

4

EC - CHCH	
FILE REF:	
DOCUMENT NO:	122818
	28 SEP 2010
	V. Smith
ACTIO	INFO

4

Form 5

Submission on a publicly notified proposal for policy statement or plan
 Clause 6 of First Schedule, Resource Management Act 1991

PROPOSED PAREORA CATCHMENT ENVIRONMENTAL FLOW AND WATER ALLOCATION REGIONAL PLAN

To: Canterbury Regional Council

Name of Submitter: Canterbury Regional Council

This is a submission on the following proposed plan (the proposal):

Proposed Pareora Catchment Environmental Flow and Water Allocation Regional Plan

Submission 1

The specific provisions of the proposal that my submission relates to are: Part 3 (The Natural and Physical Resources of the Pareora River Catchment) and Part 7 (Rules).

The Canterbury Regional Council's submission is: The Pareora Plan does not emphasise the importance of the existing flood protection works in the lower reaches of the Pareora River, nor does it provide for the Canterbury Regional Council's River Engineering section to divert water away from flood protection infrastructure.

The Canterbury Regional Council seeks the following decision from the local authority:

① In Part 3 of the Pareora Plan, page 6, add the following sentence to the second paragraph of the section headed "Water resources" as follows:

"The margins of the mainstem of the Pareora River in the Upper and Lower Catchments are quite distinct. The Pareora River in the Upper Catchment retains much of its natural character. In contrast, the river from the huts to the coast has seen a significant amount of human modification in the form of flood protection works, including stop banks and willow planting. The flood protection works within the lower section of the Pareora River are maintained by the Canterbury Regional Council's River Engineering section, who currently carry out their functions under the Soil Conservation and Rivers Control Act 1941 and the Land Drainage Act 1908."

In Part 3 of the Pareora Plan, page 9, add the following two paragraphs below the existing paragraph of the section headed "Population and Communities" as follows:

"The main settlement within the Pareora River Catchment is the township of Pareora, which lies approximately 10 km south of Timaru City. The population of Pareora at the time of the 2006 census was 450 people. The Pareora freezing works, which commenced operation in 1904 and continues to operate to this day, is the largest single employer within the catchment. Other smaller settlements within the catchment include Springbrook, Southburn and Cannington.

"The lower reaches of the Pareora River are bordered by flood protection works, in the form of stop banks and willow trees. As well as providing flood protection to the Pareora township, the flood protection works are a vital flood defence for other high-value assets on the flood plain, including houses and farms, roads, power and telephone lines, and water supply intakes.

The maintenance of the Pareora River's flood protection infrastructure is carried out by the Canterbury Regional Council's River Engineering section. The River Engineering section also



carry out works in order to control vegetation and shingle movement, which would otherwise reduce the capacity of the river channel, and divert active channels of the river away from new planting works or eroding sections of river bank. These works include spraying, dozing, cutting exotic vegetation in the fairway, and direction and control of the commercial extraction of shingle."

In Part 7 of the Pareora Plan, page 22, amend Clause (d) of Rule 1.1 as follows:

Rule 1.1 **The diverting of surface water for the purpose of maintaining, repairing replacing existing infrastructure, provided all of the following conditions are complied with:**

Conditions:

- (a) The water is not diverted out of the riverbed;
- (b) Surface water flow remains continuous;
- (c) The surface flow is not diverted away from the intake of any other lawfully established water take;
- (d) The diversion occurs for no more than 15 days; unless the activity is carried out by the Canterbury Regional Council's Regional Engineer, or under the supervision or instruction thereof; and
- (e) The diversion does not result in a decrease in water quality or quantity.

Submission 2

The specific provision of the proposal that my submission relates to is: Part 7 (Rules).

The Canterbury Regional Council's submission is:

The "Note" below Rule 1.1 in the Pareora Plan was intended to reflect the wording of Section 14 of the RMA, but the note as drafted fails to do so.

The Canterbury Regional Council seeks the following decision from the local authority:

In Part 7 of the Pareora Plan, page 22, amend the "Note" below Rule 1.1 as follows:

Note

As the Pareora River Catchment is fully allocated, this Plan does not provide for any permitted takes, only diversions as specified under Rule 1.1. Any individual is ~~entitled to~~ not prohibited from taking water for their reasonable domestic needs, or for the reasonable needs of animals for drinking water, under Section 14(3)(b) of the RMA, provided the taking or use does not, or is not likely to, have an adverse effect on the environment. Individuals are also ~~entitled to~~ not prohibited from taking water for fire-fighting purposes under Section 14(3)(e) of the RMA.

Submission 3

The specific provision of the proposal that my submission relates to is: Table 1.

The Canterbury Regional Council's submission is: A "Note" similar to that relating to the "Minimum flow for B Permits" in Table 1 (Column 6, Row 2) of the Pareora Plan, was intended to be included as a note in the column headed "Minimum flow for takes to storage from the A Permit Allocation Block" (Column 4, Row 2), but was inadvertently omitted. The

intention is to make it clear in each case that only the portion of the relevant block available above the given minimum flow may be abstracted.

The Canterbury Regional Council seeks the following decision from the local authority:

In Table 1 of the Pareora Plan, page 26, add a "Note" (similar to the one in the cell located in Column 6, Row 2) to the cell located in Column 4, Row 2, as follows (only part of Table 1 has been reproduced below):

Minimum flow for takes to storage from the A Permit Allocation Block	Allocation limit for A Permits (litres/sec)	Minimum flow for B Permits (litres/sec)
1600L/s <u>Note: Only that portion of the A Block available above the A Permit minimum flow for takes to storage may be abstracted.</u>	30% of seven-day mean annual low flow allocation limit = 198L/s (see Policy 1.8)	5000L/s <u>Note: Only that portion of the B Block available above the B Permit minimum flow may be abstracted.</u>

Submission 4

The specific provision of the proposal that my submission relates to is: Part 8 (Definitions).

The Canterbury Regional Council's submission is: Where a term defined in Part 8 of the Pareora Plan is also defined in the Proposed Canterbury Natural Resources Regional Plan, the intention was to ensure the definitions were the same. However some of the terms defined in the Proposed Canterbury Natural Resources Regional Plan have been amended by decisions of the Council.

The Canterbury Regional Council seeks the following decision from the local authority: Amend the definitions of terms in the Pareora Plan, which are also defined in the Proposed Canterbury Natural Resources Regional Plan, to be consistent with the definitions as decided in the Canterbury Natural Resources Regional Plan (October 2010), and any other consequential amendments necessary.

Submission 5

The specific provision of the proposal that my submission relates to is: Schedule 1.

The Canterbury Regional Council's submission is: Schedule 1 of the Pareora Plan was intended to be a direct reflection of Schedule WQN7 of the Proposed Canterbury Natural Resources Regional Plan. However Schedule WQN7 of the Proposed Canterbury Natural Resources Regional Plan has been amended by decisions of the Council.

The Canterbury Regional Council seeks the following decision from the local authority: Amend Schedule 1 of the Pareora Plan to be consistent with Schedule WQN7 as decided in the Canterbury Natural Resources Regional Plan (October 2010), and any other consequential amendments necessary.

Or alternatively, delete Schedule 1 (including all references to it within the Pareora Plan) and

replace these with references to Schedule WQN7 of the Canterbury Natural Resources Regional Plan as decided.

Submission 6

The specific provision of the proposal that my submission relates to is: Schedule 2.

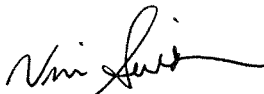
The Canterbury Regional Council's submission is: Schedule 2 of the Pareora Plan was intended to be a direct reflection of Schedule WQN9 of the Proposed Canterbury Natural Resources Regional Plan. However Schedule WQN9 of the Proposed Canterbury Natural Resources Regional Plan has been amended by decisions of the Council.

The Canterbury Regional Council seeks the following decision from the local authority: Amend Schedule 2 of the Pareora Plan to be consistent with Schedule WQN9 as decided in the Canterbury Natural Resources Regional Plan (October 2010), and any other consequential amendments necessary.

Or alternatively, delete Schedule 2 (including all references to it within the Pareora Plan) and replace these with references to Schedule WQN9 of the Canterbury Natural Resources Regional Plan as decided.

The Canterbury Regional Council does wish to be heard in support of this submission.

If others make a similar submission, the Canterbury Regional Council will consider presenting a joint case with them at a hearing.



Vin Smith
Regional Planning Manager

Date: 28 September 2010

Address for service of submitter:

Canterbury Regional Council
58 Kilmore Street
P O Box 345
Christchurch 8140

Telephone: (03) 363 9391
Fax: (03) 365 3828
Email: daniel.hamilton@ecan.govt.nz
Contact Person: Daniel Hamilton – Resource Management Planner