

19 July 2019

MEMORANDUM

File Reference:

SUBJECT: Corrections of minor errors in proposed Plan Change 7 to the Canterbury Land and Water Regional Plan.

At a Council meeting on 11 July 2019, the Canterbury Regional Council passed resolutions approving public notification of proposed Plan Change 7 to the Canterbury Land & Water Regional Plan (LWRP) and Plan Change 2 to the Waimakariri River Regional Plan (WRRP) on 20 July 2019.

Following that meeting staff have identified minor errors in the version of proposed Plan Change 7 to the Canterbury Land and Water Regional Plan approved at the Council meeting on 11 July 2019. A list of errors, and corrections to address those errors is set out in Tables 1, 2 and 3 below. These corrections are reflected in Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan as publicly notified on 20 July 2019.

Deletions are shown in ~~strike through~~ and insertions in underline.

Table 1 – Corrections to Part A of Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Provision / Location	Correction	Reason for correction
Policy 4.100	<p>Clause b of Policy 4.100 has been corrected as follows</p> <p>b. if the applicant holds an existing water permit that authorises the take and use of surface water for irrigation and proposes to use a <u>portion</u> of that water for managed aquifer recharge, require that there is no net increase in the total rate of take or volume of water compared with that authorised under the existing permit.</p>	<p>The word ‘portion’ was incorrectly omitted from Policy 4.100. An amendment has been made to clarify the policy intent.</p>
Rule 11.5.42	<p>Rule 11.5.42 and matters of discretion 1 and 5 have been corrected as follows:</p> <p>The discharge of water into <u>surface</u> water or onto or into land <u>in</u> circumstances where it may enter</p>	<p>Rules 11.5.42 and 11.5.43 address the augmentation of groundwater and surface water.</p> <p>PC7 to the LWRP proposes to insert a new region-wide framework to address activities</p>

Provision / Location	Correction	Reason for correction
	<p><u>surface water</u> for the purpose of augmenting groundwater or surface water to increase stream flows within the Selwyn Te Waihora sub-region is a restricted discretionary activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. ... 5. ... <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 the discharge to groundwater or surface water; and 2. ... 3. ... 4. ... 5. Any adverse effects on water quality in the receiving aquifer or river, significant habitats of indigenous flora and fauna; and 6. ... 7. ... 8. ... 	<p>relating to managed aquifer recharge. Corrections to Rules 11.5.42 and 11.5.43 have been made to restrict the scope of these rules to surface water recharge activities.</p>
Rule 11.5.43	<p>The discharge of water into <u>surface water</u> or onto or into land <u>in circumstances where it may enter surface water</u> for the purpose of augmenting groundwater or surface water to increase stream flows within the Selwyn Te Waihora sub-region is a restricted discretionary activity, provided the following conditions are met:</p>	
Section 12 Central Canterbury Alpine Rivers	<p>A corrected map showing the extent of the 'Alpine Rivers' sub-region boundary has been inserted into Section 12 of the LWRP.</p>	<p>Part B of PC7 proposes amendments to the boundary of the Orari-Temuka-Opihi-Pareora sub-region which borders the Rangitata River. An amendment to the proposed replacement map has been inserted into Section 12</p>

Provision / Location	Correction	Reason for correction
		of the LWRP to show the corrected boundary for the Rangitata River
Rule 13.5.36	<p>Rule 13.5.36 and matters of discretion 1 and 5 have been corrected as follows:</p> <p>The discharge of water into <u>surface</u> water, or onto land in circumstances where it may enter <u>surface</u> water (where that water contains contaminants), that is for the purpose of augmenting groundwater or surface water within the Hinds/Hekeao Plains Area, is a restricted discretionary activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. ... 2. ... 3. ... 4. ... 5. ... <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 the discharge to groundwater or surface water; and 2. ... 3. ... 4. ... 5. Any adverse effects on water quality in the receiving aquifer or river or significant habitats of indigenous flora and fauna; and 6. ... 7. ... 8. ... 	<p>Rules 13.5.36 and 13.5.37 address the augmentation of groundwater and surface water.</p> <p>PC7 to the LWRP proposes to insert a new region-wide framework to address activities relating to managed aquifer recharge. Corrections to Rules 13.5.36 and 13.5.37 have been made to restrict the scope of these rules to surface water recharge activities.</p>
Rule 13.5.37	<p>The discharge of water into <u>surface</u> water, or onto land in circumstances where that may enter surface water (where that water contains contaminants), that is for the purpose of augmenting groundwater or surface water in the Hinds/Hekeao Plains Area, that does not meet one or more of the</p>	

Provision / Location	Correction	Reason for correction
	conditions of Rule 13.5.36 is a discretionary activity.	

Table 2 – Corrections to Part B of Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Provision / Location	Correction	Reason for correction
Policy 14.4.13	Amend clause b as follows: b. requiring in over-allocated surface water catchments and groundwater allocation zones and except where the water is to be used for community supply or stock drinking water, that a portion of water to be transferred is surrendered that is proportionate to the status of over-allocation in the catchment, up to a maximum of 75%; and...	Correction of a typographical error.
14.5 Rules Explanatory text below heading	The following rules apply in the Orari-Temuka-Opihi-Pareora sub-region, in addition to those set out in Section 5 of this Plan. This section of the Plan contains rules which apply throughout the Orari-Temuka-Opihi-Pareora sub-region, and rules that are specific to a Freshwater Management Unit. Where a rule covers the same subject matter, the rule that is specific to the Freshwater Management Unit takes precedence over any rule in Section 5 of this Plan or any other rule in the Orari-Temuka-Opihi-Pareora sub-region part of Section 14.	Correction of a typographical error

Table 3 – Corrections to Part C of Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Provision / Location	Correction	Reason for correction
Planning Maps Series Sheet A - Map Units	Nitrate Priority Sub-areas A, B, C, D, E have been added onto the printed version of the Proposed PC7 Planning Maps	The Nitrate Priority Sub-areas were inadvertently omitted from the printed version of the PC7 Planning Maps. A correction has been made to reinstate these layers back onto the printed version of the Planning Maps. This amendments aligns the planning maps with the provisions in the plan change.

Provision / Location	Correction	Reason for correction
Policy 8.4.15	<p>The first phrase in clause (a) of Policy 8.4.15 has been relocated to the first part of the policy as shown below:</p> <p>Over-allocation of surface water bodies is reduced and river flows improved by establishing allocation limits for the take and use of deep groundwater in Table 8-4, and by <u>only allowing applications to be made to take and use water from the allocation limit where</u>:</p> <ul style="list-style-type: none"> a. only allowing applications to be made to take and use water from the allocation limit where the surface water body is over-allocated and the proposed take will replace an existing surface water take or stream depleting groundwater take with a direct, high or moderate stream depletion effect; <u>and</u> b. the volume of water sought from deep groundwater is for an equal or lesser volume than the existing permit; and c. the existing permit is surrendered. 	<p>Policy 8.4.15 sets out the circumstances under which applications may be made to take deep groundwater in over-allocated zones. The policy includes four parts, the first part of the policy sets out the circumstances under which an application may be made, while clauses a. b. and c set out the criteria that must be satisfied for an application to be granted.</p> <p>The correction distinguishes the circumstances in the policy from the criteria that must be met. In addition, the addition of the word 'and' between clauses a. and b. clarifies that all criteria must be met for the policy requirements to be satisfied.</p>
Policy 8.4.34	<p>A correction to Policy 8.4.34 has been made as follows:</p> <p>The high ecological values associated with rivers and wetlands in the upper Ashley River/Rakahuri catchment, including Lees Valley, are recognised and provided for by:</p> <ul style="list-style-type: none"> a. further reducing, relative to the region-wide permitted activity rules, the area of land used for winter grazing of cattle as a permitted activity; and b. extending the region-wide provisions for stock exclusion to include drains, artificial waterbodies <u>watercourses</u> and springs (waipuna). 	<p>The amendment corrects a drafting error in which the phrase "artificial waterbodies" was used instead of the term "artificial watercourses". "Artificial waterbodies" is not a defined term whereas "artificial watercourses" is defined in Section 2 of the LWRP.</p> <p>The corrected phrase is also consistent with the intent and language used in ZIPA Recommendations 1.15 and 1.16 (p21).</p>
Rule 8.5.36	A correction to Rule 8.5.36 has been made as follows:	Corrections to typographical errors are required.

Provision / Location	Correction	Reason for correction
	<p>The disturbance of the bed and banks of a river and any associated deposition of excavated bed material, on, under or over the bed of any river for the purpose of maintaining or enhancing <u>enhancing</u> indigenous vegetation, habitats of indigenous fauna, or habitats of trout or salmon that does not meet one or more conditions of Rule 8.5.35 is a restricted discretionary activity...</p>	
Rule 8.5.37	<p>A correction to Rule 8.5.37 has been made as follows:</p> <p>The use, erection, reconstruction, placement, alteration, extension, removal, or demolition of a mai mai, or a structure or part of any structure which is for public pedestrian use, monitoring of eel populations by an Eel Management Committee, the monitoring of trout populations or the harvesting of trout or salmon ova by the North Canterbury Fish and Game Council, and any associated <u>associated</u> disturbance of the bed necessary to carry out the activity is a permitted activity, provided the following conditions are met:</p>	Correction of a typographical error
Rule 8.5.38	<p>A correction to Rule 8.5.38 has been made as follows:</p> <p>The use, erection, reconstruction, placement, alteration, extension, removal, or demolition of a mai mai, or a structure or part of any structure which is for public pedestrian use, monitoring of eel populations by an Eel Management Committee, the monitoring of trout populations or the harvesting of trout or salmon ova by the North Canterbury Fish and Game Council, and any associated <u>associated</u> disturbance of the bed necessary to carry out the activity that does not meet one or more of the conditions of Rule 8.5.37 is a restricted discretionary activity:</p>	Correction of a typographical error

Provision / Location	Correction	Reason for correction
Table 8-1 - minimum for Little Ashley Creek	<p>The minimum flow for Little Ashley Creek in column headed "Minimum flow for A permits (L/s) from 20 July 2025" has been corrected as follows:</p> <p>400 <u>50</u></p>	<p>A correction to Table 8-1 is required to correctly show the allocation limit for the Little Ashley River. The correction reflects the minimum flow set out in the Waimakariri Zone Committee's Zone Implementation Programme Addendum (ZIPA) (see Table 4.5 p54 of the ZIPA).</p>
Notes below Table 8-9	<p>Notes 2 and 3 below Table 8-9 have been corrected as follows:</p> <p>2. For the purposes of applying the nitrogen reductions in Table 8-9, 'Dairy' farming does not include 'Dairy Support' activities. 'Dairy Support' is classified under 'All other' farming activities.</p> <p>3. The percentage reductions required by Table 8-9 are only to be applied to farming activities that require resource consent for farming land use and where the required reduction for each stage is greater than 3 kg nitrogen per hectare for dairy, and 1 kg per hectare for all other farming activities</p>	<p>The correction is necessary to clarify these notes address different matters.</p>

Andrew Parrish, Regional Planning Manager

Signature:



Date:

19 July 2019