

Tamina Roberts

From: Kingsbury, Peter <Peter.Kingsbury@ccc.govt.nz>
Sent: Saturday, 22 March 2014 1:03 p.m.
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Christchurch City Council

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To: Canterbury Regional Council

Name of submitter: Christchurch City Council

This is a submission on the proposed Canterbury Land & Water Regional Plan Variation 1

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

As attached.

My submission is:

As attached.

I seek the following decision from the local authority:

As attached.

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of submitter



Date:

21/3/14

Address for service of submitter:

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Contact person: Peter Kingsbury (Principal Advisor - Natural Resources)

The provisions of the proposed Canterbury LWRP Variation 1		Christchurch City Council submission		Decision sought on this provision of the proposed Canterbury LWRP Variation 1
Page number	Section of plan	Oppose/ support or wish to have them amended	Reason for opposing or supporting or seeking an amendment	

General comments

1. Where the relief sought in this submission is for a deletion or an amendment, the submission includes:

1.1 That those changes, or similar changes to like effect, be used; and

1.2 That the relief include any consequential changes resulting from the change specified; and

1.3 Where this submission seeks an amendment to a provision, the remainder of the provision is supported.

2. The reason for the relief sought in this submission is that the provisions sought in the submission:

2.1 Are most appropriate in terms of section 32 of the RMA; and

2.2 Better assist the regional council to carry out its functions in order to achieve the purpose of the RMA; and

2.3 More appropriately provide for the matters in s65(3) of the RMA; and

2.4 Give effect to National Policy Statements and National Environmental Standards; and

2.5 Give effect to the vision and principles of the CWMS; and

2.6 Achieve the purpose of the Act in promoting the sustainable management of natural and physical resources.

2. Amendments to Section 5: Region-wide rules

2-1	Rule 5.69 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 that does not meet one or more of the conditions 2 to 4 of Rule 5.68, <u>excluding condition 1</u> 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.	Support	Improves clarity of the rule.	Approve the variation
2-1	Rule 5.164 The introduction or planting of any plant, or the removal or disturbance of existing vegetation in, on or under the bed of a lake or river that does not comply with one or more of the conditions 1,3 or 5 to 7 of Rule 5.163, <u>excluding conditions 2 and 4</u> , is a restricted discretionary activity.	Support	Improves clarity of the rule.	Approve the variation

3. Amendments to Section 9: Christchurch-West Melton

3-1	Policy 9.4.9 To prevent any increase in inundation of land in the Halswell River/Huritini catchment, the discharge to surface water of any stormwater in the Halswell River/Huritini catchment 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.	Support	The City supports this rule as it provides an incentive for greater integration of stormwater treatment within the city.	Approve the variation
3-1	Rule 9.5.10 Within Christchurch West Melton, Regional Rule 5.114 shall include the following additional condition: 1. <u>The take is not within the West Melton Special Zone.</u>	Support	The inclusion of the condition ensures great protection of the taking of groundwater in the West Melton Special Zone.	Approve the variation
3-2	Rule 9.5.12 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 Halswell River/Huritini catchment that is not authorised by a consented stormwater	Support	The City supports this rule as it provides an incentive for greater integration of stormwater treatment within the city.	Approve the variation

	management plan and the discharge did not occur before 5 December 2013, is a discretionary activity.			
3-2	Section 9.6.2 Groundwater Allocation Limits. Groundwater Level Restrictions in the West Melton Special Zone.	Oppose	Clarification is required as to whether all of the nominated monitoring bores have to be triggered in order to lead to restrictions or just individual bores need to be triggered	Amend to read; “When groundwater levels fall below the specified water levels in <u>any</u> the nominated monitoring bores.....” or “When groundwater levels fall below the specified water levels in <u>all</u> the nominated monitoring bores.....” or similar
4. Amendments to Section 11: Selwyn - Waihora				
4-5	Policy 11.4.1 Manage water abstraction and discharges of contaminants within the entire Selwyn Waihora catchment to avoid cumulative effects on the water quality of Te Waihora/Lake Ellesmere and flow of water in springs and tributaries flowing into Te Waihora/Lake Ellesmere.	Support	The City supports this policy as it is consistent with supporting the integrated management of natural resources.	Approve the variation
4-5	Policy 11.4.3 Establish and maintain a Cultural Landscape/Values Management Area that encompasses Te Waihora, its margins, wetlands, springs and tributaries to: (a) recognise the nature, concentration, networks and significance to Ngāi Tahu of sites and values within the Area; and (b) provide for the relationship of Ngāi Tahu with Te Waihora/Lake Ellesmere.	Support	The City supports this policy as it will provide a management area with which the City can help better develop its relationship with tangata whenua in this part of the City.	Approve the variation
4-5	Policy 11.4.4 Manage the Cultural Landscape/Values Management Area: (a) as one integrated freshwater mahinga kai system with outstanding values; (b) to protect mahinga kai, wāhi tapu and wāhi taonga; (c) to restore the health of Te Waihora/Lake Ellesmere; and	Support	The City supports this policy as it will provide a management area with which the City can help better develop its relationship with tangata whenua in this part of the City.	Approve the variation

	(d) to recognise the cultural and ecological sensitivity of the Area to discharges of contaminants and the taking and use of fresh water.			
4-6	<p>Managing Land Use to Improve Water Quality</p> <p>Policy 11.4.7 Require any person discharging sewage sludge, bio-solids or treated sewage effluent into or onto land from a community wastewater system to adopt the best practicable option to manage the treatment and discharge of contaminants and meet the nitrogen load limit for community sewerage systems in Table 11(i) unless Policy 11.4.8 applies.</p>	Support	This policy is supported as it will ensure that the actual or potential environmental effects of discharges of sewage sludge, bio-solids or treated sewage effluent into or onto land from community wastewater systems are minimised.	Approve the variation
4-6	Policy 11.4.8 Allow the discharge of sewage sludge, bio-solids and treated sewage effluent into or onto land from a community wastewater system that will cumulatively result in the exceedance of the nitrogen load limit for community sewerage systems in Table 11(i) only if the exceedance is less than the nitrogen load contribution from the aggregation of on-site domestic wastewater treatment systems that would be replaced by the community wastewater system.	Support	This policy is supported as it will ensure that the actual or potential environmental effects of discharges of sewage sludge, bio-solids or treated sewage effluent into or onto land from community wastewater systems are minimised, and the most efficient method of treatment and discharge is chosen.	Approve the variation
4-6	Policy 11.4.9 In circumstances where the treatment or discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater system is within the Cultural Landscape/Values Management Area there shall be no direct discharge to surface water or groundwater or any discharge to land in circumstances where contaminants may enter water.	Support	Help ensure the reduction of environmental effects on the environment while acknowledging that some emergency sewerage overflows into surface may occur.	Approve the variation
4-7	<p>Lake, Catchment and Flow Restoration</p> <p>Policy 11.4.18 Enable lake restoration activities that re-establish aquatic plants, lake margin wetlands and remove phosphorus from lake bed sediments in Te Waihora/Lake Ellesmere.</p>	Support	The City supports the enhancement of the City's surface water bodies and their margins and this policy helps to achieve this.	Approve the variation

4-7	Policy 11.4.19 Enable catchment restoration activities that protect springheads, protect, establish or enhance plant riparian margins, create restore or enhance wetlands and target removal of macrophytes or fine sediment from waterways.	Support	The City encourages the enhancement of the City's surface water bodies and their margins and this policy helps to achieve this.	Approve the variation
4-7	Policy 11.4.20 Enable managed aquifer recharge and targeted stream augmentation to assist with improvements to lowland stream flows.	Support	The City supports the enhancement of the City's surface water bodies and their margins and this policy helps to achieve this.	Approve the variation
4-9	West Melton Special Zone Policy 11.4.33 Protect the reliability of groundwater takes for domestic and stock water use and community water supply in the West Melton Special Zone by requiring groundwater abstractions greater than 10 m3 per day to comply with the groundwater level restrictions in Table 11(h).	Support	The City recognises the importance of managing the reliability of groundwater takes for stock-water and community water supply and hence supports this policy.	Approve the variation
4-9	Halswell River/Huritini Catchment Flooding Policy 11.4.34 To prevent any increase in inundation of land in the Halswell River/Huritini catchment, the discharge to surface water of any stormwater in the Halswell River/Huritini catchment 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.	Oppose	The city is supportive of this policy however seeks to ensure that land based stormwater treatment and detention systems are not included in the policy.	Retain policy with the amendment; 11.4.34 To prevent any increase in inundation (<i>excluding inundation related to stormwater treatment</i>) of land in the Halswell River/Huritini catchment, the discharge to surface water of any stormwater in the Halswell River/Huritini catchment 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. or similar
4. Amendments to Section 11: Selwyn - Waihora 11.5 Rules				
4-11	<u>1. The discharge of wastewater from a new on-site domestic wastewater treatment system is not within the Cultural Landscape/Values Management Area.</u>	Support	For the City it recognises the importance of protecting the Halswell river catchment from discharges.	Approve the variation
4-11	Rule 11.5.2 Within the Selwyn Waihora catchment Regional Rule 5.9 shall include the following additional matter of discretion:	Support	The City recognises the importance of protecting the Halswell river catchment from discharges.	Approve the variation

	1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.			
4-14	Rule 11.5.18 Within the Selwyn Waihora Catchment any reference to the bed of a lake, river or wetland in Rules 5.68, 5.69, 5.70 and 5.71 also includes an artificial watercourse (excluding an irrigation canal, water supply race or canal for the supply of water for electricity power generation).	Support	The City it recognises the importance of protecting the waterways from the adverse environmental effects of stock on water quality and the margins of waterways.	Approve the variation
4-14	Rule 11.5.19 Within the Selwyn Waihora catchment Regional Rule 5.68 shall include the following additional condition: 1. <u>The activity is not within the Cultural Landscape/Values Management Area.</u>	Support	The City it recognises the importance of protecting the waterways from the adverse environmental effects of stock on water quality and the margins of waterways	Approve the variation
4-14	Rule 11.5.20 Within the Selwyn Waihora catchment Regional Rule 5.71 shall include the following additional condition: 1. <u>In the Cultural Landscape/Values Management Area.</u>	Support	The City it recognises the importance of protecting the waterways from the adverse environmental effects of stock on water quality and the margins of waterways	Approve the variation
4-15	Rule 11.5.22 Within the Selwyn Waihora catchment the use of land for a community wastewater treatment system and the discharge of sewerage sludge, bio-solids and treated sewerage effluent from a community wastewater treatment system and the discharge of sewerage 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 is a discretionary activity where the following condition are met: 1. The discharge in addition to all lawfully established existing discharges does not exceed the nitrogen load limit in Table 11(i) for community sewerage systems; and 2. The best practicable option is used for the treatment and discharge.	Support	This rule is supported as it will ensure that the actual or potential environmental effects of discharges of sewage sludge, bio-solids or treated sewage effluent into or onto land from community wastewater systems are minimised, and the most efficient method of treatment and discharge is chosen.	Approve the variation

4-15	Rule 11.5.23 Within the Selwyn Waihora catchment the use of land for a community wastewater treatment system and the discharge of sewerage sludge, bio-solids and treated sewerage effluent from a community wastewater treatment system and the discharge of sewerage 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 in the Selwyn Waihora catchment that does not comply with Rule 11.5.22 is a non-complying activity.	Support	This policy is supported as it will ensure that the actual or potential environmental effects of discharges of sewage sludge, bio-solids or treated sewage effluent into or onto land from community wastewater systems are minimised, and the most efficient method of treatment and discharge is chosen.	Approve the variation
4-16	Rule 11.5.27 Within the Selwyn Waihora catchment Regional Rule 5.93 shall include the following additional matter of discretion: 1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.	Oppose	The city supports the intent of the rule which would ensure tangata whenua values in the protection of water quality, however this is already included in the requirement for the development of Stormwater Management Plans.	Delete Rule 11.5.27
4-16	Rule 11.5.29 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 Halswell River/Huritini catchment that is not authorised by a consented stormwater management plan and the discharge did not occur before 5 December 2013, is a discretionary activity.	Support	The City supports this rule as it provides an incentive and support for greater integration of stormwater treatment and discharge within the city.	Approve the variation
4-16	Rule 11.5.30 Within the Selwyn Waihora catchment Regional Rule 5.111 shall include the following additional condition: 1. The take is limited to an individual's domestic and stockwater use.	Support	The City recognises the importance of managing the reliability of groundwater takes for stockwater and domestic water supply and hence supports this policy.	Approve the variation
4-16	Rule 11.5.31 Within the Selwyn Waihora catchment Regional Rule 5.114 shall include the following additional condition: 1. The take is not within the West Melton Special Zone.	Support	The City recognises the importance of managing the reliability of groundwater takes for stockwater and domestic water supply and hence supports this rule.	Approve the variation

4-19	<p>Rule 11.5.36 The taking and use of surface water from a river, lake or wetland or groundwater within the Selwyn Waihora catchment and including all areas within the Little Rakaia Combined Surface and Groundwater Allocation Zone that does not meet Conditions 1, 2, 6 or 7 of Rule 11.5.32 or Rule 11.5.33 or Rule 11.5.34 is a prohibited activity.</p>	Oppose	<p>Support the intent of the rule however do not support the inclusion of condition 2 of 11.5.32. There is the potential in the future for there to be sufficient available resource that a replacement of a take can have an increased rate, and therefore this condition should not trigger a prohibited activity status.</p>	<p>Amend to exclude condition 2, or change the activity status of the rule to non-complying.</p>
4-21	<p>Rule 11.5.43 Within the Selwyn Waihora catchment Regional Rule 5.163 shall include the following additional condition:</p> <p>1. Where the activity involves the removal of existing vegetation by or on behalf of a local authority within the Cultural Landscape/Values Management Area the activity is undertaken in accordance with a Drainage Management Plan.</p>	Oppose	<p>The City does not undertaken maintenance on the Halswell catchment. But may undertaken works as part of a particular project. It is assumed that this rule relates to maintenance of the drainage function of waterways hence the proposed amendment to clarify.</p>	<p>Amend to;</p> <p>11.5.43 Within the Selwyn Waihora catchment Regional Rule 5.163 shall include the following additional condition:</p> <p>1. Where the <u>maintenance</u> activity involves the removal of existing vegetation by or on behalf of a local authority within the Cultural Landscape/Values Management Area the activity is undertaken in accordance with a Drainage Management Plan.</p> <p>or similar</p>
4-21	<p>Rule 11.5.44 Within the Selwyn Waihora catchment the taking and use of water from a river and the disturbance of the bed of a river to remove fine sediment less than 2 mm in diameter for the sole purpose of habitat restoration is a restricted discretionary activity provided the following conditions are met:</p> <p>1. A management plan has been prepared and submitted to the Canterbury Regional Council that includes the location and method of sediment removal and disposal, an inventory of sensitive ecological habitats and species, and an assessment of the environmental risks and how adverse effects will be avoided or mitigated; and</p> <p>2. The activity does not occur when the river is at or below the minimum flow in Table 11(c); or</p> <p>3. Any abstracted water is returned to the river not more than 250 m from the point of take following removal of fine sediment; and</p> <p>4. The maximum instantaneous rate of water abstraction shall not exceed 50% of the flow in the stream at the site being remediated; and</p>	Oppose	<p>The City supports the rules but seeks amendment to ensure, erosion control, sediment management and impacts to downstream environments are included in any assessment.</p>	<p>Amend to;</p> <p>11.5.44 Within the Selwyn Waihora catchment the taking and use of water from a river and the disturbance of the bed of a river to remove fine sediment less than 2 mm in diameter for the sole purpose of habitat restoration is a restricted discretionary activity provided the following conditions are met:</p> <p>1. A management plan has been prepared and submitted to the Canterbury Regional Council that includes the location and method of sediment removal, <u>management</u> and disposal, <u>erosion control methodology</u>, an inventory of sensitive ecological habitats and species, and an assessment of the environmental risks <u>including effects downstream</u>, and how adverse effects will be avoided or mitigated; and</p> <p>2. The activity does not occur when the river is at or below the minimum flow in Table 11(c); or</p> <p>3. Any abstracted water is returned to the river not more than 250 m from the point of take following removal of fine sediment; and</p> <p>4. The maximum instantaneous rate of water abstraction shall not exceed 50% of the flow in the stream at the site being remediated; and</p> <p>5. The activity does not take place on a site listed as</p>

	<p>5. The activity does not take place on a site listed as an archaeological site on the New Zealand Archaeological Association Site Recording Scheme website; and</p> <p>6. The activity is not undertaken within a Group or Community Drinking Water Protection Zone as listed in Schedule 1; and</p> <p>7. The activity is undertaken more than 50 m from any lawfully established surface water intake.</p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> 1. The location, method and timing of sediment removal with respect to the life stage and habitat of sensitive ecological communities including fish and invertebrates; and 2. The adverse effects of the activity on downstream water quality, flows and significant habitats of indigenous fauna and flora; and 3. The effect of the activity on reliability for any authorised surface water take; and 4. The volume and rate at which water is abstracted and returned to the river; and 5. The adverse effects of the activity on sites used for freshwater bathing in Schedule 6; and 6. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area; and 7. The benefits of the activity to the applicant, community and the environment. 			<p>an archaeological site on the New Zealand Archaeological Association Site Recording Scheme website; and</p> <p>6. The activity is not undertaken within a Group or Community Drinking Water Protection Zone as listed in Schedule 1; and</p> <p>7. The activity is undertaken more than 50 m from any lawfully established surface water intake.</p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> 1. The location, method and timing of sediment removal with respect to the life stage and habitat of sensitive ecological communities including fish and invertebrates; and 2. The adverse effects of the activity on downstream water quality, flows and significant habitats of indigenous fauna and flora; and 3. The effect of the activity on reliability for any authorised surface water take; and 4. The volume and rate at which water is abstracted and returned to the river; and 5. The adverse effects of the activity on sites used for freshwater bathing in Schedule 6; and 6. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area; and 7. The benefits of the activity to the applicant, community and the environment. <p>or similar</p>
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