets of the CWMS (2010) will thus be an important element of a regional approach.

The Regional Committee acknowledges that individual infrastructure components must deliver CWMS (2010) priorities at a local zone level if they are to be acceptable to local communities and help realise benefits to the wider region. The inter-connection of infrastructure between and distribution of water across several zones is likely to be required, as the number of suitable sites for new storage infrastructure will be limited. ...

The Regional Committee recognises that if new infrastructure is to proceed, individual supply and distribution components must be economically viable and “bankable” to investors and developers. Individual infrastructure components will also need to be developed in a co-ordinated way to ensure that projects which can proceed sooner rather than later, do not foreclose opportunities to deliver an integrated regional approach. The committee also sees the potential for water quality improvements and other benefits through the development of ‘environmental infrastructure’ such as constructed wetlands and on-farm treatment swales that can be incorporated into water storage and supply networks.

...  

In developing a “big picture” for a regionally integrated approach to supply and distribution infrastructure, the Regional Committee will:

• Plan on the basis that infrastructure options in the Hurunui-Waiau Zone are a non-connected* part of the integrated regional approach
• Identify the need for additional storage in potentially inter-connected zones i.e. Waimakariri, Selwyn-Waihora, Ashburton, Orari-Opihi-Pareora (OOP)
• Address the need for more water in the OOP Zone by investigating connections northwards to mid/central Canterbury
• Initially consider any infrastructure options in the Waitaki catchment, as non-connected* part of the integrated regional approach
• Identify the potential role of existing supply and distribution infrastructure assets to inter-connect zones
• Identify the potential for more efficient use of water to “free up” water for new uses and/or reduce the need for additional storage
• Evaluate the potential ability of an integrated approach in inter-connected zones to
  o enhance environmental flows and water quality in rivers,
  o and increase irrigated land area,
  o and increase reliability of water supply, and increase generation of renewable electricity
  o and support implementation of priority outcomes on Kaitiakitanga (including mahinga kai), Ecosystem Health and Biodiversity, and Land Use and Water Quality
  o and support ZIPs

* Use of “non-connected” above relates only to cross-zone-boundary transfers of water. In-zone supplies do potentially affect other zones, e.g. when they avoid the need for water supply from another zone.

...
Water availability

The options for making more water available include:
1. Run of river water takes
2. Storage – which includes:
   - On-farm storage
   - Centralised in the foothills
   - Distributed in the foothills

Huriwai-Walau community demands
- Improved water supply
- Options for storage
- Improved reliability
- Additional river flow from Hawke’s Bay

Waimakariri community demands
- Enhanced floodplain storage
- Improved flows in the Ashburton River
- Floodplain
- Improved groundwater security
- Improved reliability and increased area for irrigation

Selwyn-Waipara community demands
- Groundwater for the area
- Enhance to Waipara, Wairau, and Waimea plains and Rakaia
- Improved reliability and increased area for irrigation

Ashburton community demands
- Managing ground water levels
- Improved reliability and increased area for irrigation
- Improved spring flows
- Additional river flow

Okanui-Opiki-Paremata community demands
- Water available from the Rangitata to Waiau River
- Improved supply and reliability
- Improved flows in the Okari-Opiki, Tukituki, and Waimakariri
- Increased area for irrigation

Critical Node
- These are important because they:
  - Include multiple interests
  - Associated with key infrastructure
  - They straddle river boundaries
  - Water can be moved in various directions
  - They are key to the regional picture

Water movement across zones
Enhanced flow in lowland streams
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## Schedule 17 - Salmon and Inanga Spawning Sites

### Salmon Spawning Sites

<table>
<thead>
<tr>
<th>River Catchment</th>
<th>River, stream or reach name</th>
<th>Upstream Location Description</th>
<th>Downstream Location Description</th>
<th>Downstream Grid Reference</th>
<th>Upstream Grid Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waiau</td>
<td>Henry River</td>
<td>Approx 2 km above Anne River</td>
<td>St James walkway bridge</td>
<td>BT23 629 114</td>
<td>BT23 588 115</td>
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<td></td>
<td>Waiau River - headwaters</td>
<td>Approximately 15.3 km upstream Waiau River from confluence with Ada River</td>
<td>Confluence of Ada River with Waiau River</td>
<td>BT24 677 145</td>
<td>BT24 720 281</td>
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<td>Matagouri Point Stream</td>
<td>Approximately 2.7 km upstream Matagouri Stream from confluence with Waiau River at 790 m contour</td>
<td>Confluence of Matagouri Stream with Waiau River</td>
<td>BT24 690 194</td>
<td>(790 m)</td>
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<tr>
<td>Hurunui</td>
<td>Hurunui River - north branch</td>
<td>Camp Stream confluence</td>
<td>Lake Sumner</td>
<td>BU22 314 724</td>
<td>BU21 157 715</td>
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<td>Landslip Stream</td>
<td>620 m contour</td>
<td>Confluence of Landslip Stream with North Branch Hurunui River (just below Matagouri Flat)</td>
<td>BU22 219 731</td>
<td>(620 m) 1172</td>
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<tr>
<td></td>
<td>Hurunui South Branch</td>
<td>Stream at 780 m contour</td>
<td>North Esk confluence</td>
<td>BV22 374 597</td>
<td>BU22 194 658</td>
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<td>Homestead Creek</td>
<td>700 m contour</td>
<td>Confluence of Homestead Creek with the Hurunui South Branch</td>
<td>BV22 348 611</td>
<td>BU22 315 631</td>
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<tr>
<td>Rakaia</td>
<td>Glenariffe Stream</td>
<td>Top of Glenariffe Stream (approx. 4.8 km from confluence with Double Hill Stream)</td>
<td>Confluence of Glenariffe Stream with Rakaia</td>
<td>BW20 681 034</td>
<td>BW19 628 044</td>
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<td></td>
<td>Double Hill Stream</td>
<td>Approx 3.6 km upstream Double Hill Stream from Double Hill Run Road bridge</td>
<td>Confluence of Double Hill Stream with Rakaia River</td>
<td>BW20 682 033</td>
<td>(450 m)</td>
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</table>

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1172 108 Lakes Station
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<tr>
<th>River Catchment</th>
<th>River, stream or reach name</th>
<th>Upstream Location Description</th>
<th>Downstream Location Description</th>
<th>Downstream Grid Reference</th>
<th>Upstream Grid Reference</th>
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<tbody>
<tr>
<td>Manuka Point Stream</td>
<td>540 m contour</td>
<td>Confluence of Manuka Point Stream and Rakaia River</td>
<td>BW19 579 064</td>
<td>(540 m)</td>
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<td>Hydra waters, Titan Stream, Chimera Stream</td>
<td>480 m contour</td>
<td>Confluence of Titan Stream with Rakaia River</td>
<td>BW19 671 068</td>
<td>(480 m)</td>
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<td>Ryton River</td>
<td>Approx 11 km upstream Ryton River from entrance to Lake Coleridge</td>
<td>Entrance of Ryton River into Lake Coleridge</td>
<td>BW20 805 062</td>
<td>BW20 831 085</td>
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<td>Goat Hill</td>
<td>500 m contour</td>
<td>Confluence with Wilberforce River</td>
<td>BW20 685 126</td>
<td>(500 m)</td>
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<td>Hennah Stream</td>
<td>Exit of Hennah Stream from Lake Evelyn</td>
<td>Confluence of Hennah Stream with Ryton River</td>
<td>BW20 818 076</td>
<td>BW20 813 097</td>
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<td>Mellish Stream</td>
<td>4WD track 1.5 km upstream</td>
<td>Inlet of Mellish Stream to Harrisons Bight, Lake Heron</td>
<td>BX19 556 854</td>
<td>BX19 564 844</td>
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<td>Rangitata Deep Stream Complex - Mesopotamia</td>
<td>Approx 500 m downstream Scour Stream from Rangitata Gorge Road crossing to the 470 m contour</td>
<td>Confluence of Scour Stream with Rangitata River</td>
<td>BX18 364 625</td>
<td>(470 m)</td>
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<td>Deep Creek Complex – Mt Potts</td>
<td>Approximately 2.3 km south west of Rabbit Hill to the 500 m contour</td>
<td>Confluence of Deep Creek complex with Rangitata River (approximately 3 km west of Potts Road Bridge over Potts River)</td>
<td>BX18 314 723</td>
<td>(530 m)</td>
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<td>Brabazon Fan</td>
<td>Unnamed tributaries of the Rangitata River to the 500 m contour</td>
<td>Confluence with the Rangitata River</td>
<td>BX18 312 696</td>
<td>(500 m)</td>
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<td>Black Mountain Stream</td>
<td>Unnamed tributaries of the Rangitata River to the 580 m contour</td>
<td>Confluence with the Rangitata River</td>
<td>BX18 248 763</td>
<td>(580 m)</td>
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<td>Ealing Springs</td>
<td>Unnamed</td>
<td>Confluence with</td>
<td>BY20 724 215</td>
<td>BY20 704 232</td>
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<td>River Catchment</td>
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<td>Downstream Location Description</td>
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<tr>
<td>tributaries of the Rangitata River to the 140 m contour</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>McKinnons Creek</td>
<td>Unnamed tributary of the Rangitata River known as McKinnons Creek to the 40 m contour</td>
<td>Confluence with the Rangitata River</td>
<td>BZ20 793 086</td>
<td>(40 m)</td>
<td></td>
</tr>
<tr>
<td>Orari</td>
<td>Orari River - Lower Section</td>
<td>Orari River at Badham Bridge</td>
<td>Orari River mouth</td>
<td>BZ20 728 001</td>
<td>BZ19 677 063</td>
</tr>
<tr>
<td>Ohapi Creek</td>
<td>Ohapi South, Middle and North Branches at Guild Rd/20 m contour</td>
<td>Confluence with the mouth of the Orari River</td>
<td>BZ20 724 000</td>
<td>BZ19 662 028, BZ19 663 029, BZ19 677 044</td>
<td></td>
</tr>
<tr>
<td>Opihi</td>
<td>Opihi River</td>
<td>Fairlie at SH79 bridge</td>
<td>Temuka River confluence</td>
<td>BZ19 652 975</td>
<td>BZ18 266 152</td>
</tr>
<tr>
<td>Temuka River</td>
<td>Ford at Oxford Crossing Road</td>
<td>Confluence of Temuka River with Opihi River (approx 3.5 km downstream of SH1 bridge over Opihi River)</td>
<td>BZ19 652 975</td>
<td>BZ19 614 018</td>
<td></td>
</tr>
<tr>
<td>Waihi River</td>
<td>Beeby Road ford</td>
<td>Oxford Crossing Road</td>
<td>BZ19 614 018</td>
<td>BZ19 613 093</td>
<td></td>
</tr>
<tr>
<td>Opuha River Gorge</td>
<td>Approximately 1.5 km below dam</td>
<td>Skipton Bridge (SH79 bridge over Opuha River)</td>
<td>BZ18 382 173</td>
<td>BY18 312 242</td>
<td></td>
</tr>
<tr>
<td>Tengawai River</td>
<td>Albury</td>
<td>Confluence of Tengawai River with Opihi River (approx 800 m upstream of Waitohi Pleasant Point Road bridge over Opihi River)</td>
<td>BZ19 510 990</td>
<td>BZ18 306 006</td>
<td></td>
</tr>
<tr>
<td>Waitaki</td>
<td>Lower Waitaki River</td>
<td>Waitaki Dam.</td>
<td>SH1 bridge</td>
<td>CB19 500 232</td>
<td>CA17 962 486</td>
</tr>
<tr>
<td>Hakataramea River</td>
<td>Cattle Creek</td>
<td>Confluence of Hakataramea River with Waitaki River</td>
<td>CB17 008 439</td>
<td>CA17 156 690</td>
<td></td>
</tr>
<tr>
<td>Larch Stream</td>
<td>540 m contour</td>
<td>Hopkins</td>
<td>BZ15 481 084</td>
<td>(540 m)</td>
<td></td>
</tr>
<tr>
<td>River Catchment</td>
<td>River, stream or reach name</td>
<td>Upstream Location Description</td>
<td>Downstream Location Description</td>
<td>Downstream Grid Reference</td>
<td>Upstream Grid Reference</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>-------------------------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>confluence</td>
<td>Hopkin's confluence</td>
<td>BZ15 498 135</td>
<td>(555 m)</td>
</tr>
<tr>
<td>Stockyard Creek</td>
<td></td>
<td>555 m contour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ohau tributary 1</td>
<td>Just below 560 m contour</td>
<td>Lake Benmore</td>
<td>BZ16 763 861</td>
<td>BZ16 755 870</td>
</tr>
<tr>
<td></td>
<td>Ohau tributary 2</td>
<td>Ponds beside Ohau C</td>
<td>Ohau confluence</td>
<td>BZ15 705 912</td>
<td>BZ15 682 926</td>
</tr>
</tbody>
</table>

**Inanga Spawning Sites:**

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

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

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

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

Note: When inanga spawn they do so in mass over a very small area. The largest known physical area of inanga spawning in Canterbury is less than 60 m² (National Inanga Spawning Database: trends and implications for spawning sites and management; Taylor; M.J. 2002). Most sites are less than 10 m².
Salmon and Inanga Spawning sites
## Schedule 18 - Rūnanga Takiwā in the Canterbury Region

Descriptions from the Te Rūnanga o Ngāi Tahu Act 1996, schedule 1:

<table>
<thead>
<tr>
<th>Word</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Te Rūnanga o Kaikōura</td>
<td>The takiwā of Te Rūnanga o Kaikōura centres on Takahanga and extends from Te Parinui o Whiti to the Hurunui River and inland to the Main Divide.</td>
</tr>
<tr>
<td>Te Ngāi Tuahuriri Rūnanga.</td>
<td>The takiwā of Te Ngāi Tuahuriri Rūnanga centres on Tuahiwi and extends from the Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide.</td>
</tr>
<tr>
<td>Rapaki Rūnanga</td>
<td>The takiwā of Rapaki Rūnanga centres on Rapaki and includes the catchment of Whakaraupo and Te Kaituna.</td>
</tr>
<tr>
<td>Te Rūnanga o Koukourarata</td>
<td>The takiwā of Te Rūnanga o Koukourarata centres on Koukourarata and extends from Pohatu Pa to the shores of Te Waihora including Te Kaituna.</td>
</tr>
<tr>
<td>Wairewa Rūnanga</td>
<td>The takiwā of Wairewa Rūnanga centres on Wairewa and the catchment of the lake Te Wairewa and the hills and coast to the adjoining takiwā of Koukourarata, Onuku Rūnanga, and Taumutu Rūnanga.</td>
</tr>
<tr>
<td>Te Rūnanga o Onuku</td>
<td>The takiwā of Te Rūnanga o Onuku centres on Onuku and the hills and coasts of Akaroa to the adjoining takiwā of Te Rūnanga o Koukourarata and Wairewa Rūnanga.</td>
</tr>
<tr>
<td>Taumutu Rūnanga</td>
<td>The takiwā of Taumutu Rūnanga centres on Taumutu and the waters of Te Waihora and adjoining lands and shares a common interest with Te Ngāi Tuahuriri Rūnanga and Te Rūnanga o Arowhenua in the area south to Hakatere.</td>
</tr>
<tr>
<td>Te Rūnanga o Arowhenua</td>
<td>The takiwā of Te Rūnanga o Arowhenua centres on Arowhenua and extends from Rakaia to Waitaki, sharing interests with Ngāi Tuahuriri ki Kaiapoi between Hakatere and Rakaia, and thence inland to Aoraki and the Main Divide.</td>
</tr>
<tr>
<td>Te Rūnanga o Waihao</td>
<td>The takiwā of Te Rūnanga o Waihao centres on Wainono, sharing interests with Te Rūnanga o Arowhenua to Waitaki, and extends inland to Omarama and the Main Divide.</td>
</tr>
<tr>
<td>Te Rūnanga o Moeraki</td>
<td>The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from Waitaki to Waihemo and inland to the Main Divide.</td>
</tr>
</tbody>
</table>

* Te Hapū o Ngāti Wheke
Instruments from the Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998) relevant to this Plan

Statutory acknowledgements
Statutory Acknowledgements recognise Ngāi Tahu mana in relation to a range of sites and areas in the South Island. They provide for the recognition of this mana to be reflected in the management of those areas through Resource Management Act 1991 processes.

The Statutory Acknowledgements and definitions of the areas in the Canterbury region and how they affect the resource management process are set out in Schedule 19 of this Plan.

Tōpuni
Tōpuni are landscape features of special importance or value to Ngāi Tahu. They place an ‘overlay’ of Ngāi Tahu values on specific pieces of land managed by the Department of Conservation and ensure that Ngāi Tahu values are recognised, acknowledged and provided for.

A list of Tōpuni sites in the Canterbury region and a description of the values associated with them are in Schedule 20 of this Plan.

Nohoanga
Nohoanga are temporary campsites to facilitate customary fishing and gathering of other resources. The Ngāi Tahu Settlement provides for 72 such sites.

Sites over which Nohoanga Entitlements are to be granted in the Canterbury region are set out in Schedule 21 of this plan.

Taonga species management
Recognition by respectively the Minister of Conservation and the Director General of Conservation of Ngāi Tahu association with certain bird, plant and marine mammal species. The aim is to improve Ngāi Tahu involvement in the management of these species through increased consultative requirements with Ngāi Tahu. The CRC’s obligation in the preparation of the LWRP in relation to the taonga species listed in Schedule 97 of the Ngāi Tahu Claims Settlement Act 1998 is to have regard to strategies and plans in relation to the listed species prepared by the Department of Conservation under other Acts of Parliament.

A list of taonga species is provided in Schedule 22 of this Plan.

Customary fisheries management
Acknowledgement of the special relationship of Ngāi Tahu with a number of taonga fish species. Customary Fisheries Management includes control mechanisms for greater Ngāi Tahu involvement through the Fisheries Act 1996 such as:

- Ngāi Tahu must be consulted as an advisory committee to the Minister of Fisheries and the Minister of Conservation;
• the advice of Ngāi Tahu must be had regard to by the Minister of Fisheries and the Minister of Conservation in the management of taonga fish species;
• regulations for fresh water fisheries;
• sets out some species that are not to be fished commercially;
• reintroduces provisions in the Fisheries Act for rāhui.

A list of customary fish species is provided in Schedule 23 of this Plan.
Schedule 19 - Ngāi Tahu statutory acknowledgement areas

What are statutory acknowledgements?
A statutory acknowledgement is an acknowledgement by the Crown of the special relationship of Ngāi Tahu with identifiable areas. Namely the particular cultural, spiritual, historical and traditional association of Ngāi Tahu with those areas (known as statutory areas).

What are the purposes of statutory acknowledgements?
The purposes of statutory acknowledgements are:
- to ensure that the particular association of Ngāi Tahu with certain significant areas in the South Island are identified and that Te Rūnanga o Ngāi Tahu is informed when a proposal may affect one of these areas.
- to improve the implementation of Resource Management Act 1991 processes, in particular by requiring consent authorities to have regard to statutory acknowledgements when making decisions on the identification of affected parties.

Who may be affected by statutory acknowledgements?
You may be affected by a statutory acknowledgement if you are applying for a resource consent for an activity that is within, adjacent to, or directly impacting on a statutory area.

What happens when you apply?
If you are applying for a resource consent for an activity within, adjacent to, or directly impacting on a statutory area:
- Environment Canterbury must send a summary of your resource consent application to Te Rūnanga o Ngāi Tahu, and
- Environment Canterbury must have regard to the statutory acknowledgement in going through the decision-making process on whether Te Rūnanga o Ngāi Tahu is an affected party in relation to the resource consent application.

Statutory acknowledgements can be used in submissions as set out in section 211 of the Ngāi Tahu Claims Settlement Act 1998. Pursuant to section 211:
- Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui may cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority or the Environment Court concerning activities within, adjacent to, or impacting directly on a statutory area as evidence of Ngāi Tahu's association with the statutory area.
- The content of the association, as recorded in a statutory acknowledgement, is not by virtue of the statutory acknowledgement binding as deemed fact upon consent authorities, the Environment Court, parties to proceedings before those bodies, or any other person able to participate in those proceedings, but the statutory acknowledgement may be taken into account by them.
- Neither Te Rūnanga o Ngāi Tahu nor any member of Ngāi Tahu Whānui is precluded from stating that Ngāi Tahu has any association with the statutory area not described in the relevant statutory acknowledgement, nor does the content or existence of the statutory acknowledgement derogate from any such statement.
Purpose of statutory acknowledgements
Pursuant to section 215, and without limiting sections 216 to 219 of the Ngāi Tahu Claims Settlement Act 1998, the purposes of statutory acknowledgements are:

(a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu, as required by regulations made pursuant to section 207; and

(b) to require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to the statutory acknowledgements in relation to the statutory areas, as provided in sections 208 to 210; and

(c) to empower the Minister of the Crown responsible for management of the statutory areas, or the Commissioner of Crown Lands, as the case may be, to enter into deeds of recognition, as provided in section 212; and

(d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite statutory acknowledgements as evidence of the association of Ngāi Tahu to the statutory areas, as provided in section 211.

Limitations on effect of statutory acknowledgements
From Section 217 of the Ngāi Tahu Claims Settlement Act 1998
Except as expressly provided in sections 208 to 211, 213, and 215:

(a) these statutory acknowledgements do not affect, and are not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association with these areas (as described in the statutory acknowledgements) than that person or entity would give under the relevant statute, regulation, or bylaw, if these statutory acknowledgements did not exist.

Except as expressly provided in this Act, these statutory acknowledgements do not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, these statutory acknowledgements do not, of themselves, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to these statutory acknowledgement areas.

Coastal marine area statutory acknowledgements
There are also two statutory acknowledgements within the Canterbury Region in the Coastal Marine Area. These are Te Tai o Marokura (Kaikōura Coastal Marine Area) and Te Tai o Mahaanui (Banks Peninsula Coastal Marine Area). Details of these statutory acknowledgements are recorded in the Regional Coastal Environment Plan.
STATUTORY ACKNOWLEDGEMENT FOR UERAU (MOUNT UWERAU)

From Schedule 67 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area

The statutory area to which this statutory acknowledgement applies is the area known as Uerau (Mount Uwerau), as shown on Allocation Plan MS 101 (S.O. 7318).

Ngāi Tahu association with Uerau

The name Uwerau should properly be spelt Uerau, which is the name of an important Ngāi Tahu tūpuna (ancestor) with Ngāti Mamoe descent lines. In particular, those descent lines lead down to Tura, a principal tūpuna for Ngāti Mamoe, Ngāti Wairaki and Rapuwai all of which are constituents of the iwi known today as Ngāi Tahu. For Ngāi Tahu, such placing of tūpuna names on significant landscape features serves as a reminder of tribal identity and solidarity, and continuity between generations, and documents events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

As with all principal maunga (mountains), Uerau is imbued with the spiritual elements of Raki and Papa, in tradition and practice regarded as an important link to the primeval parents. Like the rest of the mountains in this region, Uerau is closely connected with the Arai Te Uru tradition, which tells that many of the mountains of the Southern Alps and Kaikōura Ranges are the manifestations of the survivors of the Arai Te Uru waka (canoe) which foundered at Moeraki, on the North Otago coast.

This area was used by Ngāi Tahu as a mahinga kai (food gathering place) where birds, particularly tītī (muttonbirds) were harvested. The tūpuna had considerable knowledge of such places for gathering kai and other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

There are a number of urupā (burial places) in this area unique to the descendants of Tura. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The Kāti Kuri hapū of Ngāi Tahu has manawhenua (tribal authority over land) and carries the responsibilities of kaitiaki in relation to the area. The hapū is represented by the tribal structure, Te Rūnanga o Ngāi Tahu.

The mauri of Uerau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the land.
Purposes of Statutory Acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Uerau, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Uerau or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Uerau as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Uerau (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Uerau.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Uerau.
STATUTORY ACKNOWLEDGEMENT FOR MOANA RUA (LAKE PEARSON)

From Schedule 43 - refer to sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the wetland known as Moana Rua (Lake Pearson), the location of which is shown on Allocation Plan MD 51 (S.O. 19840).

Ngāi Tahu association with MoanaRua
The wetland area known to Pākehā as Lake Pearson is known to Ngāi Tahu as Moana Rua. The area falls along the route across the main divide which is now known as Arthurs Pass. The area was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the area.

This area was primarily used as a mahinga kai by Canterbury Ngāi Tahu, with weka, kākāpō and tuna (eels) being the main foods taken. The tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Several urupā are recorded in this immediate area. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Moana Rua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Moana Rua, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
(c) To empower the Minister responsible for management of Moana Rua or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Moana Rua as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Moana Rua (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Moana Rua.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Moana Rua.
STATUTORY ACKNOWLEDGEMENT FOR WAIREWA (LAKE FORSYTH)

From Schedule 71 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory Area
The statutory area to which this statutory acknowledgement applies is the lake known as Wairewa (Lake Forsyth), the location of which is shown on Allocation Plan MD 45 (S.O. 19839).

Ngāi Tahu Association with Wairewa
Wairewa is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Wairewa.

There are place names connected with Wairewa which evoke earlier histories. One example is the mountain which Wairewa lies in the lee of, 'Te Upoko o Tahu Mataa'. This name refers to the Ngāi Tahu ancestor Tahu Mataa, who lived and fought in Hawkes Bay. Like many other lakes, Wairewa was occupied by a taniwha called Tu Te Rakiwhānoa, whose origins stem back to the creation traditions.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The local hapū of this region is Ngāti Irakehu. Irakehu was the descendant of Mako, the Ngāi Tuhaitara chief who took Banks Peninsula with his cohort, Moki. Tradition has it that both Moki and Mako are buried near Wairewa. Poutakai and Ōtūngākau are two principal urupā associated with Wairewa. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

Wairewa has been used by the descendants of Rakaihautu ever since it was formed. It is famous for the tuna (eels) that it holds and which migrate out to the sea in the autumn months. Ngāi Tahu gather here annually to take the tuna.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.
The mauri of Wairewa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Wairewa, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Wairewa or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Wairewa as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw;

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Wairewa (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Wairewa.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Wairewa.
STATUTORY ACKNOWLEDGEMENT FOR ŌRAKIPAOA WETLAND

From Schedule 49 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the wetland known as Ōrakipaoa, the location of which is shown on Allocation Plan MD 54 (S.O. 19842).

Ngāi Tahu association with Ōrakipaoa
The creation of the Ōrakipaoa wetlands is associated with Tū Te Rakiwhānoa and his shaping of the island to make it habitable for humans. Ōrakipaoa was created as Tū Te Rakiwhānoa arranged the debris from the Waka o Aoraki while forming the harbours and plains and heaping up mountains of the interior.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

One of the first explorers recorded in the area was Rakaihouia, son of Rakaihautu, who was given the task of exploring the east coast of the South Island for suitable harbours, settlement sites and food resources. Rakaihouia met up with Rakaihautu at Waihao, just to the south of Ōrakipaoa, as Rakaihautu returned overland from Murihiku. From the time of Rakaihouia, the area was occupied in succession by Waitaha, Ngāti Mamoe and Ngāi Tahu, who established a number of settlements and pā at Ōrakipaoa.

The old pā site of Te Waiaruati was occupied as a strong defensive position during the time of Te Rauparaha and earlier periods. The kāinga of Te Rehe was on an island (Harakeke Tautoro) which was once surrounded by extensive swamplands, through which ran numerous creeks and waterways. Other pit and settlements within the Ōrakipaoa wetland complex include Īrāhui and Hawea.

As well as being an area of permanent occupation, Ōrakipaoa formed part of numerous trails. Trails followed river valleys into the interior, as the populous settlements in the area required regular excursions to gather mahinga kai and other resources from further afield. Ōrakipaoa was also a tauranga waka and one of the stopping-off places for those travelling between Te Taumutu and Ōtākou.

The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the trails. The wetlands were an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the wetlands.
Maringa kai resources were gathered from Ōrakipaoa over many generations. A wide range of maringa kai was found within the complex, including coastal and estuarine as well as fresh water resources. The area was renowned for its eeling and bird hunting. Other fisheries for which the area was known included inaka (whitebait) and wet fish, minnows, the now-extinct grayling, giant kōkopu, flounder, mullet, and small fish known as panako, pipiki and paraki. The complex was also a source of ti kouka (cabbage tree).

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the wetlands, the relationship of people with the area and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Ōrakipaoa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—
(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Ōrakipaoa, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
(c) To empower the Minister responsible for management of Ōrakipaoa or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Ōrakipaoa as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement
Except as expressly provided in sections 208 to 211, 213, and 215,—
(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Ōrakipaoa (as described in this statutory acknowledgement) than that person or entity would give under the relevant
Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Ōrakipaoa.
STATUTORY ACKNOWLEDGEMENT FOR TŪTAE PUTAPUTA (CONWAY RIVER)

From Schedule 65 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the area known as Tūtae Putaputa (Conway River), the location of which is shown on Allocation Plan MD 109 (S.O. 7328 (Marlborough Land District) and SO 19906 (Canterbury Land District)).

Ngāi Tahu association with the Tūtae Putaputa
This river, and the mahinga kai which it provided, fell under the mana of the Ngāti Wairaki chief Rakatuarua until Ngāi Tahu gained manawhenua (tribal authority over the area) by way of the Ngāi Kuri hapū.

The resources of the river once supported a nearby pā built by the Ngāti Mamoe leader, Tukiauau. Tukiauau eventually abandoned this pā for another site just south of Dunedin. There are numerous urupā and wāhi tapu associated with the river, particularly in the vicinity of the pa, Pariwhakatau. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Tūtae Putaputa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Tūtae Putaputa, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Tūtae Putaputa or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Tūtae Putaputa as provided in section 211 (clause 12.2.5 of the deed of settlement).
Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a)  This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b)  Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Tūtae Putaputa (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Tūtae Putaputa.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Tūtae Putaputa.
STATUTORY ACKNOWLEDGEMENT FOR HOKA KURA (LAKE SUMNER)

From Schedule 20 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Hoka Kura (Lake Sumner), the location of which is shown on Allocation Plan MD 127 (S.O. 19854).

Ngāi Tahu association with Hoka Kura
Hoka Kura is one of the lakes referred to in the tradition of ‘Ngā Punā Wai Karikari o Rakaihautu’ which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Hoka Kura. The origins of the name Hoka Kura have now been lost, although it is likely that it refers to one of the descendants of Rakaihautu.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Hoka Kura was used as a mahinga kai by North Canterbury Ngāi Tahu. The tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mahinga kai values of the lake were particularly important to Ngāi Tahu parties travelling to Te Tai Poutini (the West Coast). The lake was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the lake.

There are a number of urupā and wāhi tapu in this region. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Hoka Kura represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.
**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Hoka Kura, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Hoka Kura or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Hoka Kura as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Hoka Kura (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Hoka Kura.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Hoka Kura.
STATUTORY ACKNOWLEDGEMENT FOR HURUNUI RIVER

From Schedule 21 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Hurunui, the location of which is shown on Allocation Plan MD 112 (S.O. 19848).

Ngāi Tahu association with the Hurunui River
The Hurunui River once provided an important mahinga kai resource for Ngāi Tahu, although those resources are now in a modified and depleted condition. Traditionally, the river was particularly known for its tuna (eel) and inaka (whitebait).

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Hurunui, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Nohoanga (settlements) were located at points along the length of this river, with some wāhi tapu located near the mouth. Wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of the Hurunui represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Hurunui River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Hurunui River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Hurunui River as provided in section 211 (clause 12.2.5 of the deed of settlement).
Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Hurunui River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Hurunui River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Hurunui River.
STATUTORY ACKNOWLEDGEMENT FOR WAIPARA RIVER

From Schedule 74 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Waipara, the location of which is shown on Allocation Plan MD 113 (S.O. 19849).

Ngāi Tahu association with the Waipara River
Tradition tells of the duel between two famous rangatira (chiefs) which happened in this area. Tūtewaimate, a Ngāti Mamoe rangatira from Rakaia, found that the northward trade route that he sent his goods along was being disrupted by Moko, a rangatira of the Ngāti Kuri hapū of Ngāi Tahu who had been acting as a bandit along the route. Tūtewaimate went to confront Moko, who lived in a cave at Waipara, but found him sleeping. Tūtewaimate allowed Moko to awake before attacking him. Tūtewaimate’s sense of fair play cost him his life and is recalled in a tribal proverb.

For Ngāi Tahu, such histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngāi Tahu as an iwi.

There are a number of Ngāti Wairaki, Ngāti Mamoe and Ngāi Tahu urupā and wāhi tapu along the river and associated coastline. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The river and associated coastline was also a significant mahinga kai, with kai moana, particularly pāua, being taken at the mouth. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of the Waipara River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the
Waipara River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Waipara River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Waipara River as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw;

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Waipara River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Waipara River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Waipara River.
STATUTORY ACKNOWLEDGEMENT FOR KŌWAI RIVER

From Schedule 26 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Kōwai, the location of which is shown on Allocation Plan MD 114 (S.O. 19850).

Ngāi Tahu association with the Kōwai River
The Kōwai River once provided an important mahinga kai resource for North Canterbury Ngāi Tahu. Traditionally, the river was known for its tuna (eel) and inaka (whitebait), although those resources have now been depleted.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Nohoanga (settlements) were located at points along the length of this river, with some wāhi tapu located near the mouth. Wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of the Kōwai River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Kōwai River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Kōwai River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Kōwai River as provided in section 211 (clause 12.2.5 of the deed of settlement).
Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Kōwai River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Kōwai River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Kōwai River.
STATUTORY ACKNOWLEDGEMENT FOR WHAKAMATAU (LAKE COLERIDGE)

From Schedule 76 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Whakamatau (Lake Coleridge), the location of which is shown on Allocation Plan MD 128 (S.O. 19855).

Ngāi Tahu association with Whakamatau
Whakamatau is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaitiautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Whakamatau.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

This lake was occupied by the Ngāti Tū Te Piriraki hapū. Tū Te Piriraki was the son of Tū Te Kawa, a Ngāti Mamoe chief who held manawhenua in this region. When Tū Te Kawa died, his family, including Tū Te Piriraki, married into the senior Ngāi Tahu families. Such strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the lake.

Whakamatau was a notable mahinga kai where tuna (eel) and water fowl were taken. The kiore (polynesian rat) was also taken in this region. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Whakamatau was an integral part of a network of trails linking North Canterbury and Te Tai Poutini (the West Coast) which were used by the tūpuna in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the lake.

As a result of the area's history as a settlement site and part of a trail, there are many urupā associated with the lake. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the
focus for whānau traditions. These are places holding the memories, traditions, victories and
defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The mauri of Whakamatau represents the essence that binds the physical and spiritual elements
of all things together, generating and upholding all life. All elements of the natural environment
possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual
relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only. purposes of this
statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applicatio
ns
to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207
(clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court,
as the case may be, have regard to this statutory acknowledgement in relation to
Whakamatau, as provided in sections 208 to 210 (clause 12.2.4 of the deed of
settlement); and

(c) To empower the Minister responsible for management of Whakamatau or the
Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as
provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this
statutory acknowledgement as evidence of the association of Ngāi Tahu to Whakamatau
as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in
the exercise of any power, duty, or function by any person or entity under any statute,
regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making
any decision or recommendation under any statute, regulation, or bylaw, may give any
greater or lesser weight to Ngāi Tahu's association Whakamatau (as described in this
statutory acknowledgement) than that person or entity would give under the relevant
statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of
Whakamatau.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the
lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have
the effect of granting, creating or providing evidence of any estate or interest in, or any rights of
any kind whatsoever relating to, Whakamatau.
STATUTORY ACKNOWLEDGEMENT FOR HAKATERE (ASHBURTON RIVER)

From Schedule 17 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Hakatere (Ashburton River), the location of which is shown on Allocation Plan MD 116 (S.O. 19852).

Ngāi Tahu association with the Hakatere
The Hakatere was a major mahinga kai for Canterbury Ngāi Tahu. The main foods taken from the river were tuna (eels), inaka (whitebait) and the giant kōkopu. Rats, weka, kiwi and waterfowl such as pūtakitaki (paradise duck) were also hunted along the river.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of the Hakatere represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Hakatere, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Hakatere or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Hakatere as provided in section 211 (clause 12.2.5 of the deed of settlement).
Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—
(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Hakatere (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Hakatere.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Hakatere.
STATUTORY ACKNOWLEDGEMENT FOR RANGITATA RIVER

From Schedule 55 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Rangitata, the location of which is shown on Allocation Plan MD 115 (S.O. 19851).

Ngāi Tahu association with the Rangitata River
The Rangitata was a major mahinga kai for Canterbury Ngāi Tahu. Weka and other forest birds were the main foods taken from the inland reaches of the Rangitata. Tutu berries were also taken along the waterway.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The river was sometimes used by Ngāi Tahu parties from Canterbury as part of a trail to Te Tai Poutini (the West Coast). The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The mauri of the Rangitata represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Rangitata River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Rangitata River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Rangitata River as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Rangitata River (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Rangitata River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Rangitata River.
STATUTORY ACKNOWLEDGEMENT FOR Ō TŪ WHAREKAI (ASHBURTON LAKES)

From Schedule 46 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the wetland known as Ō Tū Wharekai (Ashburton Lakes), the location of which is shown on Allocation Plan MD 53 (S.O. 19841).

Ngāi Tahu association with Ō Tū Wharekai
The creation of the Ō Tū Wharekai wetlands is associated with Tū Te Rakiwhanoa and his shaping of Te Wai Pounamu (the South Island) to make it habitable for humans. The Ō Tū Wharekai complex was created as Tū Te Rakiwhanoa arranged the debris in the Waka o Aoraki while forming the harbours and plains and heaping up mountains of the interior.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The name Ō Tū Wharekai actually relates to the part of the complex known as the Māori Lakes. The other lakes and wetlands which make up the complex also have their own names.

Important nohoanga (settlements) associated with seasonal mahinga kai gathering and travel to and through this area included: Tūtaewera, Hatere, Uhi, Matakou, Kirihonuhonu, Ītautari, Punataka, Te Kiakia, and Tamatakou.

The complex was a part of the seasonal trail of mahinga kai and resource gathering, and hapū and whānau bonding. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the wetlands. Mahinga kai resources taken from the area included: tuna (eels), weka, kākā, kererū, tūi, pūkeko and other waterfowl, aruhe, kiore, kauru, matai and pōkākā.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the wetlands, the relationship of people with the area and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Ō Tū Wharekai represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.
Purposes of Statutory Acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Ō Tū Wharekai, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Ō Tū Wharekai or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Ō Tū Wharekai as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Ō Tū Wharekai (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Ō Tū Wharekai.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Ō Tū Wharekai.
STATUTORY ACKNOWLEDGEMENT FOR HEKEAO (HINDS RIVER)

From Schedule 19 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Hekeao (Hinds River), the location of which is shown on Allocation Plan MD 117 (S.O. 19853).

Ngāi Tahu association with the Hekeao
Hekeao and Tokara (the two branches of the Hinds River) traditionally supported a number of nohoanga (settlements), including Hekeao, Kakaho, Koroki, Te Mihi, Pakutahi, Karipo, Pūrākaunui, Rukuhia and Tokara. As a result of this history of occupations, there are a number of urupā associated with the river. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

The river was an important mahinga kai, known particularly as a source of tuna (eel) and kanakana (lamprey). The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Hekeao and Tokara represent the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Hekeao, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Hekeao or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Hekeao as provided in section 211 (clause 12.2.5 of the deed of settlement).
Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Hekeao (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Hekeao.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Hekeao.
STATUTORY ACKNOWLEDGEMENT FOR TAKAPO (LAKE TEKAPO)

From Schedule 57 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Takapo (Lake Tekapo), the location of which is shown on Allocation Plan MD 34 (S.O. 19836).

Ngāi Tahu association with Takapo
Takapo is one of the lakes referred to in the tradition of ‘Ngā Puna Wai Karikari o Rakaihautu’ which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Takapo.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Takapo was often occupied by Ngāi Tahu and, like most lakes, there are traditions of a taniwha connected with it. Tradition has it that the tohunga Te Maiharoa is the only person to have swum the lake and escaped the taniwha. This story is told to demonstrate that the mana of Te Maiharoa was greater than that of the taniwha of the lake.

As a result of this history of occupation, there are a number of urupā associated with the lake. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

Takapo served as a mahinga kai for South Canterbury Ngāi Tahu. Waterfowl and eel were the main foods taken from this lake. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Takapo represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

18 January 2014
Purposes of Statutory Acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Takapo, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Takapo or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Takapo as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Takapo (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Takapo.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Takapo.
STATUTORY ACKNOWLEDGEMENT FOR LAKE PŪKAKI

From Schedule 34 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Pūkaki, the location of which is shown on Allocation Plan MD 35 (S.O. 19837).

Ngāi Tahu association with Lake Pūkaki
Pūkaki is one of the lakes referred to in the tradition of ‘Ngā Puna Wai Karikari o Rakaihautu’ which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Pūkaki.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Pūkaki is referred to in Ngāi Tahu tradition as the basin that captures the tears of Aoraki: a reference to the melt waters that flow from Aoraki into the lake in the spring time.

As well as its association with Aoraki, Pūkaki is also a mahinga kai, noted particularly for its water fowl. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Pūkaki represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—
(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Lake Pūkaki, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Lake Pūkaki or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Lake Pūkaki as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Lake Pūkaki (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Lake Pūkaki.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Lake Pūkaki.
STATUTORY ACKNOWLEDGEMENT FOR WHAKARUKUMOANA (LAKE MCGREGOR)

From Schedule 77 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Whakarukumoana (Lake McGregor), the location of which is shown on Allocation Plan MD 120 (S.O. 19856).

Ngāi Tahu association with Whakarukumoana
Whakarukumoana is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Whakarukumoana.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Draining into Takapo (Lake Tekapo) via Te Waiātekāmana, Whakarukumoana forms a part of the network of waterways and land-based mahinga kai in this part of the interior. This area was a part of the seasonal trail of mahinga kai and resource gathering, and hapū and whānau bonding. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the lake.

The lake was very productive, although the indigenous fishery has now been depleted. The warmer shallows are important habitats for tuna (eels) and indigenous fish which prefer such conditions. This rain-fed lake is a habitat for upland bully, common bully, long-finned eel and galaxids as well as introduced trout.

Waterfowl, including a range of duck species, crested grebe and weka (formerly) are another important mahinga kai associated with the lake. Flora gathered from land adjoining the lake included matagouri, taramea, tutu, tatarahakea, manuka, snowgrass, and raupo. The succulent kiore (polynesian rat) was once an important food resource, as was the moa.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.
The mauri of Whakarukumoana represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Whakarukumoana, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Whakarukumoana or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Whakarukumoana as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Whakarukumoana (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Whakarukumoana.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Whakarukumoana.
STATUTORY ACKNOWLEDGEMENT FOR LAKE ŌHAU

From Schedule 32 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Ōhau, the location of which is shown on Allocation Plan MD 36 (S.O. 19838).

Ngāi Tahu association with Lake Ōhau
Ōhau is one of the lakes referred to in the tradition of ‘Ngā Puna Wai Karikari o Rakaihautu’ which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Ōhau. It is probable that the name ‘Ōhau’ comes from one of the descendants of Rakaihautu, Hau.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Ōhau was traditionally occupied by the descendants of Te Rakitauhope and was the site of several battles between Ngāi Tahu and Ngāti Mamoe. Later, it supported Te Maiharoa and his followers in the 1870s when they took occupation of land in the interior in protest against the Crown’s failure to honour the 1848 Canterbury Purchase.

As a result of this history of occupation, there are a number of urupā and wāhi tapu associated with the lake. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

Ōhau was an important mahinga kai, and part of a wider mahinga kai trail that ran from Lake Pūkaki to the coast. The main foods taken in this area were weka, forest and water fowl and fresh water fish such as tuna (eel) and kōkopu.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The mauri of Ōhau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment...
possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Lake Ōhau, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Lake Ōhau or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Lake Ōhau as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Lake Ōhau (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Lake Ōhau.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Lake Ōhau.
STATUTORY ACKNOWLEDGEMENT FOR HAKATARAMEA RIVER

From Schedule 16 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Hakataramea the location of which is shown on allocation Plan MD 119 (S.O. 24724).

Ngāi Tahu association with the Hakataramea River
The creation of the Hakataramea relates in time to Te Waka o Aoraki, and the further shaping of the island by Tū Te Rakiwhanoa and his assistants, including Marokura who stocked the waterways and Kahukura, who stocked the forests. For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The name 'Hakataramea' refers to the taramea plant from which a prized perfume was extracted. The name reflects the fact that taramea once grew in abundance in the vicinity of the river, and was easily accessed.

As well as being a mahinga kai in its own right, the Hakataramea was also an alternative route to the Aoraki region, forming part of the network of waterways and land-based mahinga kai in this part of the interior. This area was a part of the seasonal trail of mahinga kai and resource gathering, and hapū and whānau interaction. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The Hakataramea was a noted and popular indigenous fishery, offering tuna (eel), kanakana (lamprey), kōkopu, waikoura (fresh water crayfish) and waikakahi (fresh water mussel). Other mahinga kai taken from the Hakataramea included weka, ti kouka (cabbage tree) and taramea (spaniard grass). The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Hakataramea, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

These mahinga kai resources supported both semi-permanent and seasonal occupations, including a kāinga called Te Wai-tohi near the confluence of the Hakataramea and Waitaki rivers. The surviving rock art remnants and rock shelters are a particular taonga of the area, providing a unique record of the lives and beliefs of the people who travelled the river.

Because of the long history of use of the river as both a highway and a mahinga kai, supporting permanent and temporary occupation, there are a number of urupā, wāhi tapu and wāhi taonga associated with the river. These are all places holding the memories, traditions, victories and
defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are a particular focus for whānau traditions.

The mauri of the Hakataramea represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of Statutory Acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Hakataramea River, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Hakataramea River or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Hakataramea River as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Hakataramea River (as described in his statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Hakataramea River.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Hakataramea River.
STATUTORY ACKNOWLEDGEMENT FOR TE AO MĀRAMA (LAKE BENMORE)

From Schedule 59 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Te Ao Mārama (Lake Benmore), the location of which is shown on Allocation Plan MD 130 (S.O. 19857 (Canterbury Land District) and SO 24748 (Otago Land District)).

Ngāi Tahu association with Te Ao Mārama
While the man-made Te Ao Mārama is obviously a comparatively recent creation on the landscape, it overlays the path of the Waitaki River, which is very significant to Ngāi Tahu as the pathway of the waters from Aoraki to the sea. Ngāi Tahu Whānui always recognise and pay respects to Waitaki as a significant element of their being and identity - a creation of the atua (gods), further moulded by Tū Te Rakiwhānoa and his assistants, one of whom was Marokura who stocked the waterways.

In addition, the lake now covers areas which have been very important in Ngāi Tahu history. The Ahuriri arm of the lake was the site of Te Ao Mārama, the nohoanga that Te Maiharoa was evicted from by the constabulary in the late 1800s. It is in memory of this that the lake is now referred to by the same name. A number of other nohoanga existed in the area the lake now covers, and these were among the 170 which one record lists as existing in the Waitaki basin. One of these was at Sailors Cutting, and was known as Te Whakapiri a Te Kaiokai.

Many wāhi tapu and wāhi taonga were also drowned by Te Ao Mārama, including a number of rock art sites, while others still survive. Urupā associated with the nohoanga in the area also lie under the lake. These are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

An important and productive fishery exists in the lake, with the Haldane and Ahuriri arms once rich in long-finned eels, although in more recent times the fishery has been depleted. Fresh water mussels (waikākahi) are also available in the Ahuriri shallows. Excellent stands of raupō grow on the edge of the lake, adjacent to the deep water. This hardy plant, which was traditionally used for kai and in the making of mōkihi (a type of waka, or canoe, used on inland waterways) is not affected by the heavy frosts of the area or cattle grazing. The Ahuriri arm was also an important waterfowl and weka habitat.

Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the area. These whakapapa rights and relationships still apply to the lake itself.

The area which the lake now covers was once a major route from coast to coast: to Hawea and Wanaka via the Lindis pass, and to the West Coast via Ōkuru or Haast Pass. There was also a trail via the Lindis through into the Central Otago summer resorts, mahinga kai and pounamu.

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resources. Trails linked to seasonal resource gathering lead into the Ōhau, Pūkaki and Takapo, Alexandrina and Whakarukuamoana catchments. These were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and waterways.

Wai-para-hoanga meaning literally ‘water of grinding stone dirt’ is a descriptive name for the water that once flowed unhindered in the Waitaki, sourced from Pūkaki, Takapo and Ōhau, and ultimately from Aoraki itself. Notwithstanding more recent man-made changes to the landscape and waterways, the mauri of Te Ao Mārama represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Te Ao Mārama, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Te Ao Mārama or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Te Ao Mārama as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Te Ao Mārama (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Te Ao Mārama.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.
Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Te Ao Mārama.
STATUTORY ACKNOWLEDGEMENT FOR MAHI TIKUMU (LAKE AVIEMORE)

From Schedule 37 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the lake known as Mahi Tikumu (Lake Aviemore), the location of which is shown on Allocation Plan MD 492 (S.O. 19907 (Canterbury Land District) and SO 24731 (Otago Land District)).

Ngāi Tahu association with Mahi Tikumu
While the man-made Mahi Tikumu is obviously a comparatively recent creation on the landscape, it overlays the path of the Waitaki River, which is very significant to Ngāi Tahu as the pathway of the waters from Aoraki to the sea. Ngāi Tahu Whānui always recognise and pay respects to Waitaki as a significant element of their being and identity, a creation of the atua (gods), further moulded by Tū Te Rakiwhānoa and his assistants, one of whom was Marokura who stocked the waterways.

In addition, the lake now covers areas which have been very important in Ngāi Tahu history. A number of nohoanga existed along the former river basin, among the 170 which one record lists as existing in the Waitaki basin.

Many wāhi tapu and wāhi taonga were also drowned by Mahi Tikumu, including a number of rock art sites. Other areas of the lake's catchment are awaiting survey for rock art. Urupā associated with the nohoanga in the area also lie under the lake. These are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

An important and productive tuna (eel) fishery existed in the lake, although in more recent times the customary fishery has become depleted. Fresh water mussels (waikākahi) are also available in the shallows. Excellent stands of raupō grow on the edge of the lake, adjacent to the deep water. This hardy plant, which was traditionally used for kai and in the making of mōkihi (a type of waka, or canoe, used on inland waterways) is not affected by the heavy frosts of the area or cattle grazing.

The area which the lake now covers was once a major route from coast to coast: to Hawea and Wanaka via the Lindis pass, and to the West Coast via Ōkuru or Haast Pass. There was also a trail via the Lindis through into the Central Otago summer resorts, mahinga kai and pounamu resources. Trails linked to seasonal resource gathering lead into the Ōhau, Pūkaki and Takapo, Alexandrina and Whakarukumoana catchments.

The area covered by the lake was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and waterways.
Wai-para-hoanga, meaning literally 'water of grinding stone dirt' is a descriptive name for the water that once flowed unhindered in the Waitaki, sourced from Pūkaki, Takapo and Ōhau, and ultimately from Aoraki itself.

Notwithstanding more recent man-made changes to the landscape and waterways, the mauri of Mahi Tikumu represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Mahi Tikumu, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Mahi Tikumu or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Mahi Tikumu as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Mahi Tikumu (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Mahi Tikumu.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Mahi Tikumu.
STATUTORY ACKNOWLEDGEMENT FOR PUNATARAKAO WETLAND

From Schedule 54 – refer to sections 205 and 206 of the Ngāi Tahu claim Settlement Act 1998.

Statutory Area
The statutory area to which this statutory acknowledgement applies is the Wetland known as Punatarakao, the location of which is shown on Allocation Plan MD 137 (SO 19858).

Preamble
Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Punatarakao, as set out below.

Ngāi Tahu Association with Punatarakao
The Punatarakao wetland near the mouth of the Waihao river was a noted mahinga kai and traditional Ngāi Tahu occupation site. One of the principal traditions relating to the area tells that it is guarded by the taniwha, Tu Te Rakiwhanoa, who was said to appear as a sign of death.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

Punatarakao was the site of a Ngāi Tahu village, and was also famous for its Whare Wananga, where tohunga went to learn. As a result of this history of occupation, there are a number of urupā and wāhi tapu in the area. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. Urupā and wāhi tapu are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

It was the mahinga kai of the Punatarakao wetland area which made it attractive as an occupation site. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the area, the relationship of people with the area and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Punatarakao represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

Purposes of Statutory Acknowledgement
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—
(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement);

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Punatarakao, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement);

(c) To empower the Minister responsible for management of Punatarakao or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Punatarakao as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on Effect of Statutory Acknowledgement
Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Punatarakao (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Punatarakao.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Punatarakao.
STATUTORY ACKNOWLEDGEMENT FOR WAITAKI RIVER

From Schedule 72 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the river known as Waitaki, the location of which is shown on Allocation Plan MD 118 (S.O. 24723).

Ngāi Tahu association with the Waitaki
The name Waitaki (a South Island variant of the name Waitangi which is found throughout the North Island) is a common place name throughout Polynesia. Although the specific tradition behind the name has been lost in this case, it literally means 'the waterway of tears', and the Waitaki is often referred to in whaikōrero (oratory) as representing the tears of Aoraki which spill into Lake Pūkaki and eventually make their way south along the river to the coast. This image is captured in the whakatauāki: 'Ko Waitaki te awa, kā roimata na Aoraki i riringi' ('Waitaki is the river, the tears spilled by Aoraki').

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The Ngāi Tahu association with the Waitaki extends back to the first human habitation of Te Wai Pounamu. As such, the river is an essential element of the identity of Ngāi Tahu as an iwi. A moa butchery site at the mouth of the river is one of the oldest recorded settlement sites in the South Island and other sites further up the river are also extremely ancient.

The Waitaki was a traditional route to the mahinga kai resources of inland North Otago and the once bush-clad Waitaki Valley. The use of mōkihi (river craft constructed from raupō, or reeds), to carry the spoils of hunting expeditions down the river is particularly associated with the Waitaki, one of the few places where the construction and navigation of these vessels is still practised to this day.

The river also led to the central lakes district - itself a rich source of mahinga kai - and from there across the Southern Alps to the treasured pounamu resource of Te Tai Poutini (the West Coast). The river served as a major highway for such travels from both North Otago and South Canterbury.

Thus, there were numerous tauranga waka (or landing places) on the river. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The Waitaki was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga.
The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

In 1877, the leader Te Maiharoa, a descendant of Te Rakaihautu, led his people up the Waitaki to establish a settlement at Te Ao Mārama (near modern-day Omarama), to demonstrate his assertion that the interior had not been sold by Ngāi Tahu, and therefore still belonged to the iwi. Although the settlement was eventually broken up by the constabulary, and the people forced to retreat back down the river, the episode is a significant one in the long history of Te Kerēme (the Ngāi Tahu Claim).

As well as acting as a route to the inland mahinga kai sources, the river itself provided many forms of kai for those living near it or travelling on it. The Waitaki was, and still is, noted for its indigenous fisheries, including tuna (eel), inaka, kōkopu and kōaro species (whitebait), kanakana (lamprey) and waikōura (fresh water crayfish); with aua (yellow-eyed mullet) and mōhoa (black flounder) being found at the mouth. Many of these species are diadromous (migrating between sea and fresh water to spawn).

The extensive wetland areas formerly associated with the river once provided important spawning, rearing and feeding grounds for all of these species and were among the richest mahinga kai areas on the river. Although many of these species have now been depleted, the Waitaki remains a nationally important fishery.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Waitaki, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The Waitaki Valley holds one the country’s major collections of rock art, and the river itself seems to have acted as a form of cultural barrier in rock art design. The surviving rock art remnants are a particular taonga of the area, providing a unique record of the lives and beliefs of the people who travelled the river.

Because of the long history of use of the river as both a highway and a mahinga kai, supporting permanent and temporary nohoanga (occupation sites), there are numerous urupā, wāhi tapu and wāhi taonga associated with the river. These are all places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are a particular focus for whānau traditions.

The mauri of the Waitaki River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

**Purposes of Statutory Acknowledgement**
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Waitaki, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of the Waitaki or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Waitaki as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to the Waitaki (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Waitaki.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Waitaki.
STATUTORY ACKNOWLEDGEMENT FOR AORAKI/MOUNT COOK

From Schedule 14 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area
The statutory area to which this statutory acknowledgement applies is the area known as Aoraki/Mount Cook located in Kā Tiritiri o te Moana (the Southern Alps), as shown on Allocation Plan MS 1 (S.O. 19831).

Ngāi Tahu association with Aoraki
In the beginning there was no Te Wai Pounamu or Aotearoa. The waters of Kiwa rolled over the place now occupied by the South Island, the North Island and Stewart Island. No sign of land existed.

Before Raki (the Sky Father) wedded Papatūānuku (the Earth Mother), each of them already had children by other unions. After the marriage, some of the Sky Children came down to greet their father's new wife and some even married Earth Daughters.

Among the celestial visitors were four sons of Raki who were named Aoraki (Cloud in the Sky), Rakiroa (Long Raki), Rakirua (Raki the Second), and Rārakiroa (Long Unbroken Line). They came down in a canoe which was known as Te Waka o Aoraki. They cruised around Papatūānuku who lay as one body in a huge continent known as Hawaiiki.

Then, keen to explore, the voyagers set out to sea, but no matter how far they travelled, they could not find land. They decided to return to their celestial home but the karakia (incantation) which should have lifted the waka (canoe) back to the heavens failed and their craft ran aground on a hidden reef, turning to stone and earth in the process.

The waka listed and settled with the west side much higher out of the water than the east. Thus the whole waka formed the South Island, hence the name: Te Waka o Aoraki. Aoraki and his brothers clambered onto the high side and were turned to stone. They are still there today. Aoraki is the mountain known to Pākehā as Mount Cook, and his brothers are the next highest peaks near him. The present day shape of the South Island owes much to the subsequent deeds of Tū Te Rakiwhānoa, who took on the job of shaping the land to make it fit for human habitation.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The meltwaters that flow from Aoraki are sacred. On special occasions of cultural moment, the blessings of Aoraki are sought through taking of small amounts of its special waters, back to other parts of the island for use in ceremonial occasions. The mauri of Aoraki represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment
possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the mountain. The saying 'He ka pua kei runga i Aoraki, whakarewa whakarewa' ('The cloud that floats aloft Aoraki, for ever fly, stay aloft') refers to the cloud that often surrounds Aoraki. Aoraki does not always 'come out' for visitors to see, just as a great chief is not always giving audience, or is on 'show'. It is for Aoraki to choose when to emerge from his cloak of mist, a power and influence that is beyond mortals, symbolising the mana of Aoraki.

To Ngāi Tahu, Aoraki represents the most sacred of ancestors, from whom Ngāi Tahu descend and who provides the iwi with its sense of communal identity, solidarity, and purpose. It follows that the ancestor embodied in the mountain remains the physical manifestation of Aoraki, the link between the supernatural and the natural world. The tapu associated with Aoraki is a significant dimension of the tribal value, and is the source of the power over life and death which the mountain possesses.

**Purposes of Statutory Acknowledgement**
Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Aoraki, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Aoraki or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Aoraki as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**
Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Aoraki (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Aoraki.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.
Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Aoraki.
STATUTORY ACKNOWLEDGEMENT FOR KURA TĀWHITI (CASTLE HILL)

From Schedule 27 - refer to sections 205 and 206 of the Ngāi Tahu Claims Settlement Act 1998

Statutory area

The statutory area to which this statutory acknowledgement applies is the area known as Kura Tāwhiti (Castle Hill Conservation Area), as shown on Allocation Plan MS 14 (S.O. 19832).

Ngāi Tahu association with Kura Tāwhiti

Kura Tāwhiti (Castle Hill) is located between the Torlesse and Craigieburn Ranges, in the Broken River catchment. The name Kura Tāwhiti literally means 'the treasure from a distant land', and is an allusion to the kūmara, an important food once cultivated in this region. However, Kura Tāwhiti was also the name of one of the tūpuna (ancestors) who was aboard the Arai Te Uru canoe when it sank off Matakaea (Shag Point) in North Otago.

Kura Tāwhiti was one of the mountains claimed by the Ngāi Tahu ancestor, Tane Tiki. Tane Tiki claimed this mountain range for his daughter Hine Mihi because he wanted the feathers from the kākāpō taken in this area to make a cloak for her.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

This region was a well-used mahinga kai for Kaiapoi Ngāi Tahu. The main food taken from this mountain range was the kiore (polynesian rat). Other foods taken included tuna (eel), kākāpō, weka and kiwi.

The tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, ways in which to use the resources of Kura Tāwhiti, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Kura Tāwhiti was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the area.

A particular taonga of Kura Tāwhiti are the ancient rock art remnants found on the rock outcrops. These outcrops provided vital shelters from the elements for the people in their travels, and they left their artworks behind as a record of their lives and beliefs. The combination of this long association with the rock outcrops, and the significance of the art on them, gives rise to their tapu status for Ngāi Tahu.
The mauri of Kura Tāwhiti represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

**Purposes of Statutory Acknowledgement**

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

(a) To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and

(b) To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Kura Tāwhiti, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and

(c) To empower the Minister responsible for management of Kura Tāwhiti or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and

(d) To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Kura Tāwhiti as provided in section 211 (clause 12.2.5 of the deed of settlement).

**Limitations on Effect of Statutory Acknowledgement**

Except as expressly provided in sections 208 to 211, 213, and 215,—

(a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Kura Tāwhiti (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Kura Tāwhiti.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Kura Tāwhiti.
Schedule 20 - Tōpuni areas and descriptions

TŌPUNI FOR AORAKI/MOUNT COOK

From Schedule 80 - refer to sections 238 and 239 of the Ngāi Tahu Claims Settlement Act 1998

Description of area
The area over which the Tōpuni is created is the area known as Aoraki/Mount Cook, located in Kā Tiritirī o te Moana, shown as Aoraki on Allocation Plan MS 1 (S.O. 19831).

Ngāi Tahu values relating to Aoraki
In the beginning there was no Te Wai Pounamu or Aotearoa. The waters of Kiwa rolled over the place now occupied by the South Island, the North Island and Stewart Island. No sign of land existed.

Before Raki (the Sky Father) wedded Papatūānuku (the Earth Mother), each of them already, had children by other unions. After, the marriage, some of the Sky Children came down to greet their father's new wife and some even married Earth Daughters.

Among the celestial visitors were four sons of Raki who were named Aoraki (Cloud in the Sky), Rakirua (Raki the Second), and Rārakiroa (Long Unbroken Line). They came down in a canoe which was known as Te Waka o Aoraki. They cruised around Papatūānuku who lay as one body in a huge continent known as Hawaiiki.

Then, keen to explore, the voyagers set out to sea, but no matter how far they travelled, they could not find land. They decided to return to their celestial home but the karakia (incantation) which should have lifted the waka (canoe) back to the heavens failed and their craft ran aground on a hidden reef, turning to stone and earth in the process.

The waka listed and settled with the west side much higher out of the water than the east. Thus the whole waka formed the South Island, hence the name: Te Waka o Aoraki. Aoraki and his brothers clambered onto the high side and were turned to stone. They are still there today. Aoraki is the mountain known to Pākehā as Mount Cook, and his brothers are the next highest peaks near him. The present-day shape of the South Island owes much to the subsequent deeds of Tū Te Rakiwhanoa, who took on the job of shaping the land to make it fit for human habitation.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.
The meltwaters that flow from Aoraki are sacred. On special occasions of cultural moment, the blessings of Aoraki are sought through taking of small amounts of its 'special' waters, back to other parts of the island for use in ceremonial occasions.

The mauri of Aoraki represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the mountain.

The saying 'He kapua kei runga i Aoraki, whakarewa, whakarewa' ('The cloud that floats aloft Aoraki, for ever fly, stay aloft') refers to the cloud that often surrounds Aoraki. Aoraki does not always 'come out' for visitors to see, just as a great chief is not always giving audience, or is on 'show'. It is for Aoraki to choose when to emerge from his cloak of mist, a power and influence that is beyond mortals, symbolising the mana of Aoraki.

To Ngāi Tahu, Aoraki represents the most sacred of ancestors, from whom Ngāi Tahu descend and who provides the iwi with its sense of communal identity, solidarity and purpose. It follows that the ancestor embodied in the mountain remains the physical manifestation of Aoraki, the link between the supernatural and the natural world. The tapu associated with Aoraki is a significant dimension of the tribal value, and is the source of the power over life and death which the mountain possesses.
TŌPUNI FOR KURA TĀWHITI (CASTLE HILL)

From Schedule 82 - refer to sections 238 and 239 of the Ngāi Tahu Claims Settlement Act 1998

Description of area
The area over which the Tōpuni is created is the area known as the Castle Hill Conservation Area, as shown on Allocation Plan MS 14 (S.O. 19832).

Ngāi Tahu values relating to Kura Tāwhiti (Castle Hill)
Kura Tāwhiti (Castle Hill) is located between the Torlesse and Craigieburn Ranges, in the Broken Hill catchment. The name Kura Tāwhiti literally means ‘the treasure from a distant land’, and is an allusion to the kūmara, an important food once cultivated in this region. However, Kura Tāwhiti was also the name of one of the tūpuna (ancestors) who was aboard the Arai Te Uru canoe when it sank off Matakaea (Shag Point) in North Otago.

Kura Tāwhiti was one of the mountains claimed by the Ngāi Tahu ancestor, Tane Tiki. Tane Tiki claimed this mountain range for his daughter Hine Mihi because he wanted the feathers from the kākāpō taken in this area to make a cloak for her.

For Ngāi Tahu, such traditions represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

This region was a well-used mahinga kai for Kaiapoi Ngāi Tahu. The main food taken from this mountain range was the kiore (polynesian rat). Other foods taken included tuna (eel), kākāpō, weka and kiwi.

The tūpuna had considerable knowledge of whakapapa, traditional trails, places for gathering kai and other taonga, ways in which to use the resources of the Kura Tāwhiti, the relationship of people with the land and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

Kura Tāwhiti was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai (food). Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the area.

A particular taonga of Kura Tāwhiti are the ancient rock art remnants found on the rock outcrops. These outcrops provided vital shelters from the elements for the people in their travels, and they left their artworks behind as a record of their lives and beliefs. The combination of the long association with these rock outcrops, and the significance of the artwork on them, gives rise to their tapu status for Ngāi Tahu.
The mauri of Kura Tāwhiti represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.
TÖPUNI FOR TAPUAEO UENUKU

From Schedule 90 - refer to sections 238 and 239 of the Ngāi Tahu Claims Settlement Act 1998

Description of area
The area over which the Tōpuni is created is the area known as Tapuae o Uenuku as shown on Allocation Plan MS 100 (S.O. 7317).

Ngāi Tahu values relating to Tapuae o Uenuku
The name Tapuae o Uenuku refers to the sacred footsteps of Uenuku. Uenuku was one of the principal Ngāi Tahu atua (gods), who is represented as a rainbow. Uenuku is often found in tribal traditions as a tūpuna (ancestor) who instigates migration from Hawaiiki to New Zealand. According to the traditions of Kaikōura Ngāi Tahu, Uenuku cursed his son, Ruatapu, for an infringement on his tapu. The curse referred to the fact that Ruatapu's mother was of lowly origins, so that his younger brother, Paikea, was in fact his senior because of his mother's superior descent lines. Ruatapu's response was to attempt to kill all of the leading sons of the chiefs of Hawaiiki, including Paikea. Ruatapu took all of the sons out in a waka (canoe), then set about killing them with a spear. Paikea survived by diving overboard and swimming away. He was rescued by a whale and brought to New Zealand, where he eventually settled at Whangarā, on the East Coast of the North Island. There he coupled with a woman called Te Waiaruatuatai, who bore him Tahu Potiki, who went on to become the founding ancestor of Ngāi Tahu.

As well as being a reminder of the traditions of Paikea and Tahu Potiki, the mountain Tapuae o Uenuku is a manifestation of the tūpuna Uenuku. Uenuku was more than just a human ancestor, he was an atua and thus is also seen manifested in the rainbow.

In another Ngāi Tahu tradition, Uenuku is portrayed as one of the survivors of the Arai Te Uru waka which foundered at Moeraki, on the North Otago coast. These survivors are now manifested as the Southern Alps. Uenuku continued further north where he too eventually turned to stone on the spot where the maunga (mountain) Tapuae o Uenuku now stands. Thus, when Ngāi Tahu refer to the old people's hair turning grey, they are speaking of the snow which caps the Southern Alps, including Tapuae o Uenuku.

These physical and enduring manifestations of tūpuna represent the links between the cosmological world of the gods and present generations. Creation stories, and whakapapa recall links of fifty or more generations from the time of the Hawaiiki Pacific migrations. These traditional histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. They are frequently woven around major landscape features.

In Ngāi Tahu oratory, Tapuae o Uenuku is likened to an overarching portal which must be crossed by all visitors from the North Island. For this reason, visitors to the takiwā of Ngāi Tahu are welcomed as 'Ngā Tapuae o Uenuku' - those whose feet have been made sacred by passing beneath Uenuku.
The mauri of Tapuae o Uenuku represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with Tapuae o Uenuku.
TŌPUNI FOR RIPAPA ISLAND, LYTTELTON HARBOUR

From Schedule 88 – refer to sections 238 and 239 of the Ngāi Tahu Claims Settlement Act 1998

Description of area
The area over which the Tōpuni is created is the area known as Ripapa Island Historic Reserve, located in Whakaraupō (Lyttelton Harbour), as shown on Allocation Plan MS 29 (S.O. 19834).

Ngāi Tahu values relating to Ripapa
Ripapa is significant, to Ngāi Tahu, particularly the Rūnanga of Canterbury and Banks Peninsula, for its many urupā (burial places). Urupā are the resting places of Ngāi Tahu tūpuna (ancestors) and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of our tūpuna, and are frequently protected by secret locations.

Ripapa was also a pā (fortress) of Taununu, a leading Ngāi Tahu warrior prominent during the 1820s. Taununu was a Kaikōura chief who had decided to live at Kaiapoi. However, after settling at Kaiapoi, Taununu saw that Ripapa was a better place to live, so he and his people moved on and settled on the island. Taununu fortified Ripapa Island to withstand attacks from tribes armed with muskets.

Taununu eventually became involved in an inter-tribal war and attacked a village at Te Taumutu. Because the Taumutu people were connected to the southern hapū of Ngāi Tahu, a chieftainess and seer called Hine-Haaka was sent south from Te Taumutu to seek reinforcements. Tradition tells that when Hine-Haaka arrived at Ruapuke, near Stewart Island, she composed a song telling Taununu to weep as in the morning he would be killed. Hine-Haaka's kai oreore (a chant that curses) ran thus:

Taununu of Bank's Peninsula
Weep for yourself
On the morning, your bones will
be transformed into fishhooks
To be used in my fishing grounds to the South
This is my retaliation, an avenging
for your attacks
All I need is one fish to take my bait.

Taununu's pā was attacked from both sea and land by an alliance of related hapū from Southland, Otago and Kaiapoi. Hine-Haaka's vision was proved right. Taununu managed to escape this attack, but was later killed at Wairewa (Little River).

To end the hostilities between the two regions, the southern chiefs arranged for the daughter of Hine-Haaka, Makei Te Kura, to marry into one of the families of Rapaki Ngāi Tahu. This union took place in the mid-1800s, and peace was cemented between Rapaki and Murihiku Ngāi Tahu.
For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity and solidarity, and document the events which shaped Ngāi Tahu as an iwi.
### Schedule 21 - Sites over which nohoanga entitlements are to be granted in the Canterbury region

Schedule 95 – pursuant to section 256 of the Ngāi Tahu Claims Settlement Act 1998

<table>
<thead>
<tr>
<th>Site number</th>
<th>Waterway</th>
<th>Legal description/allocation plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Hurunui River</td>
<td>1 hectare, approximately, being Part Rural Section 40222. Part Gazette 1972, page 2346. Subject to survey, as shown on Allocation Plan MN 142 (S.O. 19859).</td>
</tr>
<tr>
<td>5</td>
<td>Lake Alexandrina/Takamoana</td>
<td>1 hectare, approximately, being Part Section 14 (S.O. 18830). Part Gazette 1996, page 4759. Subject to survey, as shown hatched on Allocation Plan MN 472 (S.O. 19885).</td>
</tr>
<tr>
<td>6</td>
<td>Lake Benmore/Haldon</td>
<td>1 hectare, approximately, being: (a) 7000 square metres, approximately, being Part Reserve 1358 (S.O. 10143). Part Gazette 1967, page 444; (b) 3000 square metres, approximately, being Part Reserve 1358 (S.O. 13546). Part Gazette 1992, page 1986: Subject to survey, as shown on Allocation Plan MN 473 (S.O. 19886).</td>
</tr>
<tr>
<td>8</td>
<td>Lake Pūkaki</td>
<td>1 hectare, approximately, being Part Reserve 5195 (S.O. 9656). Part Gazette Notice 171402/1. Subject to survey, as shown on Allocation Plan MN 68 (S.O. 19843).</td>
</tr>
<tr>
<td>9</td>
<td>Lake Sumner (No 1)</td>
<td>1 hectare, approximately, being an area of Crown Land. Subject to survey, as shown on Allocation Plan MN 435 (S.O.19877).</td>
</tr>
<tr>
<td>10</td>
<td>Ōhau River</td>
<td>1 hectare, approximately, being Part Ōhau Riverbed (S.O. 16047). Part Gazette Notice A78078/1. Subject to survey, as shown on Allocation Plan MN 151 (S.O. 19861).</td>
</tr>
<tr>
<td>11</td>
<td>Ōhau River (No 2)</td>
<td>1 hectare, approximately, being Part Rural Section 36867 (S.O. 5620 and 5621). Part Certificate of Title 26F/698. Subject to survey, as shown on Allocation Plan MN 469 (S.O. 19883).</td>
</tr>
<tr>
<td>12</td>
<td>Pareora River (No 1)</td>
<td>1 hectare, approximately, being Part Reserve 3571 (S.O. 1064). Part Gazette Notice 553820/1. Subject to survey, as shown on Allocation Plan MN 465 (S.O. 19879).</td>
</tr>
<tr>
<td>13</td>
<td>Pareora River (No 2)</td>
<td>1 hectare, approximately, being Part Reserve 3577 (S.O. 1064) and Part Motukaika Riverbed. Part Gazette 1902, page 2559. Subject to survey, as shown on Allocation Plan MN 466 (S.O. 19880).</td>
</tr>
<tr>
<td>14</td>
<td>Rakaia River (No 1)</td>
<td>1 hectare, approximately, being Part Reserve 3047 (BM 71). Part Gazette 1898, page 245. Subject to survey, as shown on Allocation Plan MN 80 (S.O. 19846).</td>
</tr>
<tr>
<td>Site number</td>
<td>Waterway</td>
<td>Legal description/allocation plan</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>15</td>
<td>Rakaia River (No 2)</td>
<td>1 hectare, approximately, being Part Tengawai Riverbed. Subject to survey, as shown hatched on Allocation Plan MN 489 (S.O. 19887).</td>
</tr>
<tr>
<td>16</td>
<td>Tengawai River</td>
<td>1 hectare, approximately, being Part Tengawai Riverbed. Subject to survey, as shown on Allocation Plan MN 437 (S.O. 19878).</td>
</tr>
<tr>
<td>17</td>
<td>Waiau River</td>
<td>1 hectare, approximately, being Part Reserve 3215 (S.O. 1407). Part Gazette 1898, page 1720. Subject to survey, as shown on Allocation Plan MN 79 (S.O. 19845).</td>
</tr>
<tr>
<td>18</td>
<td>Waihao River (No 1)</td>
<td>1 hectare, approximately, being Part Waihao Riverbed. Subject to survey, as shown hatched on Allocation Plan MN 467 (S.O. 19881).</td>
</tr>
<tr>
<td>19</td>
<td>Waihao River (No 2)</td>
<td>1 hectare, approximately, being Part Rural Sections 41962 (S.O. 16307) and Part Waihao Riverbed. Part Gazette Notice 553820/1. Subject to survey, as shown on Allocation Plan MN 84 (S.O. 19847).</td>
</tr>
<tr>
<td>20</td>
<td>Waipara River Waipara</td>
<td>1 hectare, approximately, being Part Waipara Riverbed opposite Lot 1 DP 17853. Subject to survey, as shown on Allocation Plan MN 143 (S.O. 19860).</td>
</tr>
<tr>
<td>21</td>
<td>Waipara River</td>
<td>1 hectare, approximately, being Part Waipara Riverbed adjoining legal road (Barnetts Road, Waipara). Subject to survey, as shown hatched on Allocation Plan MN 468 (S.O. 19882).</td>
</tr>
</tbody>
</table>
Schedule 22 - Taonga species list

"Taonga species" means the species of birds, plants, and animals described in Schedule 97 found within the Ngāi Tahu claim area (takiwā of Ngāi Tahu). Section 287 (NTCSA)

**Birds**

<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoiho</td>
<td>Yellow-eyed penguin</td>
<td>Megadyptes antipodes</td>
</tr>
<tr>
<td>Kāhu</td>
<td>Australasian harrier</td>
<td>Circus approximans</td>
</tr>
<tr>
<td>Kākā</td>
<td>South Island kākā</td>
<td>Nestor meridionalis meridionalis</td>
</tr>
<tr>
<td>Kākāpō</td>
<td>Kākāpō</td>
<td>Strigops habroptilus</td>
</tr>
<tr>
<td>Kākāriki</td>
<td>New Zealand parakeet</td>
<td>Cyanoramphus spp.</td>
</tr>
<tr>
<td>Kararuai</td>
<td>South Island robin</td>
<td>Petroica australis australis</td>
</tr>
<tr>
<td>Kāki</td>
<td>Black stilt</td>
<td>Himantopus novaezelandiae</td>
</tr>
<tr>
<td>Kāmana</td>
<td>Crested grebe</td>
<td>Podiceps cristatus</td>
</tr>
<tr>
<td>Kārearea</td>
<td>New Zealand falcon</td>
<td>Falco novaeseelandiae</td>
</tr>
<tr>
<td>Karoro</td>
<td>Black-backed gull</td>
<td>Larus dominicanus</td>
</tr>
<tr>
<td>Kea</td>
<td>Kea</td>
<td>Nestor notabilis</td>
</tr>
<tr>
<td>Kōau</td>
<td>Black shag</td>
<td>Phalacrocorax carbo</td>
</tr>
<tr>
<td></td>
<td>Pied shag</td>
<td>Phalacrocorax varius</td>
</tr>
<tr>
<td></td>
<td>Little shag</td>
<td>Phalacrocorax varius melanoleucos brevirostris</td>
</tr>
<tr>
<td>Koekoeā</td>
<td>Long-tailed cuckoo</td>
<td>Eudynamys taitensis</td>
</tr>
<tr>
<td>Kōparapara/ Korimako</td>
<td>Bellbird</td>
<td>Anthornis melanura melanura</td>
</tr>
<tr>
<td>Kororā</td>
<td>Blue Penguin</td>
<td>Eudyptula minor</td>
</tr>
<tr>
<td>Kōtare</td>
<td>Kingfisher</td>
<td>Halcyon sancta</td>
</tr>
<tr>
<td>Kōtuku</td>
<td>White heron</td>
<td>Egretta alba</td>
</tr>
<tr>
<td>Kōwhiowhio</td>
<td>Blue duck</td>
<td>Hymenolaimus malacorhynchos</td>
</tr>
<tr>
<td>Kūaka</td>
<td>Bar-tailed godwit</td>
<td>Limosa lapponica</td>
</tr>
<tr>
<td>Kūkupa/Kererū</td>
<td>New Zealand wood pigeon</td>
<td>Hemiphaga novaeseelandiae</td>
</tr>
<tr>
<td>Kuruwhengu/ Kuruwhengi</td>
<td>New Zealand shoveller</td>
<td>Anas rhynchositis</td>
</tr>
<tr>
<td>Mātā</td>
<td>Fernbird</td>
<td>Bowdleria punctata punctata, bowdleria punctata stewartiana, bowdleria punctata wilsoni, bowdleria punctata candata</td>
</tr>
<tr>
<td>Matuku moana</td>
<td>Reef heron</td>
<td>Egretta sacra</td>
</tr>
<tr>
<td>Miromiro</td>
<td>South Island tomtit</td>
<td>Petroica macrocephala macrocephala</td>
</tr>
<tr>
<td></td>
<td>Snares Island tomtit</td>
<td>Petroica macrocephala dannefaerdi</td>
</tr>
<tr>
<td>Mohua</td>
<td>Yellowhead</td>
<td>Mohoua ochrocephala</td>
</tr>
<tr>
<td>Pākura/Pūkeko</td>
<td>Swamp hen/ Pūkeko</td>
<td>Porphyrio porphyrio</td>
</tr>
<tr>
<td>Pārera</td>
<td>Grey duck</td>
<td>Anas superciliosa</td>
</tr>
<tr>
<td>Pateke</td>
<td>Brown teal</td>
<td>Anas aucklandica</td>
</tr>
<tr>
<td>Pihoihoi</td>
<td>New Zealand pipit</td>
<td>Anthus novaeseelandiae</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipiharaoa</td>
<td>Shining cuckoo</td>
<td>Chrysococcyx lucidus</td>
</tr>
<tr>
<td>Piwakawaka</td>
<td>South Island fantail</td>
<td>Rhipidura fuliginosa fuliginosa</td>
</tr>
<tr>
<td>Poaka</td>
<td>Pied stilt</td>
<td>Himantopus himantopus</td>
</tr>
<tr>
<td>Pokotiwaha</td>
<td>Snares crested penguin</td>
<td>Eudyptes robustus</td>
</tr>
<tr>
<td>Pūtakitiki</td>
<td>Paradise shelduck</td>
<td>Tadorna variegata</td>
</tr>
<tr>
<td>Riroriro</td>
<td>Grey warbler</td>
<td>Gerygone igata</td>
</tr>
<tr>
<td>Roroa</td>
<td>Great spotted kiwi</td>
<td>Apteryx haastii</td>
</tr>
<tr>
<td>Rūru koukou</td>
<td>Morepork</td>
<td>Ninox novaeseelandiae</td>
</tr>
<tr>
<td>Takahē</td>
<td>Takahē</td>
<td>Phorphyrio mantelli</td>
</tr>
<tr>
<td>Tara</td>
<td>Terns</td>
<td>Sterna spp.</td>
</tr>
<tr>
<td>Tawaki</td>
<td>Fiordland crested penguin</td>
<td>Eudyptes pachyrhynchus</td>
</tr>
<tr>
<td>Tete</td>
<td>Grey teal</td>
<td>Anas gracilis</td>
</tr>
<tr>
<td>Tieke</td>
<td>South Island saddleback</td>
<td>Philesturnus carunculatus</td>
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<tr>
<td>Titi</td>
<td>Sooty shearwater/ Muttonbird/ Hutton's shearwater</td>
<td>Puffinus griseus and Puffinus huttoni</td>
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<tr>
<td></td>
<td>Common diving petrel</td>
<td>Pelecanoides urinatrix</td>
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<tr>
<td></td>
<td>South Georgian diving petrel</td>
<td>Pelecanoides georgicus</td>
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<tr>
<td></td>
<td>Westland petrel</td>
<td>Procellaria westlandica</td>
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<tr>
<td></td>
<td>Fairy prion</td>
<td>Pachyptila turtur</td>
</tr>
<tr>
<td></td>
<td>Broad-billed prion</td>
<td>Pachyptila vittata</td>
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<tr>
<td></td>
<td>White-faced storm petrel</td>
<td>Pelagodroma marina</td>
</tr>
<tr>
<td></td>
<td>Cook's petrel</td>
<td>Pterodroma cookii and</td>
</tr>
<tr>
<td></td>
<td>Mottled petrel</td>
<td>Pterodroma inexpectata</td>
</tr>
<tr>
<td>Tititipounamu</td>
<td>South Island rifleman</td>
<td>Acanthisitta chloris chloris</td>
</tr>
<tr>
<td>Tokoeka</td>
<td>South Island brown kiwi</td>
<td>Apteryx australis</td>
</tr>
<tr>
<td>Toroa</td>
<td>Albatrosses and Molymawks</td>
<td>Diomedea spp.</td>
</tr>
<tr>
<td>Toutouwai</td>
<td>Stewart Island robin</td>
<td>Petroica australis rakiura</td>
</tr>
<tr>
<td>Tūi</td>
<td>Tūi</td>
<td>Prosthemadera novaeseelandiae</td>
</tr>
<tr>
<td>Tutukiwi</td>
<td>Snares Island snipe</td>
<td>Coenocorypha aucklandica</td>
</tr>
<tr>
<td></td>
<td>Snares Island snipe</td>
<td>huegeli</td>
</tr>
<tr>
<td>Weka</td>
<td>Western weka</td>
<td>Gallirallus australis australis</td>
</tr>
<tr>
<td>Weka</td>
<td>Stewart Island weka</td>
<td>Gallirallus australis scotti</td>
</tr>
<tr>
<td>Weka</td>
<td>Buff weka</td>
<td>Gallirallus australis hectori</td>
</tr>
</tbody>
</table>

**Plants**

<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Akatorororo</td>
<td>White rata</td>
<td>Metrosideros perforata</td>
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<tr>
<td>Aruhe</td>
<td>Fernroot (bracken)</td>
<td>Pteridium aquinum var. esculentum</td>
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<tr>
<td>Harakeke</td>
<td>Flax</td>
<td>Phormium tenax</td>
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<tr>
<td>Horoekea</td>
<td>Lancewood</td>
<td>Pseudopanax crassifolius</td>
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<tr>
<td>Houhi</td>
<td>Mountain ribbonwood</td>
<td>Hoheria lyalli and H. glabata</td>
</tr>
<tr>
<td>Kahikatea</td>
<td>Kahikatea/White pine</td>
<td>Dacrycarpus dacrydioides</td>
</tr>
<tr>
<td>Name in Māori</td>
<td>Name in English</td>
<td>Scientific name</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------</td>
<td>-----------------------------------------------------</td>
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<tr>
<td>Kāmahi</td>
<td>Kāmahi</td>
<td>Weinmannia racemosa</td>
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<td>Kānuka</td>
<td>Kānuka</td>
<td>Kunzia ericoides</td>
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<tr>
<td>Kāpuka</td>
<td>Broadleaf</td>
<td>Griselinia littoralis</td>
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<tr>
<td>Kāraeopirita</td>
<td>Supplejack</td>
<td>Ripogonum scandens</td>
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<td>Karaka</td>
<td>New Zealand laurel/ Karaka</td>
<td>Corynocarpus laevigata</td>
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<td>Coprosma</td>
<td>Coprosma robusta, coprosma lucida, coprosma foetidissima</td>
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<td>Kātote</td>
<td>Tree fern</td>
<td>Cyathea smithii</td>
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<tr>
<td>Kiekie</td>
<td>Kiekie</td>
<td>Fremycinetia baueriana subsp. banksii</td>
</tr>
<tr>
<td>Köhia</td>
<td>NZ Passionfruit</td>
<td>Passiflora tetranda</td>
</tr>
<tr>
<td>Korokio/ Kōkōmuka</td>
<td>Korokio wire-netting bush</td>
<td>Corokia cotoneaster</td>
</tr>
<tr>
<td>Koromiko</td>
<td>Hebe salicifolia</td>
<td></td>
</tr>
<tr>
<td>Kōtukutuku</td>
<td>Tree fuchsia</td>
<td>Fuchsia excorticata</td>
</tr>
<tr>
<td>Kōwhai Köhai</td>
<td>Kowhai</td>
<td>Sophora microphylla</td>
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<tr>
<td>Mamaku</td>
<td>Tree fern</td>
<td>Cyathea medullaris</td>
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<tr>
<td>Mānia</td>
<td>Sedge</td>
<td>Carex flagellifera</td>
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<td>Mānuka /Kahikātoa</td>
<td>Tea-tree</td>
<td>Leptospernum scoparium</td>
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<td>Māpou</td>
<td>Red matipo</td>
<td>Myrsine australis</td>
</tr>
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<td>Matai</td>
<td>Matai/Black pine</td>
<td>Prumnopitys taxifolia</td>
</tr>
<tr>
<td>Miro</td>
<td>Miro/Brown pine</td>
<td>Podocarpus ferrugineus</td>
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<td>Ngaio</td>
<td>Ngaio</td>
<td>Myoporum laetum</td>
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<td>Nikau</td>
<td>New Zealand palm</td>
<td>Rhopalostylis sapida</td>
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<td>(Species of fern)</td>
<td>Asplenium obtusatum</td>
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<tr>
<td>Pānako</td>
<td>(Species of fern)</td>
<td>Botychium australis and B. biforme</td>
</tr>
<tr>
<td>Pātōtara</td>
<td>Dwarf mingimigi</td>
<td>Leucopogon fraseri</td>
</tr>
<tr>
<td>Pingao</td>
<td>Pingao</td>
<td>Desmoschoenus spiralis</td>
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<tr>
<td>Pōkākā</td>
<td>Pokaka</td>
<td>Elaeocarpus hookerianus</td>
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<tr>
<td>Ponga/Poka</td>
<td>Tree fern</td>
<td>Cyathea dealbata</td>
</tr>
<tr>
<td>Rātā</td>
<td>Southern rata</td>
<td>Metrosideros umbellata</td>
</tr>
<tr>
<td>Raupō</td>
<td>Bullrush</td>
<td>Typha angustifolia</td>
</tr>
<tr>
<td>Rautāwhiri/ Kōhūhū</td>
<td>Black matipo/Mapou</td>
<td>Pittosporum tenuifoliolum</td>
</tr>
<tr>
<td>Rimu</td>
<td>Rimu/Red pine</td>
<td>Dacrydium cypressinum</td>
</tr>
<tr>
<td>Rimurapa</td>
<td>Bull kelp</td>
<td>Durvillaea antarctica</td>
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<tr>
<td>Tārama</td>
<td>Speargrass, spaniard</td>
<td>Aciphylla spp.</td>
</tr>
<tr>
<td>Tarata</td>
<td>Lemonwood</td>
<td>Pittosporum eugenioides</td>
</tr>
<tr>
<td>Tawai</td>
<td>Beech</td>
<td>Nothofagus spp.</td>
</tr>
<tr>
<td>Tētēaweka</td>
<td>Muttonbird scrub</td>
<td>Olearia angustifolia</td>
</tr>
<tr>
<td>Ti rākau/ Ti Kōuka</td>
<td>Cabbage tree</td>
<td>Cordyline australis</td>
</tr>
<tr>
<td>Tikumu</td>
<td>Mountain daisy</td>
<td>Celmisia spectabilis and C. semicordata</td>
</tr>
<tr>
<td>Titoki</td>
<td>New Zealand ash</td>
<td>Alectryon excelsus</td>
</tr>
<tr>
<td>Toatoa</td>
<td>Mountain Toatoa, Celery</td>
<td>Phyllocladus alpinus</td>
</tr>
<tr>
<td>Toetoe</td>
<td>Toetoe</td>
<td>Cortaderia richardi</td>
</tr>
<tr>
<td>Name in Māori</td>
<td>Name in English</td>
<td>Scientific name</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Tōtara</td>
<td>Totara</td>
<td>Podocarpus totara</td>
</tr>
<tr>
<td>Tutu</td>
<td>Tutu</td>
<td>Coriaria spp.</td>
</tr>
<tr>
<td>Wharariki</td>
<td>Mountain flax</td>
<td>Phormium cookianum</td>
</tr>
<tr>
<td>Whinau</td>
<td>Hinau</td>
<td>Elaeocarpus dentatus</td>
</tr>
<tr>
<td>Wi</td>
<td>Silver tussock</td>
<td>Poa cita</td>
</tr>
<tr>
<td>Wiwi</td>
<td>Rushes</td>
<td>Juncus all indigenous Juncus spp. and J. maritimus</td>
</tr>
</tbody>
</table>

**Marine mammals**

<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ihupuku</td>
<td>Southern elephant seal</td>
<td>Mirounga leonina</td>
</tr>
<tr>
<td>Kekeno</td>
<td>New Zealand fur seals</td>
<td>Arctocephalus forsteri</td>
</tr>
<tr>
<td>Paikea</td>
<td>Humpback whales</td>
<td>Megaptera novaeangliae</td>
</tr>
<tr>
<td>Parāoa</td>
<td>Sperm whale</td>
<td>Physeter macrocephalus</td>
</tr>
<tr>
<td>Rāpoka/ Whakahao</td>
<td>New Zealand sea lion/ Hooker’s sea lion</td>
<td>Phocarctos hookeri</td>
</tr>
<tr>
<td>Tohorā</td>
<td>Southern right whale</td>
<td>Balaena australis</td>
</tr>
</tbody>
</table>
## Schedule 23 - Customary fisheries species lists

From Schedule 98 – pursuant to section 297 Ngāi Tahu Claims Settlement Act 1998

### Part A: Taonga fish species

<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kāeo</td>
<td>Sea tulip</td>
<td>Pyura pachydermatum</td>
</tr>
<tr>
<td>Koeke</td>
<td>Common shrimp</td>
<td>Palaemon affinis</td>
</tr>
<tr>
<td>Kōkopu/Hawai</td>
<td>Giant bully</td>
<td>Gobiomorphus gobioides</td>
</tr>
<tr>
<td>Kōwaro</td>
<td>Canterbury mudfish</td>
<td>Neochanna burrowsius</td>
</tr>
<tr>
<td>Paraki/Ngaiore</td>
<td>Common smelt</td>
<td>Retropinna retropinna</td>
</tr>
<tr>
<td>Piripiripōhatu</td>
<td>Torrent fish</td>
<td>Cheimarrichthys fosteri</td>
</tr>
<tr>
<td>Taiwharu</td>
<td>Giant kokopu</td>
<td>Galaxias argenteus</td>
</tr>
</tbody>
</table>

### Part B: Shellfish species

<table>
<thead>
<tr>
<th>Name in Māori</th>
<th>Name in English</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipi/Kakāhi</td>
<td>Pipi</td>
<td>Paphies australis</td>
</tr>
<tr>
<td>Tuaki</td>
<td>Cockle</td>
<td>Austrovenus stutchburgi</td>
</tr>
<tr>
<td>Tuaki/Hākiari</td>
<td>Surfclam</td>
<td>Dosinia anus, Paphies</td>
</tr>
<tr>
<td>Kuhakuha/ Pūrimu</td>
<td></td>
<td>donacina, Mactra discor, Mactra murchsoni, Spisula aequilateralis, Basina yatei, or Dosinia subrosa</td>
</tr>
<tr>
<td>Tuatua</td>
<td>Tuatua</td>
<td>Paphies subtriangulata, Paphies donacina</td>
</tr>
<tr>
<td>Waikaka/Pūpū</td>
<td>Mudsnail</td>
<td>Amphibola crenata, Turbo smaragdus, Zedilom spp.</td>
</tr>
</tbody>
</table>
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