

From: flemingfamily@farmside.co.nz
To: [Mailroom Mailbox](#)
Subject: Plan Change 7 to the LWRP Submission
Date: Friday, 13 September 2019 2:27:22 PM
Attachments: [HDWP submission on PC7 2019-09-06.docx](#)

Hi,
Please find submission on behalf of the Hinds Drains Working Party attached,

Regards Craig Fleming
Chair

SUBMISSION TO ENVIRONMENT CANTERBURY ON PROPOSED PLAN CHANGE 7 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

Form 5

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

To: *Environment Canterbury*

Name of submitter: Hinds Drains Working Party (HDWP)

Contact person: Mr. Craig Fleming
Chair

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This is a submission on the following proposed plan change – Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan.

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

The specific provisions of the proposal that the submission relates to and the decisions we seek from Council are as detailed on the following pages.

SUBMISSION ON PROPOSED PLAN CHANGE 7 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

Overview

HDWP was established in 2014 by the Ashburton Zone Committee to develop recommendations and management plans for the main water bodies of the Lower Hinds Plains. Membership encompasses Ecan, Ashburton Zone Committee, Arowhenua Rūnanga, Forest and Bird, Fish and Game, and Community representatives. The MAR project initiated within this group and is now being managed by the Hinds Hekeao Water Enhancement Trust.

HDWP welcomes the opportunity to provide feedback to Environment Canterbury (ECan) on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan.

Specific feedback on the omnibus plan change section (Sections 2, 4 and 5 of the Canterbury Land and Water Regional Plan (LWRP)), is given below.

HDWP strongly supports the introduction of policies and rules in the LWRP to allow and control the use of Managed Aquifer Recharge as a tool to assist in the mitigation of environmental issues in Canterbury.

While it strongly supports MAR, HDWP does have some proposed amendments to parts of the plan.

HDWP supports the introduction of definitions, policies and rules in the LWRP to enable the outcomes of the Hinds Drains Working Party.

Specific submissions

HDWP's submissions on specific provisions of Proposed Plan Change 7 are set out below, along with decisions sought. In addition to the submissions themselves, we request that any consequential amendments will be made to give effect to those submissions.

(1) The specific provisions of the Proposed Plan that my submission relates to are:	(2) My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>		(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
	Oppose/ Support	Reasons	
Section 2 How the Plan Works and Definitions			
Definitions			
Definition: Managed Aquifer Recharge	Support	The definition concisely recognises the purpose of MAR and its potential for assisting in the management of water quality issues in Canterbury.	Retain as notified.
Definition: Highest Groundwater Level.	Support	Given that MAR has the goal of lifting groundwater levels this definition identifying highest groundwater levels is appropriate to its outcomes.	Retain as notified.
Section 4 Policies			
Policies			
Policy 4.99	Support	This policy permits the use of MAR, where applicable, and avoids possible adverse effects. MAR is potentially a powerful tool for the management of specific water quality and quantity issues in Canterbury and nationwide. Initial trials in Canterbury have been promising and the technique is widely used internationally.	Retain as notified
Policy 4.100	support	HDWP strongly supports this policy in its present form.	Retain as notified

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	Oppose/Support	Reasons	
		MAR is an environmental take, not a consumptive take, and will therefore have a positive environmental effect. This effect should be permitted when these benefits outweighs any adverse effects.	
Policy 4.100 (b)	Support and extend	<p>HDWP proposes that if, in situations where environmental flows or allocation limits exist, applicants holding existing water permits are to be permitted to use a portion of that water for MAR as long as benefits outweigh any adverse effects, then such applicants should also be permitted to use a portion of their water right for MAR where environmental flows or allocation limits are not over allocated.</p> <p>Given the policy provision of 4.100(b), it follows that, where environmental flows or allocation limits are <u>not</u> exceeded those applicants should also be permitted to use a portion of their flows for MAR. In these situations, the risks to environmental flows or allocation limits are not present.</p>	<p>That Ecan include a policy so that when considering applications to take surface water for managed aquifer recharge where the rate of take and/or volume of water sought for abstraction from that surface water body, in combination with other takes, <u>will not</u> exceed the environmental flows and/or allocation limits in Sections 6 to 15 of this Plan:</p> <p>If the applicant holds an existing water permit that authorises the take and use of surface water for irrigation and proposes to use a portion of that water for managed aquifer recharge that this be permitted.</p>
Section 5 Region-wide rules			
Rules			
Rule 5.191	Support in part	<p>HDWP supports the rules in 5.191 with two exceptions.</p> <p>5.191.5. HDWP recognises that where there is no existing drinking water supply source within 1 km of the discharge, there may still be a need to demonstrate that there will be no degradation of groundwater quality.</p>	5.191.5 Delete the words: “further than” and replace with “up to” 1 kilometre beyond the discharge point.”

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	Oppose/Support	Reasons	
		<p>As the potential for degradation of water quality reduces with distance from the discharge, it follows that, if there is no demonstrable reduction in quality within 1 kilometre, there will be less risk over longer distances. This provision is open ended. There is no limit to the distance so could potentially cover the whole of the Hinds Plains. At distances greater than 1 kilometre the “noise” from other factors such as other contamination makes the task of demonstrating that the discharge will not reduce quality problematic.</p> <p>5.191.6(a). Remove the inclusion of “artificial watercourse”. Possible potential sites for MAR identified by HDWP include irrigation races or stock water races that may now be redundant because of scheme piping. These would meet the classification of artificial water courses. HDWP also uses artificial water courses such as irrigation races for the conveyance of water. These races commonly allow some water to leak into aquifers and HDWP considers this leakage to be a legitimate part of their MAR project. This rule would prevent these uses for no recognisable benefit or reduction of risk.</p>	Rule 5.191.6(a). Delete “an artificial water course or”
Section 13 Ashburton			
Definitions			
Definitions “Augmenting” “Hinds Coastal Strip”	support		Retain as notified

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	Oppose/Support	Reasons	
“Main and Secondary Hinds Drains”.			
Policies			
13.4.5A, 13.4.11, 13.4.18, 13.4.22, 13.4.24.	Support		Retain as notified
13.4.23	Oppose	MAR is expected to have a positive effect on environmental flows in these drains and the ongoing work by the Hinds Drains Working Party will provide more data on biodiversity enhancement. This will allow better informed decisions approaching 2030 than can be made at this time.	From July 2030 minimum flows and allocation limits will be determined through a collaborative developed flow and allocation regime that is provided for in the Schedule 1 RNA process
Tables			
13.6e	Support		Retain as notified
13.6ea	Support		Retain as notified

Conclusion

HDWP thanks Environment Canterbury for the opportunity to submit on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan. We look forward to ongoing dialogue about Plan Change 7 and continuing to work constructively with Council.

Craig Fleming
Chair

Hinds Drains Working Party