

From: [Mick & Pam](#)
To: [Mailroom Mailbox](#)
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Submission on Proposed Variation 3 (South Coastal Canterbury Streams) to the Proposed Canterbury Land and Water Regional Plan

Sent to: mailroom@ecan.govt.nz

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Trade competition – I could not gain an advantage in trade competition through this submission
 I do not wish to be heard in support of my submission

Signature:

Michael Laming _____ Date: 25/05/2015

The specific provision:	My submission is that (include whether you support or oppose the specific provision or wish to have them amended and the reasons for your view.)	I seek the following decisions from Environment Canterbury.
15A Introduction	<p>Neutral – request the below addition</p> <p>It should be noted that land drainage is of great value to maintain the land as productive farm land.</p> <p>The Waihao Box should be mentioned as a unique feature in this catchment, as a valuable asset to the community and its success at providing land drainage.</p>	That these two points are included in the introduction
Policy 15.4.16	<p>Support</p> <p>clause (e) (paraphrased)- <i>improve water quality in Wainono Lagoon... “provided adverse effects on people and property from raised groundwater levels and land inundation are avoided.”</i></p> <p>It is very important that no farmland is lost from a lack of land drainage or flooding.</p>	That this clause remains in the Policy
Throughout	<p>Neutral</p> <p>The term waterway is used in Policy – this is not defined in LWRP or RMA. Using terms that are not defined can cause confusion and uncertainty.</p>	That a defined term is used
Policy 15.4.35	<p>Oppose – reword required</p> <p>‘Consent duration’ This policy is contrary to the South Canterbury Gravel Agreement and CRC Gravel Management Strategy which set a maximum duration on 12 months for river based gravel excavation</p>	That Policy 15.4.35 is clarified to state that the recommended durations only apply to farming activities and water

	<p>consents.</p> <p>The current Policy is very general without specifying to which consents it should be applied.</p> <p>Land use consents in the beds of lakes and river (S13 RMA) should be excluded from this policy to ensure it is not contrary to the Gravel Agreement.</p>	permits but <u>does not</u> apply to works in the bed of rivers.
Rules general	<p>Neutral</p> <p>Referencing the Flood Protection and Drainage Bylaw</p> <p>It is important that users of the Regional Plan are made aware of all CRC permission requirements. The Flood Protection and Drainage Bylaw protects the assets managed by the Rating District and CRC River Engineers and should be referenced under the relevant sections of the plan. This is currently only referenced under rules on "Stock exclusion" but not "Wainono Restoration Project" and "Habitat Restoration Works" sections.</p> <p>Reference wording from the LWRP: <i>"For all activities in or near waterway, refer also to requirements and restrictions under the Canterbury Regional Council Flood Protection and Drainage Bylaw 2013."</i></p>	The Flood Protection and Drainage Bylaw should be repeated under "Wainono Restoration Project" and "Habitat Restoration Works" or once at the beginning of the rule section as it is relevant to all of these areas.
Rule 15.5.20 Suggested additions / suggested deletions	<p>Oppose – amendments sought</p> <p>This rule permits disturbance, planting and plant removal in rivers and drains subject to meeting a number of conditions. This rule does not refer to the Flood Protection and Drainage Bylaw, nor does it adequately protect the rivers and drains managed by the Rating District and CRC River Engineers. To ensure these are adequately protected, and consistency between CRC plans we are for the following amendments:</p> <p><i>Suggested amendment:</i></p> <p>15.5.20 The use of land in the riparian margin and the disturbance of the bed and banks of a river for the purposes of planting or removal of vegetation and any associated discharge of sediment, the take and use of water for the purposes of removing fine sediment less than 2mm in diameter and any consequential discharge of that water, carried out for the purposes of the Wainono Restoration Project, is a permitted activity provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is undertaken at a distance greater than 10m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150m from any water level recorder, or 50m from any defence against water, <u>or within a drainage scheme network</u> flood protection works; or closer where <u>unless</u> there is written 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 2. Any discharge is only of sediment, organic material and water from the bed, banks or riparian margin of a waterway; and 3. The concentration of total suspended solids in the discharge does not exceed 100 grams per cubic metre; and 4. Each area of disturbed land is stabilised within 10 days of completion of the disturbance; and 5. 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 6. No vegetation used for flood control or bank stabilisation is disturbed, removed, damaged or destroyed except by or on behalf of, <u>or there is written evidence that permission has been obtained from,</u> the person or agency responsible for maintaining that vegetation for flood control purposes. 	That the amendments suggested are incorporated.
Rule 15.5.21 and	Both rules are restricted discretionary activities for planting, plant removal and fine sediment removal for habitat	That the amendments suggested are

<p>Rule 15.5.22</p>	<p>restoration. These rules need additional matters of discretion added to ensure the consent decision maker can consider these effects (same two matters on both rules). Currently a decision maker cannot consider the potential adverse effects that concern the Rating District and River Engineers. It is important that the Rating Districts assets are protected and that the consent and bylaw processes are complementary.</p> <p><i>Suggested amendments:</i></p> <p>15.5.21 The use of land in the riparian margin and the disturbance of the bed and banks of a river for the purposes of planting or removal of vegetation and any associated discharge of sediment, the take and use of water for the purposes of removing fine sediment less than 2mm in diameter and any consequential discharge of that water, carried out for the purposes of the Wainono Restoration Project that does not meet one or more of the conditions of Rule 15.5.20 is a restricted discretionary activity.</p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> 1. Adverse effects on cultural values and sites of importance to Ngāi Tahu; and 2. Adverse effects on the availability and quality of community drinking water supplies; and 3. Adverse effects on fish passage; and 4. Adverse effects on areas of significant biodiversity and habitats of indigenous biodiversity; and 5. The potential benefits of the activity to the community and the environment; and 6. Adverse effects on structures; and 7. Adverse effects on water quality and ecosystems. <p><u>8. Adverse effects on bank stability, erosion and capacity</u></p> <p><u>9. Adverse effects on people and property due to flooding and/or reduced drainage and drainage scheme network maintenance.</u></p> <p>15.5.22 The take and use of water from a river and the disturbance of the bed of the river to remove fine sediment less than 2mm in diameter for the sole purpose of habitat restoration and the consequential discharge of water and contaminants is a restricted discretionary activity provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The application for resource consent includes a management plan that describes: <ol style="list-style-type: none"> (a) the location and methods of sediment removal, and the management and disposal of that material; and (b) the methods for avoiding or mitigating erosion and sediment loss; and (c) the location of any sensitive ecological habitats and species, and the methods proposed to avoid or mitigate any adverse effects; and 2. Any abstracted water is discharged to the river no more than 250m from the point of take; and 3. The maximum instantaneous rate of water abstraction does not exceed 50% of the flow in the stream at the site being remediated; and 4. The activity does not take place on land that is listed as an archaeological site; and 5. The activity is not undertaken within a Community Drinking Water Protection Zone as defined in Schedule 1; and 6. The activity is undertaken at a distance greater than 50m from any lawfully established surface water intake. <p><i>The exercise of discretion is restricted to the following matters:</i></p>	<p>incorporated.</p>
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| <ol style="list-style-type: none">1. The content and adequacy of the management plan in ensuring environmental effects will be minimised; and2. The location, method and timing of sediment removal with respect to the life stage and habitat of sensitive ecological communities including fish and invertebrates; and3. The adverse effects of the activity on downstream water quality, flows and significant habitats of indigenous fauna and flora; and4. The effect of the activity on reliability for any authorised surface water take; and5. The volume and rate at which water is abstracted and returned to the river; and6. The minimum flow in the river at the time the activity is carried out; and7. The adverse effects of the activities on sites used for freshwater bathing described in Schedule 6; and8. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga; and9. The benefits of the activity to the community and the environment.<u>10. Adverse effects on bank stability, erosion and capacity</u><u>11. Adverse effects on people and property due to flooding and/or reduced drainage and drainage scheme network maintenance.</u> | |
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