Plan Change 7 to the Land and Water Regional Plan &
Plan Change 2 to the Waimakariri River Regional Plan

Presentation on the plan changes and the plan change process
Outline

• What are Plan Change 7 and Plan Change 2
• What is the plan change process?
• PC7 Part A – Omnibus
• PC7 Part B – Orari-Temuka-Opihi-Pareora
• PC7 Part C – Waimakariri
• Where to find more information
Plan Change 7 to CLWRP

• Part A – (Omnibus) changes region-wide provisions and some sub-region sections of the Plan
• Part B – changes Section 14 (Orari-Temuka-Opihi-Pareora) to give effect to ZC recommendations
• Part C – changes Section 8 (Waimakariri) to give effect to ZC recommendations
• Changes to Planning Maps
Plan Change 2 to WRRP

• First step to bring all policies and rules relating to Waimakariri sub-region into the CLWRP
• “Takes out” area defined in Section 8 from WRRP
• WRRP rules continue to apply to Waimakariri main stem, upper catchment and tributaries to south of main stem e.g. Styx River
• Amendments to WRRP planning maps
Area to be “taken out” of WRRP
Plan Change Process

Up until July 2019
Engagement process, supported by technical information and plan drafting.

20 July 2019
Notification

20 July - 13 September
Submissions

November to December 2019
Summary of Decisions Requested published and Further Submissions

January to March
Prepare officer’s report

March 2020
S42A report available

2nd Quarter 2020 (TBC)
Plan Change Hearing
Public Notification

- Plan Change 7 to the CLWRP, Plan Change 2 to the WRRP and s32 report notified on 20 July 2019

- FAQs, technical and science reports are available on ECan website

- Copies may be accessed online at public libraries

- CD containing a copy of PC7 is available free of charge.

- Above information can be accessed at ecan.govt.nz/lwrppc7 and ecan.govt.nz/wrrppc2
Submissions

• Submissions close 5pm on 13 September 2019 (40 working days)
• Submissions can be made by sending a written or electronic submission to Environment Canterbury:
  – via electronic planning tool (ePlan);
  – by email to mailroom@ecan.govt.nz or
  – by post to PO Box 345, Christchurch, 8140.
Submissions

• MfE guidelines on making a submission

• Submissions must be in accordance with Form 5 of the Resource Management (Forms, Fees and Procedure) Regulations 2003

• Must state whether or not you wish to be heard

• Form available from ECan
Process for public participation

• After submissions closed:
  – summary of decisions requested by submitters
  – Environment Canterbury gives public notice of the availability of the summary
  – Opportunity to make further submission in support of, or in opposition to the submissions already made
Process for public participation

• If a person making a submission asks to be heard in support of their submission, a hearing must be held.
• Environment Canterbury will appoint an independent panel of Commissioners to hear submissions and evidence and make recommendations to the Council
• Hearing dates and process will be advised once panel has been appointed.
Evidence and hearing

• A public hearing will be held in 2020
• An officer’s report will describe the submissions on PC7 and PC2 and will recommend change to the plan change in response to submissions
• Submitters will be able to present evidence in support of their submissions.
Decision on Plan Change 7 and Plan Change 2

• Environment Canterbury must give its decisions on the provisions and the matters raised in submissions within 2 years of notifying the plan change.

• Any person who has made a submission has the right to appeal the decision on points of law to the High Court (ECan Act 2016)
PLAN CHANGE 7 PART A
OMNIBUS
Habitats of Indigenous Freshwater Species

Prevent incremental loss of habitats of indigenous freshwater species:

• provide for fish passage and prevent fish stranding when installing new or modifying existing structures
• map and protect habitats of 11 threatened indigenous fish & invertebrates
• restrict activities that may cause damage or loss of habitats, e.g. river diversions and sediment discharges
Ngāi Tahu Outcomes

Improve recognition of Ngāi Tahu values and sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga:

• Change 23 rules so we can consider how Ngāi Tahu values might be affected by new proposals for resource consent
• Recognise the importance of waipuna (springs) to Ngāi Tahu by requiring these waterbodies to be mapped in farm management plans
Freshwater sites

Schedule 17 – Salmon Spawning Sites
• Canterbury’s chinook and sockeye salmon fishery is highly valued both regionally and nationally
• 31 new salmon spawning sites added to the existing 32 sites

Schedule 6 – Freshwater Bathing Areas
• Protect water quality of areas on rivers and lakes commonly used for freshwater bathing by way of stock exclusion
• 64 new bathing sites added to the existing 28 sites
Managed aquifer recharge

• All MAR systems require a resource consent
• Application must describe the benefits (e.g. reduced contaminant concentrations or improved flows in hydraulically connected surface waterbodies)
• If the take is from an over-allocated catchment, the application must demonstrate that the environmental benefits will outweigh any adverse effects on the waterbody
Commercial vegetable growing

Commercial vegetable growers rotate crops to avoid crop disease, and require new land (purchase or lease) with a high enough nitrogen loss rate for the operation

- permitted activity if a property's growing area is ≤0.5 ha
- area-based limit (2009-2013) means growers can rotate crops to a new location within a NAZ/sub-region
- existing operations wishing to expand land area and new growers need to comply with nitrogen limit on that land
Hinds Drains Working Party recommendations

• Improve water quality in larger Hinds Drains by stock exclusion

• Improve flow in waterways by providing more options to switch to deeper groundwater

• Set flow and allocation limits for 3 Hinds Drains in Eiffelton Irrigation Scheme.

• 5 year time extension for setting flow and allocation limits for other Hinds Drains
National direction

National Environmental Standard for Plantation Forestry
Changes to simplify the planning framework for plantation foresters while making sure we still have more stringent rules where necessary to achieve Canterbury’s freshwater outcomes

National Policy Statement for Freshwater Management
Changes to surface water quality outcomes and limits for Canterbury rivers and lakes to better align with NPSFM, e.g. adding E.Coli and freshwater mahinga kai.
PLAN CHANGE 7 PART B
ORARI-TEMUKA-OPIHI-PAREORA
OTOP - Key Topics

- Cultural outcomes
- Nutrient management
- Minimum flows and allocation
- Stock exclusion
- Consents
Culturally Significant Sites, Freshwater Mātaitai, Mahinga Kai Enhancement

• Rock Art Management Area
• Mātaitai Protection Zone  
  – Irrigation and winter grazing restrictions
• Cultural Allocation of water for Mahinga Kai enhancement  
  – Temuka Catchment
Managing to Nitrate Limits

• Nitrate limits set for rivers and groundwater
• Policies and rules:
  – restrict any further increase of nutrient discharges across the OTOP zone
  – Require reductions in nitrogen losses in High Nitrogen Concentration Areas
High Nitrogen Concentration Areas
# High Nitrogen Concentration Area-Reductions

**Table 14(zc): High Nitrogen Concentration Area Staged Reductions in Nitrogen Loss for Farming Activities**

<table>
<thead>
<tr>
<th>High Nitrogen Concentration Area (see Planning Maps)</th>
<th>Farming Type</th>
<th>Cumulative percentage reductions in nitrogen loss and dates by which these are to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>By 1 January 2030</td>
</tr>
<tr>
<td>Rangitata - Orton</td>
<td>Dairy</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>All other</td>
<td>5%</td>
</tr>
<tr>
<td>Fairlie Basin</td>
<td>Dairy</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>All other</td>
<td>5%</td>
</tr>
<tr>
<td>Levels Plains</td>
<td>Dairy</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>All other</td>
<td>5%</td>
</tr>
</tbody>
</table>

**Notes:**

1. The starting point for applying each percentage reduction in nitrogen loss in Table 14(zc) is generally the Baseline GMP Loss Rate except as otherwise provided for in Policy 14.4.20

2. For the purposes of applying the nitrogen reductions in 14(zc), 'Dairy' farming does not include 'Dairy Support' activities. 'Dairy Support' is classified under 'All other' farming activities.
High Runoff Risk Phosphorus Zone

For any property greater than 20 hectares within the High Runoff Risk Phosphorus Zone, consent is required if the area used for winter grazing of cattle or deer exceeds 20 hectares.
Stock Exclusion

- Extension of region-wide stock exclusion to include drains, springs and artificial watercourses where these discharge to a surface water body
- Māitaitai Protection Zone - all farmed cattle, deer and pigs to be excluded from all waterbodies (including drains, springs and artificial watercourses)
Water Allocation and Use

• Minimum Flows and Allocation
  – Allocations generally capped at existing levels and, if necessary to meet freshwater outcomes, decreased over time, in stages.
  – Minimum flows in some rivers are increasing over time, in stages
  – Requirement to adopt partial restrictions to avoid the minimum flow from being breached
Water Allocation and Use

• Phasing out of over-allocation
  – In some FMUs, allocations decrease over time in a number of stages
  – Site to site transfers restricted and in some FMUs surrender of water necessary (up to 75%)
  – Offset impacts of reduced allocation, increased minimum flows and partial restrictions:
    • New groundwater transfer (T) block and high flow harvest (C) block for surrender of surface water in Temuka
Water Allocation and Use

• Opihi Alternative Flow Regime
  – Alternative minimum flows based on environmental triggers available for the Opihi River
  – Implemented via resource consent

• Groundwater
  – Where there is space in the Groundwater Zone limit, it is capped at current allocation
  – Where the Groundwater Zone is over-allocated the existing limit in the operative plan has been retained.
Other Provisions

• Freshwater outcomes, limits and targets set
• Annual volumes/rates of take for irrigation permits to be based on actual use
• Stream depletion methodology of LWRP adopted across OTOP sub region
• Enable the taking of water for community water supply
Consents

• Review consents following PC7 becoming operative to align with flow and allocation regimes
• Review of consents in Temuka Catchment in 2035 if allocation limits are not achieved.
• Duration of farming consents limited to 10 years in areas where further reductions in nitrogen loss are required
PLAN CHANGE 7 PART C
WAIMAKARIRI
Waimakariri - Key Topics

- Nutrient management
- Minimum flows and allocation
- Cultural outcomes
- Stock exclusion
- Consents
Managing to Nitrate Limits

- Nitrate limits set for rivers, groundwater and drinking water wells
- In Waimakariri sub-region policies and rules:
  - reduced property size for permitted farming land use from 10 ha to 5 ha
  - reduced permitted activity limits for winter grazing of cattle:
    - 5 ha or less, for properties less than 100ha
    - 5% of the property, for properties between 100-1000 ha; and
    - 50 ha for any property greater than 1000ha.
- Means more audited FEPs (consented activities) and Management Plans (permitted activities)
Managing to Nitrate Limits

• A “Nitrate Priority Area”, policies and rules linked to Planning Maps and a table that:
  – requires all farming activities to make further reductions in nitrogen loss in 10 year stages
  – first stage of reductions to be achieved by 1 January 2030
  – includes a “nitrate floor” exempting low-emitting farming activities from additional stages of reduction
Nitrate Priority Sub-areas
Nitrate Priority Sub-areas

Overview receptors determining maximum number of nitrate load reduction stages per sub area

Plan Change 7 nitrate targets:
- WDC supply wells 5.65 mg/L
- PWSA wells 5.65 mg/L
- Silverstream 6.9 mg/L
- Ohoka Stream 3.8 mg/L
- Cust Main Drain 3.8 mg/L
- Courtenay Stream 3.8 mg/L

Sub Area A:
- Christchurch Aquifer Interzone
- WDC Supply Kaipara
- WDC Supply Poynters Road
- Silverstream at Island Road
- Courtenay Stream
- PWSA North East Eyrewell Deep
- PWSA North West Eyrewell Deep
- PWSA Cust
- PWSA Swanmanoa Shallow

Sub Area B:
- PWSA Clarkville
- WDC Supply Mandeville
- Silverstream at Harpers Road

Sub Area C:
- PWSA Eyreton Shallow
- PWSA Eyreton Deep

Sub Area D:
- PWSA Summerhill

Sub Area E:
- Cust Main Drain
- Ohoka Stream
### Stages of reduction per sub area

<table>
<thead>
<tr>
<th>Nitrate Priority Area Sub-area (see planning maps)</th>
<th>Farming type</th>
<th>Cumulative percentage reductions and dates by which these are to be achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>By 1 January 2030</td>
</tr>
<tr>
<td>Sub-area A</td>
<td>Dairy</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>5%</td>
</tr>
<tr>
<td>Sub-area B</td>
<td>Dairy</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>5%</td>
</tr>
<tr>
<td>Sub-area C</td>
<td>Dairy</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>5%</td>
</tr>
<tr>
<td>Sub-area D</td>
<td>Dairy</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>5%</td>
</tr>
<tr>
<td>Sub-area E</td>
<td>Dairy</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>5%</td>
</tr>
</tbody>
</table>

- Starting point for reductions in nitrogen loss is generally the property’s Baseline GMP Loss Rate
- Reductions only applied to farming activities that require resource consent and only where the reduction required at each stage is greater than 3 kg/ha for Dairy and 1 kg/ha for other farming activities
Minimum Flows and Allocation

• Over allocation is reduced by:
  – Capping current allocation and prohibiting new abstraction
  – Removing B (higher flow) allocations from spring-fed streams
  – Allowing the substitution of surface water and shallow groundwater takes for deep groundwater in over-allocated catchments
  – Additional restrictions on transfers of water permits in over-allocated catchments (50% surrender and can only transfer consents/water used in last 5 years)

• Minimum flows increased over time (on some rivers)
  – Ashley River tributaries in 2025 and 2032
  – Waimakariri River tributaries in 2027

• Partial restrictions on all takes to avoid breaching minimum flow
Mahinga kai, improving stream health and biodiversity

• Water allocation for mahinga kai enhancement from:
  – Ashley River (higher flow allocation blocks)
  – Cam River/Ruatanuiwha
  – Silverstream

• Targeted Stream Augmentation

• Catchment restoration activities
Te Aka Aka/Coastal Protection Zone

- Additional properties within zone undertaking a farming activity need consent and FEP if:
  - Property > 5 ha and
  - It includes or adjoins river or lake and
  - Has any irrigation or winter grazing of cattle

- All activities in zone to avoid discharge of contaminants to surface water, if not possible, apply Best Practicable Option to meet water quality outcomes and limits
Stock Exclusion

- Stock exclusion rules extended in Waimakariri sub-region to include drains, springs and artificial watercourses

- Farmed cattle and deer and pigs excluded from all water bodies on the “plains” (land below 350 m elevation)
Consent Duration and Expiry

• Necessary to align with plan review cycles and respond to new information and changing pressures on freshwater resources

• Common expiry date of 2037 and every 10 years thereafter for all water take, land use and irrigation scheme consents

• Review consents to implement flow and allocation regime by:
  – 2027 for Ashley River and tributaries
  – 2029 for Waimakariri River tributaries
Other provisions

• Numeric Freshwater Outcomes and Limits for Waimakariri Rivers and Lakes

• Amended groundwater allocation zones and limits

• Report every 5 years on investigations, and progress towards outcomes/limits and plan effectiveness to inform next review
  – Including impacts on Waimakariri River and Christchurch aquifers
Where to find more information on PC7 and PC2

- PC7, PC2 and supporting information (including s32 Evaluation Report, FAQs, technical and science reports) are available on ECan website
  
  ecan.govt.nz/lwrppc7 and ecan.govt.nz/wrrppc2

- If the online resources do not have the information you are looking for please contact Environment Canterbury Customer Services

- Formal RMA process – need to ensure a fair process for all parties. All questions and responses will be published on the above websites.