

Appendix A - Final Officer Recommendations

Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

5 February 2021

[Note: The Officer recommendations in this document have no legal weight]

The following recommendations are made in response to submissions.

Insertions proposed by Plan Change 7 are shown in black underlined

Deletions proposed by Plan Change 7 are shown in black ~~striketrough~~

Recommendations of the Officers are shown in red underline and ~~striketrough~~

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Section 1 Introduction, Issues & Major Responses

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1.3 Key Management Responses for Land and Water

1.3.1 Key Partnerships

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Christchurch Earthquake Recovery Authority

The Christchurch Earthquake Recovery Authority (CERA) was established as a new government department in April 2011, to lead and coordinate the ongoing recovery effort following the Canterbury earthquakes, consistent with the purposes, functions and powers established in the Canterbury Earthquake Recovery Act 2011.

The purpose of the Canterbury Earthquake Recovery Act 2011 included~~ed~~ providing appropriate measures to enable recovery, to enable a focussed, timely and expedited recovery, and to restore the social, economic, cultural and environmental well-being of greater Christchurch communities. CERA's role ceased~~ed~~ in April 2016, but recovery activities ~~will~~ continue ~~beyond this time~~. This Plan ~~will~~ play~~s~~^a a key part in the earthquake-related management of land and water resources.

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1.3.3 Statutory Planning for Managing Land and Water, and the Role of the Land and Water Regional Plan

Regional and district councils all have functions set out under the RMA with powers and duties to exercise those functions. The RMA provides for a series of planning instruments for managing natural and physical resources, including land and water. Figure 1 shows the hierarchy of planning instruments relating to land and water under the RMA, and the relationship between them.

Section 30 of the RMA gives regional councils some specific functions around the control of the use of any land (including the beds of lakes and rivers) for the purposes of soil conservation, water quality, water quantity and the maintenance of ecosystems in water bodies, the avoidance or mitigation of natural hazards, and the prevention or mitigation of effects from the use, storage, transport or disposal of hazardous substances. Regional councils also have functions around controlling the planting of plants in the beds of lakes and rivers, the maintenance of indigenous biological diversity and the integration of strategic infrastructure and land use.

District councils, under section 31 of the RMA, have more general functions to control the effects of the use, development or protection of land. Close co-operation is needed between the Regional Council and district councils in relation to the respective regional and district plans to ensure complementary approaches that avoid duplication.

In addition, a regional plan cannot be interpreted or applied in a way that is inconsistent with the "Recovery Strategy for Greater Christchurch Mahere Haumanutanga o Waitaha" ("Recovery Strategy"), which came into effect on 1 June 2012.

Sections 3-8 of the Recovery Strategy have statutory effect under the Christchurch Earthquake Recovery Act 2011. The Recovery Strategy forms part of, and is read together with RMA plans. The Recovery Strategy prevails where there is any inconsistency.

Regional councils also have functions relating to land and water under other legislation. In particular, the Biosecurity Act 1993, that manages the control of plant and animal pests. This is done through the ~~Regional Pest Management Strategy~~ Canterbury Regional Pest Management Plan.

¹ RMA Schedule 1, Clause 16(2) - Minor correction - the notified version incorrectly underlines the word "a" rather than "s" in the word "plays".

Section 2 How the Plan Works & Definitions

2.8 Relationship with other regional plans controlling land and water

In the future this Plan will manage all land and water activities (that can be controlled by a regional council) in the Canterbury Region. At the time of notifying this Plan there are a number of separate regional plans that control specific aspects of land and water separately. These plans continue to operate separately from this Plan until they are reviewed, or a catchment specific collaborative process is undertaken to review limits. At that point they are to be incorporated into this Plan. Under s67(4) of the RMA a regional plan must not be inconsistent with any other separate regional plan on the same subject matter. Therefore, any objective, policy or rule on the same subject matter in any relevant separate plan prevails over those contained in this Plan; as detailed below.

Regional Plan	Details
Opihi River Regional Plan	The Opihi River Regional Plan has objectives, policies and rules relating to the taking or diverting of surface water and discharge to surface water or onto land where the discharge may enter surface water in the area covered by the Opihi River Regional Plan. Any objective, policy or rule on the same subject matter in the Opihi River Regional Plan prevails over the objectives, policies and rules contained in this Plan.
Pareora Catchment Environmental Flow and Water Allocation Regional Plan	The Pareora Catchment Environmental Flow and Water Allocation Regional Plan has objectives, policies and rules relating to the taking or diverting of surface and ground water and discharge to surface water or onto land where the discharge may enter surface water in the area covered by the Pareora Catchment Environmental Flow and Water Allocation Regional Plan. Any objective, policy or rule on the same subject matter in the Pareora Catchment Environmental Flow and Water Allocation Regional Plan prevails over the objectives, policies and rules contained in this Plan.
Waimakariri River Regional Plan	The Waimakariri River Regional Plan has objectives, policies and rules relating to the taking or diverting of surface water (including the Styx River catchment) and discharge to surface water (excluding the Styx River catchment) or onto land where the discharge may enter surface water (excluding the Styx River catchment) in the area covered by the Waimakariri River Regional Plan. The Waimakariri River Regional Plan also has rules relating to sewage tank effluent, animal effluent, land drainage water, aquifer or bore test water, water tracers, cooling water, stormwater and swimming pool water. Except for policies and rules in the sub-region sections of the proposed Land and Water Regional Plan that specifically address the repair of earthquake damaged land on individual sites used for residential activities, any objective, policy or rule on the same subject matter in the Waimakariri River Regional Plan prevails over the objectives, policies and rules contained in this Plan. <u>Other than where the Waimakariri River Regional Plan applies, the regional rules in the LWRP apply, to all of the Styx River catchment. For the avoidance of doubt:</u> <u>the regional rules for water quality in the Waimakariri River Regional Plan do not apply in the Styx River catchment.</u> <u>surface water takes located within the mapped Waimakariri sub-region (Section 8) of this Plan that abstract water from the main stem of the Waimakariri River or groundwater abstractions that are hydraulically connected to the main stem of the Waimakariri River, are managed under the Waimakariri River Regional Plan.</u>

2.9 Definitions, Translations and Abbreviations

Definitions

The words used in this Plan have their ordinary meaning as set out in the Oxford English Dictionary (Second Edition or Oxford English Dictionary Online), except where the words are defined in either the RMA, the RPS 2013, or this Plan. The definitions in italics below are from the RMA and are reproduced here for information purposes.

Word	Definition
<u>Baseline commercial vegetable growing area</u>	means the <u>maximum total</u> aggregated area of land used for a commercial vegetable growing <u>operation</u> in any 12 month consecutive period within the period of 1 January 2009 to 31 December 2013 and under the control (owned or leased) of a single grower or enterprise. ²
<u>Commercial vegetable growing operation</u>	is a sub-set of 'farming activity' and means the growing, for the purpose of commercial gain, of vegetable crops for human consumption, <u>on one or more parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit, and may include crop-rotation across different parcels of land over time, but excludes vegetable crops grown under cover, and includes the full sequence of crops and pasture used as part of that rotation.</u> ³
Defence against water	means: a. any structure or equipment, including any bund, weir, spillway, floodgate, bank, stopbank, retaining wall, rock or erosion protection structure, groyne, vegetation (including anchored tree protection) or reservoir, or b. any re-contouring or re-battering; ⁴ that is designed to have the effect of stopping, diverting, controlling, restricting or otherwise regulating the flow, energy or spread of water, including floodwaters, in or out of a waterbody, artificial watercourse, or artificial lake. For the purposes of this definition, dams are excluded.
<u>Highest groundwater level</u>	<u>means the single highest elevation to which groundwater has historically risen that can be reasonably inferred for the site, based on all available-relevant hydrogeological and topographic information.</u> ⁵
<u>Indigenous Freshwater Species-Habitat Critical Habitat</u> ⁶	<u>means an area identified as 'Indigenous Freshwater Species Habitat' on the Planning Maps, and</u> <u>means the area of the bed and the riparian margin of a surface water body that is:</u> a. <u>within ten metres of any surface water, as measured at any time, located within the upstream and downstream extents of a line on the Planning Maps identified as 'Critical Habitat'; and</u> b. <u>within an area identified as 'Critical Habitat' on the Planning Maps;</u> ⁷ <u>which provides habitat for at least one of the freshwater species listed below:</u> 1. <u>Giant kōkōpu/Taiwharu (<i>Galaxias argenteus</i>)</u> 2. <u>Lowland longjaw galaxias (Waitaki River) (<i>Galaxias aff. cobitinis</i> "Waitaki")</u> ⁸ 3. <u>Canterbury mudfish/Kōwaro (<i>Neochanna burrowsius</i>)</u> 4. <u>Bignose galaxias (<i>Galaxias macronasus</i>)</u> 5. <u>Upland longjaw galaxias (Canterbury, West Coast) (<i>Galaxias prognathus</i>)</u> ⁹

² Ravensdown Limited PC7-114.2, Consequential to the amendment of definition commercial vegetable growing operation

³ Ellesmere Sustainable Agriculture Incorporated PC7-207.7, Pye Group PC7-352.6, A Lim PC7-478.1

⁴ Ngā Rūnanga PC7-423.1

⁵ Fulton Hogan PC7-428.1

⁶ G Fenwick PC7-339.2

⁷ DOC PC7-160.1; G Fenwick PC7-339.2

⁸ DOC PC7-160.1

⁹ DOC PC7-160.1

	6. <u>Upland longjaw galaxias (Waitaki River) (<i>Galaxias aff. prognathus</i> “Waitaki”)</u>¹⁰ 7. <u>Shortjaw kōkopu (<i>Galaxias postvectis</i>)</u> 8. <u>Northern flathead galaxias (Species N (undescribed) <i>Galaxias</i> “northern”)</u>¹¹ 9. <u>Lamprey/Kanakana (<i>Geotria australis</i>)</u> 10. <u>Freshwater crayfish/Kekewai (<i>Paranephrops zealandicus</i>)</u>¹² 11. <u>Freshwater mussel/Kākahi (<i>Echyridella menziesi</i>)</u>
<u>Managed aquifer recharge</u>	<u>means an activity that is for the express purpose of improving the quality and/or quantity of water in a receiving groundwater aquifer or a hydraulically connected surface water body.</u>
<u>Nutrient management area</u>	<u>means a geographical area delineated on the Planning Maps to manage nutrient losses from land use and may be described as an Area, Nutrient Allocation Zone, sub-region, freshwater management unit or zone.</u> ¹³
<u>Plantation forest or plantation forestry</u>	means a forest of selected species of trees that are specifically planted and managed for a carbon sink or planted and managed specifically for harvesting and production of timber or other wood-based products, and includes under story that has established beneath the canopy and areas that are demonstrated to be failed plantings from the previous rotations, deliberately established for commercial purposes, being— a. <u>at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and</u> b. <u>includes all associated forestry infrastructure; but</u> c. <u>does not include—</u> i. <u>a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</u> ii. <u>forest species in urban areas; or</u> iii. <u>nurseries and seed orchards; or</u> iv. <u>trees grown for fruit or nuts; or</u> v. <u>long-term ecological restoration planting of forest species; or</u> vi. ¹⁴ <u>willows and poplars space planted for soil conservation purposes.</u>
<u>Seasonal High Water Table</u>	<u>means, at the time the activity is established, the highest elevation that the water table has reached between the months of June and August inclusive</u>
<u>Vegetation clearance</u>	means removal of vegetation by physical, mechanical, chemical or other means but excludes: a. <u>cultivation for the establishment of, or harvesting of, crops or pasture;</u> b. <u>clearance for the establishment or maintenance of utilities or structures;</u> c. <u>removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy Regional Pest Management Plan;</u> d. <u>clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings;</u> e. <u>domestic gardening and the maintenance of amenity planting;</u>

¹⁰ DOC PC7-160.1

¹¹ DOC PC7-160.1

¹² RMA Schedule 1, Clause 16(2) - Minor amendment

¹³ De Lu, D PC7-36.3; Sturrock, D.M PC7-27.1; Seyb, L PC7-276.1 and Burke, C PC7-1.1

¹⁴ RMA Schedule 1, Clause 16(2) - Minor amendment

	f. clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river; or g. exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access.
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Section 4 Policies

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Topic	Policy Number
Strategic Policies	4.1 – 4.8
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Topic	Policy Number
Indigenous Freshwater Species Habitat Critical Habitat ¹⁵	4.101—4.102 ¹⁶
<u>Submission of Water Quality Data</u>	<u>4.103</u>

Strategic Policies

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- 4.6 In high naturalness water bodies listed in Sections 6 to 15, the damming, diverting or taking of water is limited to that for ~~a person's or community's stockwater needs, an individual or community's stock or drinking-water needs, a person's or community's stockwater needs,~~ and water for the operation and maintenance of existing infrastructure. ¹⁷

¹⁵ G Fenwick PC7-339.2

¹⁶ P de Joux PC7-48.1

¹⁷ Ngā Rūnanga PC7-423.8

Table 1a Freshwater Outcomes for Canterbury Rivers

Management Unit	Sub-unit	Ecological health indicators- attributes			Macrophyte indicators attributes		Periphyton indicators attributes ¹			Siltation indicator attribute ¹	Microbiological-indicator Human Health attributes			Cultural Attribute	
		QMCI* ¹ [min score]	Dissolved oxygen [min saturation] (%)	Temperature [max] (°C)	Emergent macrophytes [max cover of bed] (%)	Total macrophytes [max cover of bed] (%)	Chlorophyll a ² [max biomass (mg/m ²)	Filamentous algae >20mm [max cover of bed] (%)	Cyano bacteria mat cover [max cover of bed] (%)	Fine sediment <2mm diameter [max % cover of bed] (%)	Suitability for contact recreation [SFRG*]	<i>E. coli</i> ^{3 18}			
												[median] <i>E. coli</i> /100ml ¹⁹	[95 th percentile] <i>E. coli</i> /100ml ²⁰		
Natural State ²⁴	Rivers are maintained in their natural state													Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting, and they are safe to eat.	
Alpine – Upland		6	90	20	No value set	No value set	50	10	20	10	Good	≤130	≤540		
Alpine - lower												Good to Fair	≤130		≤1000
Hill-fed – upland												Good	≤130		≤540
Hill-fed lower												Good to Fair	≤130		≤1000
	Urban	3.5 4.0 4.5 ²¹								20	No value set	≤130	≤1200 1000 ²²		
Lake-fed		6					200	30	50	10	Good	≤130	≤540		
Banks Peninsula		5					120	20	30	20	No value set	≤130	≤1200 1000 ²³		
Spring-fed – upland		6			20	30	50	10	20	10	Good	≤130	≤540		
Spring-fed lower basins		5			30	30	200	30	50		Fair	≤130	≤1200		
Spring-fed - plains		5			30	50	200	30	50	20	No value set	≤130	≤1200		
	Urban	3.5 4.5	70		30	60	200	30	50	30	No value set	≤130	≤1200 1000 ²⁴		

1. These indicators attributes only apply to wadeable areas of wetted riverbed. For the purposes of this table, wadeable areas are defined as reaches of the river up to 600mm in depth.

2. ~~Outcomes shall be exceeded in no more than 8% of samples for rivers classified as default class in the National Policy Statement for Freshwater Management 2014 (amended 2017), and in no more than 16% samples for rivers classified as productive class. A minimum of 3 years of monthly data is required to determine compliance with the outcomes.~~²⁵

3. Determined from a minimum of 60 samples collected on a monthly basis over 5 years.

4. Rivers within land that is administered for conservation purposes by the Department of Conservation.

*Key:

QMCI = quantitative macroinvertebrate community index

SFRG = Suitability for Recreation Grade from Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment, June 2003

¹⁸ CDHB PC7-347.4 - Addition of 'less than or equal to' symbols

¹⁹ RMA Schedule 1, Clause 16(2) - Minor amendment - corrections to bracket formatting

²⁰ RMA Schedule 1, Clause 16(2) - Minor amendment - corrections to bracket formatting

²¹ WWHT PC7-88.7

²² CCC PC7-377.149

²³ CCC PC7-377.149

²⁴ CCC PC7-377.149

²⁵ DOC PC7-160.2

Table 1b Freshwater Outcomes for Canterbury Lakes

Management Unit	Ecological health indicators <u>attributes</u>				Eutrophication indicator <u>attributes</u>			Visual Quality indicator <u>attribute</u>	Microbiological indicator Human Health <u>attributes</u>				Cultural Attribute	
	Dissolved Oxygen [min] (% saturation)		Temperature [max] (°C)	Lake SPI* [min grade]	Trophic Level Index (TLI)* [max score]	Chlorophyll a ²⁶		Colour	Suitability for contact recreation [SFRG]*	Total cyanobacteria biovolume mm³/L ²⁷ [max]	<i>E. coli</i> ²⁸			
	Hypolimnion	Epilimnion				Annual average (mg/L)(mg/m³)	Annual maximum (mg/L)(mg/m³)				[median] (<i>E. coli</i>/100ml) ²⁹	[95th percentile] (<i>E. coli</i>/100ml)		
Natural state waterbodies ¹	Lakes are maintained in a natural state													<u>Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting, and they are safe to eat.</u>
Large high country lakes	70	90	19	Excellent	2	<u>0.82</u>	<u>5</u>	The natural colour of the lake is not degraded by more than five Munsell Units ^(a)	Good	<u>0.5</u>	<u>≤130</u>	<u>≤540</u>		
Small to medium sized high country lakes				High	Māori Lakes and Lakes Emily and Georgina 4	2 5 ³⁰	10 25		Good	<u>0.5</u>	<u>≤130</u>	<u>≤540</u>		
					All other small to medium sized high country lakes 3	5 2	25 10							
Coastal lakes				Moderate	Coopers Lagoon / Muriwai 4 5	<u>12</u>	<u>60</u>		No value set	<u>10 or 1.8mm³/L of total biovolume of potentially toxic cyanobacteria</u>	<u>≤130</u>	<u>≤1200</u>		
	All other coastal lakes 6													
Artificial lakes – on-river	High	3	<u>2</u>	<u>10</u>	Good	<u>0.5</u>	<u>≤130</u>	<u>≤540</u>						
Artificial lakes - others	20	Suitable for the purpose of the lake			4	<u>5</u>	<u>10</u>	Suitable for the purpose of the lake	<u>10 or 1.8mm³/L of total biovolume of potentially toxic cyanobacteria</u>	<u>≤130</u>	<u>≤1200</u>			

a. Explanatory Note: In respect of Lake Coleridge the natural colour of the lake is the colour of the lake as measured monthly in the period 1 August 2014 to 31 July 2015.

1. Lakes within land that is administered for conservation purposes by the Department of Conservation.

2. Determined from a minimum of 60 samples collected on a monthly basis over 5 years.

*Key:

Lake SPI = Lake Submerged Plant Indicators from Clayton J, Edwards T, (2002) LakeSPI: a method for monitoring ecological condition in New Zealand lakes (Technical report version 1 Report by NIWA)

²⁶ RMA Schedule 1, Clause 16(2) – Minor amendment – correction of the units for Chlorophyll a to mg/m³

²⁷ RMA Schedule 1, Clause 16(2) – Minor amendment - corrections to bracket formatting

²⁸ CDHB PC7-347.5 - Addition of 'less than or equal to' symbols

²⁹ RMA Schedule 1, Clause 16(2) – Minor amendment - corrections to bracket formatting

³⁰ RMA Schedule 1, Clause 16(2) – Minor amendment – correction of an error made when inserting the Chlorophyll a attributes for the two types of “small to medium sized high country lakes” (applies to 4 values)

TLI = Trophic Level Index from: Protocol for Monitoring Trophic Levels of New Zealand Lakes and Reservoirs (Report by Lakes Consulting, March 2000)
SFRG = Suitability for Recreation Grade from: Microbiological Water Quality Guidelines for Marine and Freshwater Recreational

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Livestock Exclusion from Waterbodies

- 4.31 Damage to the bed or banks of water bodies, sedimentation and disturbance of the water body, direct discharge of contaminants, and degradation of aquatic ecosystems, ~~and~~³¹ inanga and salmon spawning habitat ~~and Indigenous Freshwater Species Habitat Critical Habitat~~³² is avoided by:
- a. excluding intensively farmed stock from lakes, rivers and wetlands; and
 - b. excluding stock from within freshwater bathing sites listed in Schedule 6, salmon spawning sites listed in Schedule 17, Community Drinking-water Protection Zones ~~for surface water takes~~³³ as set out in Schedule 1, other sensitive water body areas; and the water body bed and banks closely adjacent to and upstream of these areas; and
 - ba. excluding stock from inanga spawning habitat; and
 - bb. ~~excluding stock from any Indigenous Freshwater Species Habitat Critical Habitat; and~~³⁴
 - c. limiting access to wetlands, and the banks or beds of lakes and rivers to stock species that prefer to avoid water and at stocking rates that avoid evident damage.

Nutrient Management

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- 4.36A Recognise the ~~importance of commercial vegetable growing for domestic food supply and the~~ particular ~~constraints that apply to complexities of~~ commercial vegetable growing ~~activities operations~~ (including the need to rotate crops to avoid soil-borne diseases and for growing locations in close proximity to processing facilities) and provide a nutrient management framework that appropriately responds to and accommodates these ~~values and constraints complexities~~ while ~~improving or maintaining water quality by~~;³⁵
- ~~aa. providing multiple resource consent pathways to authorise commercial vegetable growing;~~³⁶
 - a. ~~requiring commercial vegetable growers growing operations~~ to operate at good management practice;³⁷
 - b. ~~avoiding-constraining~~³⁸ the establishment of a new commercial vegetable growing ~~activity-operation~~, or any expansion of an existing commercial vegetable growing ~~activity operation~~ beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location ~~or where no nitrogen loss rate is applicable, the Baseline GMP Loss Rate;~~³⁹
 - c. ~~requiring commercial vegetable growers growing operations~~ to demonstrate, at the time of application for resource consent and at the time of any Farm Environment Plan audit, how any relevant nutrient loss reduction ~~or nutrient targets~~ set out in Sections 6 to 15 of this Plan will be achieved;⁴⁰
 - d. ~~constraining, as far as practicable, where necessary requiring a method for accounting for the total areas of nutrient losses where~~⁴¹ ~~commercial vegetable growing activities operations to a operate across more than one Nutrient Management Area single nutrient allocation zone or sub-region unless there is a~~

³¹ RMA Schedule 1, Clause 16(2) - Minor amendment

³² G Fenwick PC7-339.2

³³ Consequential to the amendment of Rule 5.71(2), CDHB PC7-347.8

³⁴ G Fenwick PC7-339.2

³⁵ Consequential to the amendment of definition commercial vegetable growing operation

³⁶ Pye Group PC7-352.3; Blackhills (2002) PC7-36.5; Greenstreet Irrigation Society PC7-312.2; Rangitata South Irrigation PC7-235.2; Horticulture NZ PC7-356.2

³⁷ Consequential to the amendment of definition commercial vegetable growing operation

³⁸ Consequential to the deletion of Rule 5.42CE

³⁹ De Lu, D PC7-36.3; Sturrock, D.M PC7-27.1; Seyb, L PC7-276.1 and Burke, C PC7-1.1, and consequential to the amendment of definition commercial vegetable growing operation

⁴⁰ Consequential to the amendment of definition commercial vegetable growing operation

⁴¹ Consequential to the amendment of Rule 5.42CB

- e. ~~clear method for accounting for nutrient losses which will ensure that any relevant nutrient load or limit is not exceeded; and~~⁴² requiring a Farm Environment Plan, ~~excluding a nutrient budget,~~ as part of any application for resource consent, and requiring that Farm Environment Plan to be prepared in accordance with Schedule 7 of this Plan.⁴³

Damming and Diversion of Water Bodies

- 4.47 Small-scale diversions of water within the beds of lakes, rivers or adjoining wetlands are provided for as part of:
- establishing, maintaining or repairing infrastructure;
 - removing gravel or other earthworks ~~provided potential adverse effects on any person, their property, or the ecological, cultural, recreational or amenity values of the fresh waterbody are minimised~~ provided there are no potential adverse effects that are more than minimal on any other person, their property, or any ecological, cultural, recreational or amenity values of the fresh waterbody and any activity is undertaken in accordance with Policy 2A.3⁴⁴
 - undertaking minor flood or erosion control or repair works and the diversion is occurring within the boundaries of a site or an individual's property ~~and provided~~ there are no potential adverse effects that are more than minimal on any other person, their property, or any ecological, cultural, recreational or amenity values of the fresh waterbody;
 - emergency rural fire fighting purposes; or
 - maintaining intakes for animal drinking water.

Abstraction of Water

- 4.61A Preserve indigenous biological diversity within water bodies by requiring applications ~~for resource consent~~⁴⁵ to abstract surface water or stream depleting groundwater to assess the potential effects, including cumulative effects, of the proposed abstraction on any ~~Indigenous Freshwater Species HabitatCritical Habitat~~⁴⁶, and:
- ~~by refusing any application to take water that would reduce the area or compromise the values of the Indigenous Freshwater Species HabitatCritical Habitat~~⁴⁷, ~~except for an application to take water for a community water supply; and~~
 - ~~if the application is to take water for a community water supply and the take would reduce the area or compromise the values of the Indigenous Freshwater Species Habitat, allow any significant adverse effects on that habitat to be offset by the creation of new habitat in the same surface water catchment and with the same or improved habitat characteristics.~~⁴⁸

Activities in the Beds of Lakes and Rivers

- 4.87 Plant species listed in the Biosecurity NZ Unwanted Organisms Register or the ~~Regional Pest Management Strategy~~ Canterbury Regional Pest Management Plan are not introduced or planted in the beds or margins of lakes, rivers, hāpua, coastal lakes and lagoons, or in wetlands.

⁴² De Lu, D PC7-36.3; Sturrock, D.M PC7-27.1; Seyb, L PC7-276.1, Burke, C PC7-1.1, Consequential to the amendment of definition commercial vegetable growing operation

⁴³ Balle Bros Group PC7-185.7; Eyreton Produce Limited PC7-23.3

⁴⁴ Forest & Bird PC7-472.26, PC7-472.27

⁴⁵ HortNZ PC7-356, page 2 – additional text for readability

⁴⁶ G Fenwick PC7-339.2

⁴⁷ G Fenwick PC7-339.2

⁴⁸ DOC PC7-160.105

Managed Aquifer Recharge

- 4.99 Improve the quality and/or quantity of groundwater, and any hydraulically connected surface water body, by providing for managed aquifer recharge where:
- a. ~~alternative further~~ mitigations, in addition to managed aquifer recharge, have or will be implemented to improve water quality and quantity in the receiving water body.⁴⁹
 - b. adverse effects will be ~~minimised-avoided~~ for any take from a surface water catchment where the environmental flow and water allocation limits are exceeded, ~~except where Policy 4.100(b) applies~~;⁵⁰
 - c. adverse effects on sites and values of importance to Ngāi Tahu, including effects associated with unnatural mixing of water, are avoided ~~as far as practicable where it is practicable to do so, or otherwise remedied or mitigated~~;⁵¹
 - d. adverse effects on the availability, quality and safety of human and animal drinking water are avoided;
 - e. adverse effects of taking surface water on ecosystems and ecosystem services of that surface water body are minimised;
 - f. there is no ~~net~~⁵² loss of existing wetlands and river values and extent, including through inundation, of significant indigenous vegetation, ~~and~~ significant habitats of indigenous fauna, ~~unless:-and existing wetlands~~
 - (i) ~~there is a functional need for the activity in that location; and~~
 - (ii) ~~the effects of the activity are managed by applying the effects management hierarchy~~⁵³; and
 - g. adverse effects on people, ~~and property and permitted or consented land use activities~~⁵⁴ from raised groundwater levels and higher surface water flows are as a first priority avoided, and where avoidance is impracticable, effects are minimised.
- 4.100 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 will, in combination with other takes, exceed the environmental flow and/or allocation limit in Sections 6⁵⁵ to 15 of this Plan:
- a. ~~restrict any further over allocation of surface water to proposals which demonstrate the environmental benefits of the managed aquifer recharge to the receiving waterbody outweigh any adverse effects-refuse any application to take water that would result in further exceedance of the environmental flow and/or water allocation limit; and~~⁵⁶
 - 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 portion 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.

Habitat of Indigenous Freshwater Species Critical Habitat⁵⁷

- 4.101 Avoid the damage or loss of ~~Indigenous Freshwater Species Habitat Critical Habitat~~⁵⁸ caused by sediment discharges, vegetation clearance, excavation and

⁴⁹ S Gerard PC7-470.1

⁵⁰ Fish and Game PC7-95.63, PC7-351.94

⁵¹ Waimakariri Next Generation Farmers Trust PC7-425.2

⁵² Forest & Bird PC7-472.37

⁵³ WWHT PC7-88.1

⁵⁴ ESAI PC7-207.15, PC7-207.46

⁵⁵ The number "6" was inadvertently marked red in earlier officer recommendations – it is correctly shown here in black text as a change notified in PC7.

⁵⁶ Fish and Game PC7-95.64, PC7-351.6

⁵⁷ G Fenwick PC7-339.2

⁵⁸ G Fenwick PC7-339.2

deposition of material, or other disturbance in, or on the bed, banks or riparian margins of,⁵⁹ a surface water body, unless:

- a. the damage or loss arises from activities associated with hydro-electricity generation at the Waitaki or Coleridge Schemes; and
- b. adverse effects are avoided where practicable; and
- c. where adverse effects cannot be avoided, they are minimised where practicable; and
- d. where adverse effects cannot be minimised, they are remedied where practicable; and
- e. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and
- f. if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and
- g. if aquatic compensation is not appropriate, the activity itself is avoided.⁶⁰

- a. ~~the effects of habitat damage will be remedied or mitigated; or~~
- b. ~~the habitat loss will be offset by the creation of new habitat in the same surface water catchment and with the same or improved habitat characteristics.~~⁶¹

4.102 ~~Structures enable the safe passage of indigenous fish, while avoiding as far as practicable, the passage of any invasive, pest or nuisance fish species by:~~

- ~~a. the appropriate design, construction, installation and maintenance of new in-stream structures; and~~
- ~~b. the modification, reconstruction or removal of existing in-stream structures.~~⁶²

Submission of Water Quality Data

4.103 Any resource consent granted with a consent condition requiring the collection of water quality samples, shall also include a condition requiring ~~all the~~ water quality sample data ~~required by the consent condition~~ to be submitted to the Canterbury Regional Council in a format suitable for automated upload to the Council's water quality database software.⁶³

⁵⁹ DOC PC7-160.8

⁶⁰ Meridian PC7-346.5

⁶¹ Canterbury Aoraki Conservation Board PC7-138.3

⁶² P de Joux PC7-48.1

⁶³ Federated Farmers PC7-430.17

Section 5 Region-wide Rules

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⁶⁴ Rayonier NZ and Port Blakely PC7-224.1; Cashmere Stream Care Group PC7-193.20

General Rules

...

5.8A

The discharge of wastewater from an existing, new, modified or upgraded back country hut wastewater treatment system onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The discharge volume does not exceed 2 m³ per day; and
2. The treatment and disposal system has a written system design specification for maintenance (and if such a system design specification for maintenance does not exist, a written system design specification for maintenance shall be prepared in accordance with Section 6.3 of New Zealand Standard AS/NZS 1547:2012 On-site Domestic Wastewater Management by the 31st of December 2017) and is operated and maintained within that specification; and
3. The discharge is not onto or inland:
 - a. where there is an available sewerage network; or
 - b. that is contaminated or potentially contaminated; or
 - c. that is listed as an archaeological site; or
 - d. in circumstances where the discharge would enter any surface waterbody; or
 - e. within 20 m of any surface waterbody or the Coastal Marine Area; or
 - f. within 50 m of a bore used for water abstraction; or
 - g. within a Community Drinking-water Protection Zone as set out in Schedule 1; or
 - h. where there is, at any time, less than 1 m of vertical separation between the discharge point and ~~mean seasonal high water table~~ highest groundwater level; and
4. The discharge does not result in wastewater being visible on the ground surface, unless the discharge occurs as a result of a land application system that has been specifically designed to treat and discharge wastewater through application of wastewater to the land surface; and
5. The discharge does not contain any hazardous substance.

...

5.9

The discharge of wastewater from:

- a. **an existing on-site wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.7; or**
- b. **a new, modified or upgraded on-site wastewater treatment system onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.8;**

is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.7 for an existing system; and
2. The actual and potential direct and cumulative environmental effects of not meeting the condition or conditions of Rule 5.8 for a new, modified or upgraded system; and
3. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
4. The effect of on-site wastewater treatment system density in the local area including known on-site wastewater treatment system failures, the material health status of the community, groundwater quality, the nature of effects of current sewage disposal methods, treatment options available and affordability; and
5. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Swimming Pool or Spa Water

...

5.11 The discharge of swimming pool or spa pool water into water or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.10 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters⁶⁵:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.10-; and
2. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Greywater

5.12 The discharge of greywater onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. The discharge is only from a dwelling house and does not contain any waste from a toilet or any hazardous substance; and
2. The discharge is from a system that is authorised for use under the Building Act 2004; and
3. The discharge is:
 - a. via a land application system located beneath the ground surface; and
 - b. as far as practicable, is evenly distributed and does not exceed an application rate of 50 mm per day; and
4. The discharge does not result in greywater flowing, seeping, or ponding on the surface of the ground for more than two hours; and
5. The system does not store greywater for more than 12 hours and incorporates a proprietary filter prior to discharge; and
6. The discharge does not result in water or contaminants flowing onto another site; and
7. The point of discharge is not:
 - a. within 20 m of a surface water body or the Coastal Marine Area; or
 - b. within 20 m of a bore used for water abstraction; or
 - c. to land that is contaminated or potentially contaminated; or
 - d. onto or into land listed as an archaeological site; and
8. Where the discharge is located over an unconfined or semi-confined aquifer and the highest groundwater level is less than 2 m from the ground surface, there shall be at least 600 mm of soil or sand between the point of discharge and the ~~seasonal high water table~~ highest groundwater level.

5.13 The discharge of greywater onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.12 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.12; and
2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water-; and
3. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Pit and Compost Toilets

5.14 The discharge of untreated human excrement via a pit toilet onto or into land in circumstances where a contaminant may enter water is a permitted activity, provided the following conditions are met:

1. When a pit toilet is filled to within 0.5 m of the original land surface, or is no longer used, the content of the pit toilet is covered with at least 0.5

⁶⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

m of soil; and

2. Surface runoff does not enter a pit toilet; and
3. There is at least 600 mm of soil or sand between the point of discharge and the ~~seasonal high water table~~ highest groundwater level; and
4. The pit toilet is not:
 - a. within 20 m of a surface waterbody, a bore used for water abstraction or the Coastal Marine Area; or
 - b. within a Community Drinking-water Protection Zone as set out in Schedule 1; or
 - c. within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; or
 - d. sited on unconsolidated gravels, coarse or medium sands, fissured rock or scree unless there is at least 600 mm of soil or sand placed in the base of the pit; or
 - e. onto or into land listed as an archaeological site.

5.15 The discharge of untreated human excrement via a pit toilet onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.14 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.14; and
2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
3. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

5.17 The discharge of aerobically composted material from a composting toilet onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.16 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.16; and
2. The actual and potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
3. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

...

Dust Suppressants

5.19 The discharge of oil as a dust suppressant onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.18 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.18; and
2. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

...

Offal and Farm Rubbish Pits

...

5.24 The use of land for an offal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water are permitted activities, provided the following conditions are met:

1. The discharge is to a pit that:
 - a. has a volume of less than 50 m³; and
 - b. is sited and designed to prevent surface runoff entering the pit; and
 - c. is designed to prevent animals from gaining access to the pit; and
2. The discharge is only of dead animals or animal parts produced on the property where the pit is located; and
3. No more than one pit is constructed or used per 100 hectares of property area per annum; and
4. When any pit is filled to within 0.5 m of the original land surface, or is no longer used, the contents are covered with soil to a depth of at least 0.5 m or the pit is covered with an impermeable lid; and
5. No discharge occurs:
 - a. within 100m of a surface water body, a bore used for water abstraction, the boundary of the site, or the Coastal Marine Area; or
 - b. within a Community Drinking-water Protection Zone as set out in Schedule 1; or
 - c. unless there is at least 3 m of soil or sand between the point of discharge and the ~~seasonal high water table~~ highest groundwater level; or
 - d. within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
 - e. onto or into land listed as an archaeological site; or
 - f. within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes.

...

5.26 The use of land for an offal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.24 is a restricted discretionary activity where the following condition is met:

1. The disposal and discharge are the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.24 or Rule 5.25; and
2. The actual or potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
3. The quality of, compliance with, and auditing of the Farm Environment Plan; and
4. Any adverse effects on Ngāi Tahu values, or on sites of Ngāi Tahu significance, including wāhi tapu and wāhi taonga.

5.26A The use of land for an offal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet the condition of Rule 5.26 is a discretionary activity.

5.27 The use of land for an on-site refuse disposal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water are permitted activities, provided the following conditions are met:

1. The discharge is to a pit:
 - a. located on a site of greater than 20 hectares in area; and
 - b. with a volume of less than 50 m³; and
 - c. sited and designed to prevent surface runoff entering the pit; and
 - d. designed to prevent animals from gaining access to the pit; and
2. No hazardous substances, agrichemicals or agrichemical containers are discharged; and
3. The discharge is only of refuse produced on the property where the pit is located; and

4. No kerbside community or local authority refuse collection is available; and
5. When any pit is filled to within 0.5 m of the original land surface, or is no longer used, the contents are covered with soil to a depth of at least 0.5 m or the pit covered with an impermeable lid; and
6. The discharge does not occur:
 - a. within 100 m of a surface water body, a bore used for water abstraction, the boundary of the property or the Coastal Marine Area; or
 - b. within a Community Drinking-water Protection Zone as set out in Schedule 1; or
 - c. unless there is at least 3 m of soil or sand between the point of discharge and the ~~seasonal high water table~~ highest groundwater level; or
 - d. within the Christchurch Groundwater Protection Zone as shown on the Planning Maps; or
 - e. onto or into land listed as an archaeological site; or
 - f. within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes.

5.28 The use of land for an on-site refuse disposal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions in Rule 5.27 is a restricted discretionary activity where the following condition is met:

1. The disposal and discharge are the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.27; and
2. The actual or potential environmental effects of the discharge on the quality and safety of human and animal drinking-water; and
3. The quality of, compliance with, and auditing of the Farm Environment Plan; and
4. Any adverse effects on Ngāi Tahu values, or on sites of Ngāi Tahu significance, including wāhi tapu and wāhi taonga.

5.28A The use of land for an on-site refuse disposal pit and the associated discharges onto or into land in circumstances where a contaminant may enter water that does not meet the condition of Rule 5.28 is a discretionary activity.

...

Stock Holding Areas and Animal Effluent

...

5.36 The discharge of animal effluent or water containing animal effluent and other contaminants originating from:

- a. a stock holding area; or
- b. a stock truck holding tank that does not meet one or more of the conditions of Rule 5.35; or
- c. an animal effluent storage facility

onto or into land where a contaminant may enter water is a restricted discretionary activity, provided the following conditions are met:

1. The discharge of animal effluent or water containing animal effluent and other contaminants:
 - a. is not within 20 m of a surface water body (other than a wetland constructed primarily to treat animal effluent), a bore used for water abstraction or the Coastal Marine Area; and
 - b. does not occur beyond the boundary of the property on which the animal effluent is generated unless the written approval of the property owner where the discharge occurs has been obtained; and

- c. is not within a Community Drinking-water Protection Zone as set out in Schedule 1; and
 - d. has backflow prevention installed if the animal effluent or water containing animal effluent is applied with irrigation water; and
 - e. is not to contaminated or potentially contaminated land; and
2. The discharge is the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A.

The exercise of discretion is restricted to the following matters:

1. Measures to avoid, mitigate or remedy adverse effects on aquatic ecosystems and human or animal drinking-water; and
2. Effluent and water application rates and nutrient load; and
3. The effectiveness of methods to store effluent and application rates in times of adverse weather conditions, including frozen or saturated soil, or in cases of equipment failure; and
4. The proximity of any discharge site to, and actual or potential effects on, any identified site of significant indigenous biodiversity on biodiversity; and
5. The adequacy of design, construction, systems and management processes to minimise fugitive discharges from the system, including, but not limited to, mitigation in case of equipment failure or breakage; and
6. The quality of, compliance with, and auditing of the Farm Environment Plan; and
7. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Silage Pits and Compost

...

5.40 **The use of land for a silage pit or the stockpiling of other decaying organic matter (including compost) and any associated discharge into or onto land where a contaminant may enter water, that does not meet one or more of the conditions in Rule 5.39 is a restricted discretionary activity where the following condition is met:**

1. The silage pit, stockpile, and discharge is the subject of a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part⁶⁶ A.

The exercise of discretion is restricted to the following matters:

1. The actual or potential environmental effects of not meeting the condition or conditions of Rule 5.39; and
2. The quality of, compliance with and auditing of the Farm Environment Plan; and
3. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

5.40A **The use of land for a silage pit or the stockpiling of other decaying organic matter (including compost) and any associated discharge into or onto land where a contaminant may enter water that does not meet the condition of Rule 5.40 is a ~~non-complying discretionary~~ activity.**⁶⁷

Nutrient Management

Note:

1. *The Nutrient Management Rules set out a different set of rules for each of the five Nutrient Allocation Zones that are shown on the series A Planning Maps (Lake, Red, Orange, Green and Light Blue). Overlaying the rules for each Nutrient Allocation Zone are alternative rules that may apply if nutrient management is being undertaken*

⁶⁶ RMA Schedule 1, Clause 16(2) - Minor amendment

⁶⁷ Beef + Lamb PC7-214.38

by an irrigation scheme or principal water supplier.

2. ~~Commercial vegetable growing shall be authorised by either Rules 5.42CA to 5.42CD or consented under the nutrient management Section 5 Rules 5.42CA to 5.42CD or consented under the nutrient management Section 5 Rules 5.43 to 5.59 or the sub-region nutrient management rules in Section 6 to 15 unless the commercial vegetable growing operation is irrigated with water from an irrigation scheme or principal water supplier. Rules 5.42 to 5.42C and Rules 5.43 to 5.59 do not apply to commercial vegetable growing operations.~~⁶⁸

All Nutrient Allocation Zones

5.41 Despite Rules ~~5.43~~ 5.42CA to 5.59, the use of land for a farming activity where either:

- a. the nitrogen loss from the farming activity is being managed under a resource consent that is held by an irrigation scheme or principal water supplier and the permit contains conditions which limit:
 - i. the maximum rate (kg/ha/yr) or amount (kg/yr) at which nitrogen may be leached from the subject land; or
 - ii. the concentration of nitrogen in the drainage water leached from the subject land (as measured in ppm or gm³); or
- b. the land is subject to a water permit that authorises the use of water for irrigation and:
 - i. the permit as granted prior to 18 January 2014; and
 - ii. the permit is subject to conditions that specify the maximum rate of nitrogen that may be leached from the land; and
 - iii. the water permit is subject to conditions which require the preparation and implementation of a plan to mitigate the effects of the loss of nutrients to water

is a permitted activity.

Commercial Vegetable Growing ~~Activities-Operations~~⁶⁹

5.42CA The discharge of nutrients from a commercial vegetable growing ~~activity operation on a property~~ 0.5 hectares or less in area is a permitted activity.⁷⁰

5.42CB ~~Unless a land use consent has been obtained under Rules 5.44A to 5.47, 5.50, 5.51, 5.54A to 5.56A to 5.59, 8.5.25 to 8.5.28, 11.5.10 to 11.5.12, 13.5.10 to 13.5.12, 13.5.16 to 13.5.19, 14.5.18 to 14.5.21, 15A.5.7 to 15A.5.10, 15A.5.12, 15A.5.13, 15A.5.15, 15B.5.14, 15B.5.15 to 15B.5.21, 15B.5.24, 15B.5.25, 15B.5.28 to 15B.5.31, 15B.5.34 to 15B.5.38 or 15B.5.40,~~⁷¹ the discharge of nutrients from a commercial vegetable growing activity-operation that does not meet Rule 5.42CA is a restricted discretionary activity, provided the following conditions are met:⁷²

1. A Farm Environment Plan, ~~excluding a nutrient budget,~~ has been prepared for the activity in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and⁷³
2. The aggregated area of land used for the commercial vegetable growing ~~activity-operation~~ is no greater than the baseline commercial vegetable growing area; ~~and~~

⁶⁸ Consequential to the amendment of definition commercial vegetable growing operation

⁶⁹ Consequential to the amendment of definition commercial vegetable growing operation

⁷⁰ Acton Farmers Irrigation Co-operative PC7-154.11; consequential to the amendment of definition commercial vegetable growing operation

⁷¹ Pye Group PC7-352.3; Blackhills (2002) PC7-36.5; Greenstreet Irrigation Society PC7-312.2; Rangitata South Irrigation PC7-235.2; Horticulture NZ PC7-356.2

⁷² Consequential to the amendment of definition commercial vegetable growing operation

⁷³ Balle Bros Group PC7-185.7; Eyreton Produce Limited PC7-23.3

~~3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone.~~⁷⁴

The exercise of discretion is restricted to the following matters:

1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
3. The commencement date for the first audit of the Farm Environment Plan and methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
4. Methods that ~~will contribute towards the achievement of demonstrate how~~ any nutrient loss reductions ~~and nutrient targets~~ required by Sections 6 to 15 of the Plan ~~will be achieved~~; and⁷⁵
5. Reporting of progress made towards ~~achieving~~ any nutrient loss reductions ~~and nutrient targets~~ required by Sections 6 to 15 of the Plan, and any actions implemented to remedy issues identified in any audit of the Farm Environment Plan; and⁷⁶
6. Methods to prevent an exceedance of any relevant nutrient load ~~or~~⁷⁷ limit set out in Sections 6 to 15 of the Plan if the region-wide rules continue to apply in the sub-region; ~~and~~
7. ~~The maximum total and per nutrient management area of land to be used for commercial vegetable growing~~⁷⁸.

5.42CC

The discharge of nutrients from a commercial vegetable growing ~~activity operation~~ that does not comply with condition 2 ~~or 3~~⁷⁹ of Rule 5.42CB is a discretionary activity provided the following conditions are met:⁸⁰

1. A Farm Environment Plan, ~~excluding a nutrient budget~~, has been prepared for the activity in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and⁸¹
2. The nitrogen loss rate from the new or expanded commercial vegetable growing ~~activity operation~~ does not exceed the lawful nitrogen loss rate applicable to the proposed location ~~or where no nitrogen loss rate is applicable, the Baseline GMP Loss Rate.~~⁸²

5.42CD

The discharge of nutrients from a commercial vegetable growing ~~activity operation~~ that does not comply with condition 1 of Rule 5.42CB or condition 1 ~~or 2~~ of Rule 5.42CC, is a non-complying activity.⁸³

5.42CE

~~The discharge of nutrients from a commercial vegetable growing operation that does not comply with condition 2 of Rule 5.42CC is a prohibited activity.~~⁸⁴

...

Irrigation Schemes

Notes:

⁷⁴ Heartland Potato Chips PC7- 389.5; Fallgate Farm PC7-203.5; McCains Food PC7-187.4

⁷⁵ Consequential to change to Rule 5.42CB matter of discretion 6

⁷⁶ Consequential to change to Rule 5.42CB matter of discretion 6

⁷⁷ Ravensdown Limited PC7-114.12

⁷⁸ Consequential to Heartland Potato Chips PC7- 389.5; Fallgate Farm PC7-203.5; McCains Food PC7-187.4

⁷⁹ Consequential to deletion of condition 3 of Rule 5.42CB

⁸⁰ Consequential to the amendment of definition commercial vegetable growing operation

⁸¹ Balle Bros Group PC7-185.7; Eyreton Produce Limited PC7-23.3

⁸² De Lu, D PC7-36.3; Sturrock, D.M PC7-27.1; Seyb, L PC7-276.1; Burke, C PC7-1.1, consequential to the amendment of definition commercial vegetable growing operation

⁸³ Consequential to the amendment of definition commercial vegetable growing operation

⁸⁴ HortNZ PC7-356.39

1. If a property is irrigated with water from an irrigation scheme or principal water supplier that does not hold a discharge permit under Rule 5.62 or is not a permitted activity under Rule ~~5.61~~5.41, then it is assessed under Rules 5.43 to 5.59.
2. If the applicant is not an irrigation scheme or a principal water supplier, or the holder of the discharge permit will not be an irrigation scheme or a principal water supplier, then the discharge is assessed under Rules 5.63 to 5.64.
3. If a commercial vegetable growing ~~activity operation~~ is irrigated with water from an irrigation scheme or principal water supplier that does not hold a discharge permit under Rule 5.62 or is not a permitted activity under Rule ~~5.61~~5.41, then it is assessed under Rules 5.42CA to 5.42CE.⁸⁵

5.60 ~~Notwithstanding Rules 5.43 to 5.59, the use of land for a farming activity is a permitted activity, provided the following conditions are met:~~

1. ~~The property is irrigated with water from an irrigation scheme or a principal water supplier, and the irrigation scheme or a principal water supplier holds a discharge permit that specifies the maximum annual amount of nitrate-nitrogen that may be discharged or leached under Rule 5.62 or the discharge or leaching is a permitted activity under Rule 5.61.~~

5.64 ~~Until 1 January 2017, the discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:~~

1. ~~There is an existing consent, held by an irrigation scheme or a principal water supplier, that has conditions that specify the maximum amount or rate at which nutrients may be discharged or leached from the subject land; and~~
2. ~~The consent was granted prior to 11 August 2012.~~

5.62 Where the applicant is an irrigation scheme or a principal water supplier, or the holder of the discharge permit will be an irrigation scheme or a principal water supplier, the discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA, ~~where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier,~~⁸⁶ is a discretionary activity, ~~provided the following condition is met:~~

1. ~~The applicant is an irrigation scheme or a principal water supplier, or the holder of the discharge permit will be an irrigation scheme or a principal water supplier.~~

Notification

Pursuant to sections 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification, provided that:

1. The nutrient loss is equal to or less than that currently authorised through conditions on a water permit to take and use water; or
2. The nutrient loss is equal to or less than the aggregation of the nutrient baseline across properties within the command area, calculated on a surface water catchment basis.

Note: That limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant.

Incidental Nutrient Discharges

⁸⁵ Consequential to the amendment of definition commercial vegetable growing operation

⁸⁶ RMA Schedule 1, Clause 16(2) - Minor amendment, reordering to provide clarity

- 5.63** The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:
1. The land use activity associated with the discharge is authorised under Rules 5.41 to 5.42C or Rules 5.43 to 5.59; or
 2. The land use activity associated with the discharge is authorised under ~~Rules 10.1, 10.2, 11.1 or 11.1A~~ rules in Section 3.3: Cumulative Effects of Land Use on Water Quality of the Hurunui-Waiatu River Regional Plan.
- 5.64** The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA ~~and that does not meet condition 1 of Rules 5.62 or conditions 1 or 2 of Rule 5.63~~ is a non-complying activity.

Fertiliser Use

Note: The discharge of fertiliser may also be restricted by Rules ~~5.43-5.42A~~ to 5.64

...

- 5.67A** The discharge of fertiliser onto land, or onto or into land in circumstances where a contaminant may enter water that does not meet the condition in Rule 5.67 is a ~~non-complying discretionary~~ activity.⁸⁷

...

- 5.71** The use and disturbance of the bed (including the banks) of a lake or river by any farmed cattle, farmed deer or farmed pigs and any associated discharge to water is a prohibited activity in the following areas:
1. In a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; or⁸⁸
 2. Within a ~~the a~~ Community Drinking-water Protection Zone ~~of a surface water intake~~⁸⁹ as set out in Schedule 1; or
 3. ~~In the bed of a river~~ Within within 1,000 m upstream, ~~in the bed of a lake river~~ ~~of a~~⁹⁰ freshwater bathing site, or in the bed of a lake within 500 m of a freshwater bathing site listed, in Schedule 6; or
 4. In the bed (including the banks) of a spring-fed plains river, as shown on the Planning Maps.

~~Flow Sensitive Catchments~~

Note: See sub-region Sections 6 to 15 of this Plan for location specific requirements

- 5.72** ~~The replanting after harvest of areas of plantation forest within any flow sensitive catchment listed in Sections 6 to 15 is a permitted activity, provided the following conditions are met:~~
- ~~1. The total area of replanted forest does not exceed the area of forest and replanting of the forest occurs in the same location, or the area as used for a rotation forestry operation, that existed at 1 November 2010; and~~
 - ~~2. Any replanting occurs within five years of the removal of the previous forest cover.~~

⁸⁷ Beef + Lamb PC7-214.46

⁸⁸ G Fenwick PC7-339.2

⁸⁹ CDHB PC7-347.8

⁹⁰ RMA Schedule 1, Clause 16(2) - Minor amendment

5.73 ~~The planting of new areas of plantation forest within any flow-sensitive catchment listed in Sections 6 to 15 is a controlled activity, provided the forest planting meets the following conditions:~~

- ~~1. Existing areas of exotic tall vegetation, other than plantation forest, that is greater than 2 m tall and occupies more than 80% of the canopy cover and existed at 1 November 2010 may be planted in plantation forest; and~~
- ~~2. In catchments less than or equal to 50 km² in area the total area of land planted in plantation forest does not exceed 20% of the flow sensitive catchment or sub-catchment listed in Sections 6 to 15; and~~
- ~~3. In any catchment greater than 50 km² in area the new area of planting, together with all other new areas of planting in the same flow sensitive catchment since 1 November 2012, will not cumulatively cause more than a five percent reduction in the seven day mean annual low flow, and/or more than a 10% reduction in the mean flow.~~

~~The CRC reserves control over the following matter:~~

- ~~1. The provision of information on the location, density and timing of planting.~~

5.74 ~~The replanting after harvest of areas of plantation forest that does not meet the conditions of Rule 5.72 or the planting of new plantation forest that does not meet one or more of the conditions of Rule 5.73, within any flow-sensitive catchment listed in Sections 6 to 15 is a restricted discretionary activity.~~

~~The exercise of discretion is restricted to the following matters:~~

- ~~1. The actual or potential adverse environmental effects of forestry planting on the surface water flows in the catchment, including water allocation status, minimum flow or flow regime, in-stream values and authorised takes and use of the water; and~~
- ~~2. The actual or potential adverse environmental effects of forestry planting on groundwater recharge; and~~
- ~~3. The benefits of the forestry for slope stability, erosion control, noxious plant control, water quality, carbon sequestration and biodiversity protection; and~~
- ~~4. The spacing and density, and species of the planting.~~

Stormwater

...

5.96 **The discharge of stormwater, other than into or from a reticulated stormwater system, onto or into land where contaminants may enter groundwater is a permitted activity, provided the following conditions are met:**

1. The discharge is not from, into or onto contaminated or potentially contaminated land; and
2. The discharge:
 - a. does not cause stormwater from up to and including a 24 hour duration 10% Annual Exceedance Probability rainfall event to enter any other property; and
 - b. does not result in the ponding of stormwater on the ground for more than 48 hours, unless the pond is part of the stormwater treatment system; and
 - c. is located at least 1 m above the ~~seasonal high water table~~ highest groundwater level ~~that can be reasonably inferred for the site~~⁹¹ at the time the discharge system is constructed; and
 - d. is only from land used for residential, educational or rural activities; and
 - e. does not occur where there is an available reticulated stormwater system, except where incidental to a discharge to that system; and
 - f. is not from a system that collects and discharges stormwater from more than five sites

....

Bores

⁹¹ RMA Schedule 1, Clause 16(2) - Minor amendment

5.110 The taking of water from groundwater for the purposes of carrying out bore development or pumping tests, or incidental to geotechnical investigations, and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.109 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.109; and
2. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Small and Community Water Takes

Interpretation

1. *The rules relating to small and community water takes and construction, including road maintenance (Rules 5.111 to 5.120) are the only rules in Section 5 relating to water takes that apply to small and community water takes and construction, including road maintenance. If a small or community water take does not comply with the relevant rules, then it is considered under the rules for other water takes (Rules 5.121 to 5.132). Specific rules in Sections 6 to 15 can still over-ride these Section 5 rules.*
2. *Nothing in this Plan affects a person's ~~an individual's~~ right to take water in accordance with section 14(3)(b) of the RMA.*
3. *Takes for drinking water supplies will also need to comply with other requirements including The National Environmental Standard for Sources of Human Drinking Water Regulations 2007 and the Health (Drinking Water) Amendment Act 2007.*

5.111 The take and use of water from a river, lake or an artificial watercourse is a permitted activity, provided the following conditions are met:

1. The total take and use per property:
 - a. is less than the following rates and volumes:

Water body	7DMALF	Rate	Volume per day
River	< 100 L/s	0.5 L/s	2 m ³
River	100 – 500 L/s	2 L/s	10 m ³
River	500 L/s – 10 m ³ /s	5 L/s	20 m ³
River	10 – 20 m ³ /s	5 L/s	50 m ³
River	>20 m ³ /s	5 L/s	100 m ³
Artificial watercourse	N/A	5 L/s	10 m ³
Lakes	N/A	5 L/s	50 m ³

or

- b. for rivers where the 7DMALF is unable to be calculated, is at a rate of less than 5 L/s and a maximum volume of 10 m³ per day; and
2. Fish are prevented from entering the water intake as set out in Schedule 2; and
3. Where the take is from a waterbody with a minimum flow that is set in Sections 6 to 15, the take of water for other than an individual's reasonable

domestic use and a person's reasonable stockwater⁹² use ceases when the flow is at or below the minimum flow for that waterbody, as estimated by the Canterbury Regional Council; and

4. The take is not from any river or part of a river that is subject to a Water Conservation Order; and
5. Where the take is from a water race, irrigation or hydro-electricity canal or storage facility, the abstractor holds a current written agreement with the holder of the resource consents for the taking of water into the water race, canal or storage facility; and
6. The take is not from the Avon River/Ōtakaro or Heathcote River or a wetland or a hāpua.

5.112 The take and use of water from any river or part of a river, or lake, that is subject to a Water Conservation Order is a restricted discretionary activity, provided the following conditions are met:

1. The take is at a rate of less than 5 L/s and a maximum volume of 100 m³ per day; and
2. Fish are prevented from entering the water intake as set out in Schedule 2; and
3. The take of water for other than an individual's reasonable domestic use and a person's reasonable stockwater use ceases when the flow is at or below the minimum flow for that waterbody as set out in the relevant Water Conservation Order; and
4. The take and use of water complies with, in combination with all other takes, the environmental flow and allocation limits as set out in the relevant Water Conservation Order.

The exercise of discretion is restricted to the following matter:

1. The provisions of the relevant Water Conservation Order.

...

5.115 The taking and using of water for a community water supply from groundwater or surface water is a restricted discretionary activity, provided the following conditions are complied with:

1. A Water Supply Strategy prepared in accordance with Schedule 25 is submitted with the resource consent application; and
2. Where the application seeks water for purposes other than drinking water, the application shall identify which components are not related to drinking water, and which of those are existing or new activities.

The exercise of discretion is restricted to the following matters:

1. The reasonable demand for water, taking into account the size of the community, the number of properties and stock that are to be supplied, the uses that are to be supplied and the potential growth in demand for water; and
2. The effectiveness and efficiency of the distribution network; and
3. The quality and adequacy of, compliance with and auditing of the Water Supply Strategy; and
4. The actual and potential adverse effects on other water takes, including reliability of supply; and
- 4A. The effect on the environmental flow and allocation limits within the relevant sub-region Sections 6 to 15; and
5. The potential benefits of the activity to the applicant, the community and the environment; and
6. Compliance with any relevant Water Conservation Order; and
7. The need for and extent of the proposed Community Drinking-water Protection Zone; and
8. The matters set out in Schedule 1 and the way in which those matters are responded to in the proposal for which consent is sought and the assessment of effects forming part of the application; and
9. The actual and potential effects on any user of land located within the proposed Community Drinking-water Protection Zone; and
10. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and
11. The potential adverse effects on significant habitats of indigenous fauna and flora any Critical Habitat.⁹³

⁹² RMA Schedule 1, Clause 16(2) - Minor correction – the 's' in stockwater was underlined in error in proposed PC7.

⁹³ Timaru DC PC7-292.20, PC7-292.22

Water for Construction Maintenance

...

5.117 The taking and using of water from any river or part of a river that is subject to a Water Conservation Order, for infrastructure construction, maintenance and repair is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The provisions of the relevant Water Conservation Order; and
2. The location of the take, the actual and potential adverse environmental effects on the immediate vicinity and the need for any restriction to prevent the flow from reducing to zero in this vicinity.; and
3. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Site Dewatering - Groundwater

...

5.120 The taking of water from groundwater for the purpose of de-watering for carrying out excavation, construction, maintenance and geotechnical testing and the associated use and discharge of that water that does not meet one or more of the conditions in Rule 5.119 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual and potential environmental effects of not meeting the condition or conditions of Rule 5.119.; and
2. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and
3. The potential adverse effects on ~~significant habitats of indigenous fauna and flora~~ any Critical Habitat.⁹⁴

Take and Use Surface Water

...

5.123 The taking and use of surface water from a river or lake is a restricted discretionary activity, provided the following conditions are met:

1. Unless the proposed take is the replacement of a lawfully established activity affected by the provisions of section 124-124C of the RMA, the take, in addition to all existing consented takes, does not result in any exceedance of any environmental flow or allocation limit or rate of take or seasonal or annual volume limits set in Sections 6 to 15 for that surface waterbody; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, if no limits are set in Sections 6 to 15 for that surface waterbody, the take, both singularly and in addition to all existing consented takes meets a flow regime with a minimum flow of 50% of the 7-day mean annual low flow (7DMALF) as estimated by the CRC and an allocation limit of 20% of the 7DMALF; and
3. Unless it is associated with the artificial opening of a Hapūa, lagoon or coastal lake to the sea, the take is not from a wetland, Hapūa or a high naturalness river or high naturalness lake that is listed in Sections 6 to 15.

The exercise of discretion is restricted to the following matters:

- 1A. The rate, volume and timing of the take; and
1. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the water quality allocation status of the relevant catchment; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and

⁹⁴ Timaru DC PC7-292.20, PC7-292.22; G Fenwick PC7-339.2

3. For water used for irrigation, the management of water allocation and resulting nutrient discharges on individual farms; and
4. The potential effects on groundwater recharge where the groundwater allocation zone is fully or over allocated as set out in Sections 6 to 15; and
5. The availability and practicality of using alternative supplies of water; and
6. The effects the take has on any other authorised takes or diversions; and
7. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and
8. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies to this Plan; and
9. Whether and how fish are prevented from entering the water intake; and
10. The provisions of any relevant Water Conservation Order; and
11. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dry land habitats; and
12. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable reduction of the over- allocation; and
13. Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
14. Any adverse effects of the use of water on Ngāi Tahu values or on sites of significance⁹⁵ to Ngāi Tahu, including wāhi tapu and wāhi taonga.

...

5.126

The non-consumptive taking and use of water from a lake, river or artificial watercourse and discharge of the same water to the same lake, river or artificial watercourse is a restricted discretionary activity, provided the following conditions are met:

1. Limits have been set for that surface waterbody in Sections 6 to 15 or the lake or river is subject to a Water Conservation Order; and
2. The taking of water and subsequent discharge does not result in any exceedance of any limit set for that waterbody in Sections 6 to 15 or flow and allocation regime set out in the Water Conservation Order; and
3. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the maximum distance from the point of take to the point of discharge is not more than 250 m; and
4. Other than for the replacement of existing consents for activities provided for under Policy 4.51, the take is not from a wetland, Hapūa or a high naturalness lake or river that is listed in Sections 6 to 15.

The exercise of discretion is restricted to the following matters:

- 1A. The rate, volume and timing of the take; and
1. Measures that will ensure any limits are not affected; and
2. Whether the amount of water to be taken is reasonable for the intended use; and
3. The effects the take has on any other authorised takes; and
4. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and
5. The reduction in the rate of take in times of low flow and the need for any additional restrictions to prevent the flow from reducing to zero; and
6. Whether and how fish are prevented from entering the water intake and/or discharge structure; and
7. The actual or potential adverse environmental effects on aquatic ecosystems, in-stream habitat, wetlands, dryland habitats, sites of significance to Ngāi Tahu, amenity and recreational values in the area of the river subject to the take; and
8. The actual or potential adverse environmental effects of both the take and any subsequent discharge on water quality; and
9. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Take and Use Groundwater

⁹⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

...

5.128

The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:

1. The take is from within a Groundwater Allocation Zone on the Planning Maps; and
2. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, for stream depleting groundwater takes, the take, in addition to all existing consented surface water takes, does not result in any exceedance of any environmental flow and allocation limits set in Sections 6 to 15 for that surface waterbody in accordance with Schedule 9; and
3. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of section 124-124C of the RMA, the seasonal or annual volume of the groundwater take, in addition to all existing consented takes, as determined by the method in Schedule 13 does not exceed the groundwater allocation limits for the relevant Groundwater Allocation Zone in Sections 6 to 15; and
4. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any groundwater abstraction other than an abstraction by or on behalf of the applicant are acceptable, as determined in accordance with Schedule 12.

The exercise of discretion is restricted to the following matters:

- 1A. The rate, volume and timing of the take; and
1. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
2. The availability and practicality of using alternative supplies of water; and
3. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
4. The actual or potential adverse environmental effects on surface water resources if the groundwater take is within a surface water catchment where the surface water allocation limit, as set out in Sections 6 to 15 is fully or over allocated; and
5. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the actual or potential adverse environmental effects the take has on any other authorised takes, including interference effects as set out in Schedule 12; and
6. For stream depleting groundwater takes, the matters of discretion under Rule 5.123; and
7. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
8. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
9. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
10. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated groundwater allocation zone, the reduction in the rate of take and volume limits to enable reduction of the over-allocation; and
11. Where the water is being used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
12. Any adverse effects of the use of water on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

...

Transfer of Water Permits

5.133

The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of the water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater, is a restricted discretionary activity, provided the following conditions are met:

1. The reliability of supply for any other lawfully established water take is not reduced; and
2. The seasonal or annual volume of take after the transfer is less than or equal to the volume of take prior to the transfer, or if no seasonal or annual

- volume has been applied, a seasonal or annual volume is applied in accordance with Schedule 10; and
3. In the case of surface water, the point of take remains within the same catchment and the take complies with the limits set in Sections 6 to 15; and
 4. In the case of groundwater:
 - a. the point of take is within the same groundwater allocation zone; and
 - b. the bore interference effects as set out in Schedule 12 are acceptable; and
 - c. in addition for stream depleting groundwater takes:
 - i. the transfer is within the same catchment; and
 - ii. the take complies with the limits set in Sections 6 to 15 or the limits in any relevant catchment specific plan listed in Section 2.8 of this Plan; and
 - iii. the stream depletion effect is no greater in the transferred location than in the original location.

The exercise of discretion is restricted to the following matters:

1. The nature of the transfer, whether short term, long term, partial or full, and the apportioning of the maximum rate and seasonal or annual volume in the case of a partial transfer; and
2. The appropriateness of existing conditions, including conditions on minimum flow, seasonal or annual volume and other restrictions to mitigate effects; and
3. The reasonable need for the quantities of water sought, the intended use of the water and the ability of the applicant to abstract and use those quantities; and
4. The efficiency of the exercise of the resource consent; and
5. The reduction in the rate of take in times of low flow; and
6. The method of preventing fish from entering any water intake; and
7. In a catchment where the surface water and/or groundwater allocation limits set out in Rule 5.123 and Rule 5.128 or Sections 6 to 15 are exceeded, any reduction in the rate or volume of take that may be required to assist with the phasing out of that exceedance; and
8. Where there is a change to the use of the water or a change in the location the water is proposed to be used, any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Notification

Pursuant to sections 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification.

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

Structures

5.136

The installation, or removal of pipes, ducts, cables or wires, including the associated drilling, tunnelling, or disturbance in or under the bed of a lake or river, and the installation, or removal of pipes, ducts, cables or wires is a permitted activity, provided the following conditions are met:

1. The activity is not undertaken in, on, or under the bed of a lake listed as a high naturalness lake in Sections 6 to 15 or in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and ⁹⁶
2. The activity does not involve the deposition of any substance, other than bed material, on the bed of a lake or river; and
3. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is evidence that permission has been obtained

⁹⁶ G Fenwick PC7-339.2

- from the owner of the infrastructure or the works are being carried out by or on behalf of the owner; and
- 4. Within 30 days of the completion of the activity the bed of the lake or river is returned to its original contour; and
- 5. Marker posts are erected for the lifetime of the pipes, ducts, cables or wires; and
- 6. The works do not occur in flowing water.

5.137

The installation, alteration, extension, or removal of bridges and culverts, ~~and including the associated excavation, disturbance and consequential deposition of substances on, in or under the bed of a lake or river, the excavation or other disturbance of the bed of a lake or river, and, in the case of culverts, the associated take, discharge or diversion of water is a permitted activity, provided the following conditions are met:~~

1. Any material deposited in, on, under or over the bed of a lake or river in order to construct or maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment and does not contain or is not coated with any hazardous substance; and
2. The activity is undertaken at a distance greater than 10 m from any dam, weir, bridge, or network utility pole, pylon or flood protection vegetation, or 150 m from any water level recorder, or 50 m from any defence against water, or closer where there is 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
3. The works do not occur in flowing water; and
4. The activity is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and ⁹⁷
5. Upon completion of the activity:
 - a. any area of the bed of a lake or river which has been disturbed is returned to as near as practicable to its original state; and
 - b. any excavated areas are left with battered slopes not steeper than 3:1 slope angle (3 horizontal to 1 vertical) and any flow channels disturbed during the activity are reinstated; and
6. For any permanent culvert at the time of its installation:
 - a. the maximum length is 25 m; and
 - b. the maximum width of the river bed at the point of the crossing is 5 m; and
 - c. the culvert is installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river or lake or is covered with water at the estimated 7DMALF; and
 - d. the culvert provides a 5% Annual Exceedance Probability flood flow capacity without increasing upstream water levels; and
 - e. the location is not within any urban area or settlement; and
- ~~7. For any temporary culvert:

 - a. the maximum width of the river bed at the point of the crossing is 5 m; and
 - b. the culvert is installed at a level no higher than bed level, and no lower than 100 mm below the level of the bed of the river or lake; and
 - c. the culvert is not placed in a waterbody managed for flood control or drainage purposes unless written approval is obtained from the authority responsible for the waterbody; and
 - d. the culvert is not in place for more than four weeks; unless it is within a plantation forest in which case the culvert shall be in place for no more than 3 months; and ⁹⁸~~
8. For any bridge:
 - a. there are no piers within the bed; and
 - b. the bridge and the approaches are designed so that a 5% Annual Exceedance Probability flood event does not cause any increase in upstream water levels; and
 - c. the soffit (underside) of any bridge is higher than the top of the river bank, and at least 500 mm above the 5% AEP flood level; and the bridge abutments are constructed parallel to the flow; and

⁹⁷ G Fenwick PC7-339.2

⁹⁸ HortNZ PC7-356, page 2

9. The works or structures do not prevent any existing fish passage.

5.138

The installation, maintenance, use and removal of defences against water in, on or under the bed of a lake or river, including:

- a. **the associated deposition of substances on, in or under the bed of a lake or river, and excavation of the associated diversions and discharges of sediment into water, and any excavation or other disturbance of the bed of a lake or river; and**
- b. **the any associated diversion and discharge of sediment laden water into an artificial watercourse;**

is a permitted activity, provided the following conditions are met:

1. The activity does not prevent access in any way to lawfully established structures, including defences against water; and
2. Other than for the use of defences against water the activity is not in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15 or within a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and ⁹⁹
3. The activity is undertaken by or on behalf of a local authority or a network utility operator in accordance with a plan that has been certified by the CRC as being in accordance with the Canterbury Regional ~~Council~~ ¹⁰⁰ Code of Practice for Defences Against Water and Drainage Schemes (~~June 2015~~ April 2019); and
4. The works or structures do not prevent any existing fish passage. ¹⁰¹

5.139

The use and maintenance of structures, excluding dams, on, in or under the bed of a lake or river are permitted activities, provided the following conditions are met:

1. The structures have been lawfully established; and
2. Any material deposited in, on, under or over the bed in order to maintain the structure is of inert materials of colour and material type that blends with the surrounding natural environment, is not contaminated with any hazardous substance; and
3. Any upgrading or minor alteration does not increase the footprint, height, or external envelope of the structure; and
4. Except for bridges, culverts, pipes, ducts, cables and wires and their associated support structures the maintenance of that part of the structure within the bed of a lake or river is not undertaken within a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~. ¹⁰²

5.140

Despite any other rule in this Plan Unless covered by a rule in this Plan ¹⁰³, the installation, alteration, extension, or removal of temporary structures and diversions associated with undertaking activities in Rules 5.135 to 5.139, military training activities, or artificial watercourses are permitted activities, provided the following conditions are met:

1. The activity is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and ¹⁰⁴
2. The temporary structure and diversion is in place for not more than 4 weeks in any 12 month period; and
3. The activity does not prevent fish passage or result in the stranding of fish; and
4. Any diversion of water out of a river channel does not reduce the wetted width of that existing channel by more than 25% at any point; and
5. For any temporary culvert in a river:

⁹⁹ G Fenwick PC7-339.2

¹⁰⁰ RMA Schedule 1, Clause 16(2) - Minor correction to delete "Council" from the title of the Code of Practice as per the title on the published document.

¹⁰¹ RMA Schedule 1, Clause 16(2) - Minor amendments to improve readability

¹⁰² G Fenwick PC7-339.2

¹⁰³ RMA Schedule 1, Clause 16(2) - Minor amendment

¹⁰⁴ G Fenwick PC7-339.2

- a. The maximum length of the culvert is ~~14m 10m~~; and¹⁰⁵
 - b. The culvert is ~~installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river an open bottom culvert or the base of the culvert is embedded below bed level by 25% to 50% of the culvert height¹⁰⁶ or and¹⁰⁷ is covered with water at the estimated 7DMALF; and~~
 - c. ~~The maximum width of the river bed at the point of the crossing is 5 m; and¹⁰⁸~~
6. The activity is not in a river, lake or artificial watercourse managed for flood control or drainage purposes unless written permission has been obtained from the authority responsible for maintaining the flood and drainage carrying capacity of that water body or watercourse.

5.140A

The installation, alteration, extension or removal of any equipment or device on or in the bed of a lake or river, that is for the purpose of monitoring, measuring, or taking samples from any surface waterbody, and the associated excavation, disturbance and consequential deposition of substances on, in or under the bed of a lake or river is a permitted activity, provided the following conditions are met:

1. The equipment or device and any associated support structures do not prevent any existing fish passage; and
2. Any material deposited in, on, under or over the bed in order to maintain the structure does not contain any hazardous substance and is of inert materials of colour and material type that blends with the surrounding natural environment; and
3. Any alteration, removal or extension of any monitoring, measuring or sampling equipment does not occur unless a written permission has been obtained from the owner of that equipment; and
4. Upon completion of the associated excavation, disturbance and consequential deposition of substances on, in or under the bed, any area of the bed of a lake or river that has been disturbed is returned, as near as practicable, to its original state; and
5. The installation, alteration, extension or removal of any equipment or device is not undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~.¹⁰⁹

5.141

Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.135 to 5.140A or in relation to artificial watercourses are permitted activities, provided the following conditions are met:

1. The discharge is only of sediment, organic material and water originating from within the bed of the lake or river, or artificial watercourse; and
2. The discharge is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and¹¹⁰
3. ~~The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month concentration of total suspended solids in the discharge, except within the first 4 hours of discharge, does not exceed:~~
 - a. ~~50g/m³ where the discharge is to any spring fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or~~
 - b. ~~100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case Schedule 5 visual clarity standards shall apply.~~
3. The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month and, except within the first 4 hours of discharge, does not exceed the Schedule 5 visual clarity standards outside the Mixing Zone.¹¹¹

¹⁰⁵ Fulton Hogan PC7-428.6, PC7-428.7

¹⁰⁶ Greenstreet Irrigation Society PC7-312.51

¹⁰⁷ Fish and Game PC7-351.15

¹⁰⁸ HortNZ PC7-356, page 2

¹⁰⁹ G Fenwick PC7-339.2

¹¹⁰ G Fenwick PC7-339.2

¹¹¹ South Canterbury Gravel Extracting Industry PC7-393.2; Rooney Earthmoving PC7-392.2

5.141A The placement, installation, erection, reconstruction, alteration or removal of any structure, excluding dams, on, in or under the bed of a lake or river, and including any associated excavation, disturbance, diversion and discharge in the bed of a lake or river, or any diversion or discharge in an artificial watercourse, that does not comply with Rules 5.135 to 5.141 is a discretionary activity.

...

Gravel from Lake and Riverbeds

...

5.148 The extraction of gravel from the bed of a lake or river including the deposition of substances on the bed and excavation or other disturbance of the bed of a lake or river, but excluding the diversion of water within the bed of a river, is a permitted activity, provided the following conditions are met:

1. The activity is not undertaken in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Sections 6 to 15; and
2. No part of the activity occurs within flowing water; and
3. The activity does not include the deposition of any substance, other than bed material, on the bed; and
4. The volume excavated by any person or on behalf of any person, organisation or corporation:
 - a. in the bed of any river or lake does not exceed 5 m³ in any 12 consecutive months; or
 - b. between 1 February and 31 August, in the beds listed in Schedule 14, does not exceed 5 m³ per month and not more than 10 m³ in any 12 consecutive months period; or
 - c. between 1 February and 31 August, in the beds listed in Schedule 15, does not exceed 10 m³ per month and not more than 20 m³ in any 12 consecutive months period; and
5. Any excavated material (other than surplus or reject material) is removed from the bed within 10 days of the material being excavated; and
6. Unless undertaken by owner of the structure, or written permission from the owner of the structure has been obtained, the activity is undertaken more than 50 m from any lawfully established dam, weir, culvert crossing, bridge, surface water intake plant or network utility pole or pylon, more than 150 m from any lawfully established water level recorder and more than 7.5 m from any existing defences against water; and
7. The activity and any associated equipment, materials or debris does not obstruct or alter access to or the navigation of the lake or river; and
8. The activity does not include screening or any other processing of the gravel within the bed of the lake or river; and
9. The activity is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in any Indigenous Freshwater Species Habitat Critical Habitat; and ¹¹²
10. Excavation shall not occur within 100 metres of birds which are nesting or rearing their young in the bed of the river.

5.149 The extraction of gravel from the bed of a lake or river, including the ancillary deposition of substances on the bed and excavation or other disturbance of the bed that does not meet condition 4, 5, or 8 of Rule 5.148, but excluding the diversion of water within the bed of a river, is a permitted activity, provided the following condition is met:

1. The extraction of gravel is undertaken by or on behalf of the CRC in conformance with the current version of the Canterbury Regional Gravel Management Strategy prepared to give effect to Policy 10.3.4 of the Canterbury Regional Policy Statement.

5.150 The extraction of gravel from the bed of a lake or river including the ancillary deposition of substances on the bed and excavation or other disturbance of the bed that does not meet condition 1, 2, 3, 6, 7, 9 or 10 of Rule 5.148 or condition 1 of Rule 5.149, but excluding the diversion of water within the bed of a river, is a discretionary activity.

5.151 Notwithstanding any other rule in this Plan, the placement, use, maintenance and removal of any temporary structures and diversions associated with undertaking activities in Rules 5.147 to 5.150 or in relation to artificial watercourses are permitted activities, provided the

¹¹² G Fenwick PC7-339.2

following conditions are met:

1. The activity is not undertaken in a salmon spawning site listed in Schedule 17 or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, ~~or in any Indigenous Freshwater Species Habitat Critical Habitat~~; and ¹¹³
2. The temporary structure and diversion is in place for not more than 4 weeks in any 12 month period; ~~and~~
3. ~~The activity does not prevent fish passage or result in the stranding of fish; and~~
4. ~~Any diversion of water out of a river channel does not reduce the wetted width of that existing channel by more than 25% at any point; and~~
5. ~~For any temporary culvert in a river:~~
 - a. ~~The maximum length of the culvert is 14m 40m~~¹¹⁴; and
 - b. ~~The culvert is installed so that the base of the culvert is below bed level to an extent that a minimum of 25% of the internal width of the culvert is below the level of the bed of the river an open bottom culvert or the base of the culvert is embedded below bed level by 25% to 50% of the culvert height~~¹¹⁵ ~~or and~~¹¹⁶ ~~is covered with water at the estimated 7DMALF; and~~
 - c. ~~The maximum width of the river bed at the point of the crossing is 5m; and~~¹¹⁷
6. ~~The activity is not in a river, lake or artificial watercourse managed for flood control or drainage purposes unless written permission has been obtained from the authority responsible for maintaining the flood and drainage carrying capacity of that water body or watercourse.~~

5.152

Temporary discharges to water or to land in circumstances where a contaminant may enter water associated with undertaking activities in Rules 5.147 to 5.150 5.151, or in relation to artificial watercourses are permitted activities, provided the following conditions are met:

1. The discharge is only of sediment, organic material and water originating from within the bed of the lake or river ~~or artificial watercourse~~; and
2. The discharge is not undertaken in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, ~~or in any Indigenous Freshwater Species Habitat Critical Habitat~~; and ¹¹⁸
3. ~~The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month - concentration of total suspended solids in the discharge, except within the first 4 hours of discharge, does not exceed:~~
 - a. ~~50g/m³ where the discharge is to any spring fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or~~
 - b. ~~100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case Schedule 5 visual clarity standards shall apply.~~
3. ~~The discharge is not for more than ten hours in any 24-hour period, and not more than 40 hours in total in any calendar month and, except within the first 4 hours of discharge, does not exceed the Schedule 5 visual clarity standards outside the Mixing Zone.~~¹¹⁹

5.152A

The placement, use, maintenance and removal of any temporary structure or diversion that does not comply with one or more conditions of Rule 5.151, or the associated temporary discharge of water or contaminants to water that does not comply with one or more conditions of Rule 5.152, is a discretionary activity.

5.153

~~Where not classified by any other Rule in this Plan, the diversion or discharge of water and contaminants as a result of the extraction of gravel from the bed of a lake or river including the deposition of substances on the bed and excavation or other disturbance of the bed of a~~

¹¹³ G Fenwick PC7-339.2

¹¹⁴ Fulton Hogan PC7-428.6, PC7-428.7

¹¹⁵ Greenstreet Irrigation Society PC7-312.51

¹¹⁶ Fish and Game PC7-351.16

¹¹⁷ HortNZ PC7-356, page 2

¹¹⁸ G Fenwick PC7-339.2

¹¹⁹ South Canterbury Gravel Extracting Industry PC7-393.2; Rooney Earthmoving PC7-392.2

~~lake or river, is a discretionary activity.~~

Wetlands

- 5.161** Reducing the area of a wetland for the operation, maintenance or repair of existing infrastructure or construction of new infrastructure for transport, electricity or water distribution or reticulation, including vegetation clearance and earthworks and the taking, use, damming or diversion (including draining) of water and the associated discharge of any water onto land or into a river, lake, artificial watercourse or wetland is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The practicality of avoiding the wetland, including alternative routes or methods; and
2. The ecological significance of the wetland, and the actual and potential adverse effects on the significant values of the wetland; and
3. Any off-setting of any actual and potential adverse effects; and
4. The magnitude and proportion of reduction in area of the wetland-; and
5. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Vegetation in Lake and Riverbeds

- ...
- 5.163** The introduction or planting of any plant, or the removal and disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

1. The activity does not prevent access to lawfully established structures, including flood protection works, or to flood control vegetation; and
2. No vegetation used for flood control or bank stabilisation is disturbed, removed, damaged or destroyed without the prior written permission of the person or agency responsible for maintaining that vegetation for flood control purposes; and
3. No woody vegetation is disposed of in, on, over or under the bed of a lake or river other than for in situ decomposition of sprayed weeds that were growing in, on, over or under the bed; and
4. 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~~ Canterbury Regional Pest Management Plan; and
5. Introduction or planting of vegetation in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Section 6 to 15 is only of indigenous plant species that naturally occur in the catchment; and
6. Vegetation clearance in, on, or under the bed of any river or lake listed as a high naturalness waterbody in Section 6 to 15 is only of:
 - a. non-indigenous species; or
 - b. indigenous species that form the understorey of plantation forest that is being harvested and a minimum 5 m set back from the river or lake is provided upon replanting (if replanting occurs); and
7. Vegetation clearance does not occur in a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive; ~~or in any Indigenous Freshwater Species Habitat Critical Habitat;~~ and ¹²⁰
8. In a flood control rating district scheme area, the introduction or planting of any plant, has the prior written permission of the person or agency responsible for maintaining that vegetation for flood control purposes; and
9. From 5 September 2015, and within the bed of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and Waitaki rivers, vegetation clearance or cultivation does not result in a reduction in the area or diversity of existing riverbed vegetation, unless the activity is for the purpose of the operation, maintenance, upgrade or repair of infrastructure; and
10. Except in relation to recovery activities, or the establishment, maintenance, repair or upgrading of network utilities and fencing, the concentration of

¹²⁰ G Fenwick PC7-339.2; RMA Schedule 1, Clause 16(2) - Minor amendment

total suspended solids in the discharge does not exceed:

- a. 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
- b. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply.

5.164 The introduction or planting of any plant, or the removal or disturbance of existing vegetation in, on or under the bed of a lake or river and any associated discharge of sediment or sediment-laden water that does not comply with one or more of the conditions of Rule 5.163, excluding conditions 2, 4, and 9, is a restricted discretionary activity.

The exercise of discretion is restricted to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 5.163-; and
2. Any adverse effects on Ngāi Tahu value or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi tāonga.

Earthworks and Vegetation Clearance in Riparian Areas

...
5.167 The use of land for vegetation clearance outside the bed of a river or lake or adjacent to a wetland boundary but within:

- (a) **10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps; or**
- (b) **5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country on the Planning Maps;**

and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

1. Except in relation to recovery activities, the area of bare ground resulting from vegetation clearance:
 - a. does not exceed 10% of the area within the relevant riparian margin at any time; or
 - b. is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
 - c. for plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; and
2. Except in relation to recovery activities, the vegetation clearance is not on land above 900 m above sea level; and
3. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed:
 - a. 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - b. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
4. The felling of trees, or any part of a tree, is away from any lake, river or wetland, except where it is not practicable to do so to ensure human safety, and no logs or tree trunks are dragged through or across the bed of a lake or a permanently flowing river, or a wetland; and
5. The vegetation clearance does not occur adjacent to a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and ¹²¹
6. The vegetation is not flood or erosion control vegetation; and
7. From 5 September 2015, and in the riparian margins of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and the Waitaki rivers,

¹²¹ G Fenwick PC7-339.2

vegetation clearance or cultivation does not result in a reduction in the area or diversity of existing riparian vegetation, unless the works have been authorised by a land use consent granted by the relevant territorial authority and conditions 1 to 6 above are also met, or the activity is for the purpose of the installation, operation, maintenance, upgrade or repair of infrastructure.

5.168

The use of land for earthworks outside the bed of a river or lake or adjacent to a wetland boundary but within:

- (a) 10 m of the bed of a lake or river or a wetland boundary in Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps; or**
- (b) 5 m of the bed of a lake or river or a wetland boundary in all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country;**

and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

1. Except in relation to recovery activities, or the establishment, maintenance or repair of network utilities and fencing, the extent of earthworks within the riparian margin:
 - a. does not at any time exceed:
 - i. an area of 500 m², or 10% of the area, whichever is the lesser; or
 - ii a volume of 10m³ on land shown as High Soil Erosion Risk on the Planning Maps; or
 - b. is undertaken in accordance with a Farm Environment Plan that has been prepared in accordance with Schedule 7 Part A; or
 - c. for plantation forestry activities is undertaken in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007 and the NZ Forest Road Engineering Manual (2012); and
2. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, the concentration of total suspended solids in the discharge does not exceed:
 - a. 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - b. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards shall apply; and
3. The activity does not occur adjacent to a salmon spawning area listed in Schedule 17, or in any inanga spawning habitat during the period of 1 January to 1 June inclusive, or in adjacent to¹²² any ~~Indigenous Freshwater Species Habitat Critical Habitat~~; and¹²³
4. Except in relation to recovery activities or the establishment, maintenance or repair of network utilities and fencing, any earthworks or cultivation is not within 5 m of any flood control structure without the prior written permission of the person or agency responsible for maintaining that flood control structure; and
5. From 5 September 2015, and in the riparian margins of Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and Waitaki rivers, earthworks or cultivation do not result in a reduction in the area or diversity of existing riparian vegetation, unless the works have been authorised by a land use consent granted by the relevant territorial authority and conditions 1 to 4 above are met, or the activity is for the purpose of the installation, operation, maintenance, upgrade or repair of infrastructure.

...

Vegetation Clearance and Earthworks in Erosion-prone Areas

...

5.170

Within the area shown as High Soil Erosion Risk on the Planning Maps and outside any riparian margin, the use of land (excluding any works for which a building consent has been obtained from the relevant local authority) for

¹²² DOC PC7-160.8

¹²³ G Fenwick PC7-339.2

- a. Cultivation or spraying of slopes less than 25 degrees; or
- b. Cultivation or spraying on slopes greater than 25 degrees; provided that, the total area sprayed or cultivated is less than 200 m²; or
- c. Vegetation clearance of species (including by spraying) listed in the Biosecurity NZ Register of Unwanted Organisms or the ~~Canterbury~~ **Pest Management Strategy Canterbury Regional Pest Management Plan**; or
- d. Hand clearance and spot spraying of vegetation; or
- e. Silvicultural practices of release cutting, pruning or thinning to waste and harvesting in accordance with the Environmental Code of Practice for Plantation Forestry (ECOP) 2007; or
- f. Earthworks within a production forest undertaken in accordance with NZ Forest Road Engineering Manual (2012); or
- g. Maintenance of existing firebreaks, roads and tracks and, during a fire emergency, construction of new firebreaks and tracks; or
- ga. Construction of fences; or
- h. Construction of walking tracks no more than 1.5 m wide; or
- i. Maintenance of existing transport networks; or
- j. Earthworks and vegetation clearance associated with the establishment, repair or maintenance of pipelines, electricity lines, telecommunication lines and radio communication structures and fences; or
- k. Other earthworks where
 - i. the volume is less than 10 m³ per site or per hectare (whichever is the greater); and
 - ii. the maximum depth of cut or fill is 0.5 m;

and any associated discharge of sediment or sediment-laden water in circumstances where sediment may enter surface water is a permitted activity, provided the following conditions are met:

- 1. Any cleared areas are stabilised and where it is not put to its final use shall be revegetated within 6 months from the date of the commencement of the vegetation clearance or earthworks; and
- 2. Any cultivation is across the contour of the land; and
- 3. When firebreaks, roads, or tracks are constructed or maintained the maximum depth of cut or fill is 0.5 m; and
- 4. the concentration of total suspended solids in the discharge shall not exceed:
 - a.¹²⁴ 50 g/m³, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50 g/m³ in which case the Schedule 5 visual clarity standards shall apply; or
 - b.¹²⁵ 100 g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100 g/m³ in which case the Schedule 5 visual clarity standards shall apply.

...

Earthworks over Aquifers

...

5.175

The use of land to excavate material is a permitted activity, provided the following conditions are met:

- 1. Over the Coastal Confined Gravel Aquifer System, as shown on the Planning Maps:
 - a. there is more than 1 m of undisturbed material between the deepest part of the excavation and Aquifer 1; and
 - b. if more than 100 m³ of material is excavated, the excavation does not occur within 50 m of any surface waterbody; or
- 2. Over an unconfined or semi-confined aquifer:
 - a. the volume of material excavated is less than 100 m³; or
 - b. the volume of material excavated is more than 100 m³ and:
 - i. there is more than 1 m of undisturbed material between the deepest part of the excavation and the ~~seasonal high water table~~ highest groundwater level; and

¹²⁴ RMA Schedule 1, Clause 16(2) - Minor amendment (reinstate operative rule formatting)

¹²⁵ RMA Schedule 1, Clause 16(2) - Minor amendment (reinstate operative rule formatting)

- ii. the excavation does not occur within 50 m of any surface waterbody.

- 5.176** **The use of land to excavate material that does not comply with one or more of the conditions of Rule 5.175 is a restricted discretionary activity.**
- The exercise of discretion is restricted to the following matters:***
1. The actual and potential adverse environmental effects on the quality of water in aquifers, rivers, lakes, wetlands; and
 2. Any need for remediation or long-term treatment of the excavation; and
 3. The protection of the confining layer and maintaining levels and groundwater pressures in any confined aquifer, including any alternative methods or locations for the excavation; and
 4. The management of any exposed groundwater; and
 5. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.
- 5.177** **The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the ~~seasonal high water table~~ highest groundwater level is less than 5 m below the deepest point in the excavation, and the associated discharge of contaminants onto or into land where it may enter water, is a controlled activity, provided the following conditions are met:**
1. The material is only cleanfill; and
 2. The volume of vegetative matter in any cubic metre of material deposited does not exceed 3%; and
 3. The material is ~~not deposited into groundwater~~ placed in the land at least 1 m above the highest groundwater level at the site; and
 4. ~~Any cured asphalt deposited is placed in the land at least 1 m above the highest groundwater level expected at the site~~ The material is not concrete slurry, coal tar or hydro-excavated waste; and
 5. The material is not deposited onto or into land that is listed as an archaeological site; and
 6. A management plan has been prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002; and
 7. A site rehabilitation plan has been prepared for the site and is submitted with the application for resource consent.
- The CRC reserves control over the following matters:***
1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands and mitigation measures; and
 2. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002; and
 3. The content and adequacy of the site rehabilitation plan to address any adverse effects after the deposition of material is completed.
- 5.178** **The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the ~~seasonal high water table~~ highest groundwater level is less than 5 m below the deepest point in the excavation, and the associated discharge of contaminants onto or into land where it may enter water, that does not comply with one or more of¹²⁶ the conditions of Rule 5.177 is a restricted discretionary activity.**

¹²⁶ RMA Schedule 1, Clause 16(2) - Minor amendment

The ~~CRC will restrict its exercise of~~ discretion is restricted to the following matters: ¹²⁷

1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands and mitigation measures; and
2. The proportion of any material other than cleanfill and its potential to cause contamination; and
3. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002; and
4. Methods for reinstatement of the site following completion of the activity; and ¹²⁸
5. The content and adequacy of the site rehabilitation plan if submitted with the application for resource consent; and
6. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Hazardous Substances

5.180 The use of land for the storage in a portable container and use of a hazardous substance listed in Part A of Schedule 4 that does not meet one or more of the conditions in Rule 5.179 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. Measures to avoid:
 - a. the entry of the substances or associated contaminants into groundwater, surface water, supplies of drinking-water and aquatic ecosystems; and
 - b. any actual or potential adverse environmental effects on the current or future use of the water resource, as a result of leakage or spillage of the substance, or a release of the substance as a result of a natural event; and
2. Measures to prevent or contain spills or leaks, including site layout and drainage, waste management, emergency management and leak detection; and
3. Maintenance and monitoring of the storage or use system including containment measures; and
4. Any adverse effects on Ngāi Tahu values, or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga.

Plantation Forestry and Carbon Sink Forestry ¹²⁹

Note:

1. Plantation forestry activities, as defined in Section 2 of this Plan, are regulated by Rules 5.189 to 5.190 and must also comply with the National Environmental Standards for Plantation Forestry (NESPF).
2. Carbon sink forestry activities ~~Activities~~ that do not meet the definition of Plantation Forestry, as ~~defined set out~~ in Section 2 of this Plan, must comply with Rules 5.190A and 5.190B and any other relevant rules in this Plan. ¹³⁰
3. See sub-region Sections 6 to 15 of this Plan for location-specific requirements of flow sensitive catchments. ¹³¹

5.189 Any plantation forestry activity regulated by the Resource Management (National Environmental Standards for Plantation Forestry)

¹²⁷ RMA Schedule 1, Clause 16(2) - Minor amendment

¹²⁸ RMA Schedule 1, Clause 16(2) - Minor amendment

¹²⁹ Cashmere Stream Care Group PC7-193.20

¹³⁰ Cashmere Stream Care Group PC7-193.20

¹³¹ Cashmere Stream Care Group PC7-193.20

Regulations including:

- a. the use,¹³² excavation, deposition or disturbance of land, including land¹³³ in the bed of a lake or river, or in a wetland; or
- b. the planting, replanting or clearance of vegetation, including in, on, or under¹³⁴ the bed of a lake or river, or in a wetland; or
- c. the taking or diverting of water; or
- d. the discharge of contaminants into water or onto or into land in circumstances where it may enter water;

is a permitted activity, provided the following conditions are met:

1. Planting of new areas does not occur within any Flow Sensitive Catchment listed in Sections 6 to 15 of this Plan; and
2. Replanting Within of existing areas within any Flow Sensitive Catchment listed in Sections 6 to 15 of this Plan:
 - a. the total area replanted does not exceed the area of harvest; and
 - b. the replanting occurs in the same location or within the same area used as part of the rotation of the forestry operation as at 1 November 2010; and
 - c. any replanting occurs within five years of the removal of the previous forest cover; and¹³⁵
3. The concentration of total suspended solids in the discharge does not exceed:
 - a. 50g/m³ where the discharge is to any Spring-fed river, Banks Peninsula River, or to a lake, except when the background total suspended solids in the waterbody is greater than 50g/m³ in which case the Schedule 5 visual clarity standards outside the mixing zone¹³⁶ shall apply; or
 - b. 100g/m³ where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100g/m³ in which case the Schedule 5 visual clarity standards outside the mixing zone¹³⁷ shall apply; and
4. The activity is not undertaken in any Indigenous Freshwater Species Habitat Critical Habitat¹³⁸ or in a salmon spawning site listed in Schedule 17¹³⁹; and
5. The activity is not undertaken in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive; and
6. The activity does not reduce the area of a wetland; and
7. Any portable container used to store a hazardous substance (including fuel) is not located within:
 - a. 20 m of a surface water body or a bore; or
 - b. a Community Drinking-water Protection Zone as set out in Schedule 1; and
8. The activity does not occur within an area identified as a Rock Art Management Area on the Planning Maps.¹⁴⁰

5.189B

The planting of new areas of plantation forest regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations that does not meet condition 1 of Rule 5.189, is a controlled activity, provided the following conditions are met:

1. The new area of planting will replace, and will be entirely located within, an existing area of vegetation, where the existing vegetation:
 - a. is exotic species, is greater than 2 m tall, occupies more than 80% of the canopy cover of the existing area, and existed at 1 November 2010; and
 - b. is not a plantation forest or a forest that is specifically planted and managed for a carbon sink; and

¹³² HortNZ PC7-356, page 2

¹³³ RMA Schedule 1, Clause 16(2) - Minor amendment

¹³⁴ RMA Schedule 1, Clause 16(2) - Minor amendment

¹³⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

¹³⁶ Rayonier NZ and Port Blakely PC7-224.3

¹³⁷ Rayonier NZ and Port Blakely PC7-224.3

¹³⁸ G Fenwick PC7-339.2

¹³⁹ Fish & Game PC7-351.22

¹⁴⁰ Ngā Rūnanga PC7-423.3

2. In any flow sensitive catchment less than or equal to 50 km² in area the new area of planting, together with all other areas of planting in the same flow sensitive catchment, does not exceed 20% of the area of that flow sensitive catchment; and
3. In any flow sensitive catchment greater than 50 km² in area the new area of planting, together with all other new areas of planting in the same flow sensitive catchment since 1 November 2012, will not cumulatively cause more than a five percent reduction in the 7DMALF, and/or more than a 10% reduction in the mean flow. ¹⁴¹

The CRC reserves control over the following matter:

1. The provision of information on the location, density and timing of planting. ¹⁴²

5.190

Any plantation forestry activity regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations including:

- a. the ~~use~~,¹⁴³ excavation, deposition or disturbance of land, including ~~land~~¹⁴⁴ in the bed of a lake or river, or in a wetland; or
- b. the planting, replanting or clearance of vegetation, including in, ~~on, or under~~¹⁴⁵ the bed of a lake or river, or in a wetland; or
- c. the taking or diverting of water; or
- d. the discharge of water or contaminants into or onto land in circumstances where it may enter water;

that does not meet ~~one or more of the~~ conditions 2, 3, 4, 5, 6 or 7 in of Rule 5.189 or one or more of the conditions of Rule 5.189B is a discretionary activity. ¹⁴⁶

5.190A

The planting of forest that is specifically planted and managed for a carbon sink, excluding a plantation forest, within any flow-sensitive catchment listed in Sections 6 to 15, is a controlled activity, provided the following conditions are met:

1. The new area of planting will replace, and will be entirely located within, an existing area of vegetation, where the existing vegetation:
 - a. are exotic species, is greater than 2 m tall, occupies more than 80% of the canopy cover of the existing area, and existed at 1 November 2010; and
 - b. is not a plantation forest or a forest that is specifically planted and managed for a carbon sink; and
2. In any flow sensitive catchment less than or equal to 50 km² in area the new area of planting, together with all other areas of planting in the same flow sensitive catchment, does not exceed 20% of the area of that flow sensitive catchment; and
3. In any flow sensitive catchment greater than 50 km² in area the new area of planting, together with all other new areas of planting in the same flow sensitive catchment since 1 November 2012, will not cumulatively cause more than a five percent reduction in the 7DMALF, and/or more than a 10% reduction in the mean flow.

The CRC reserves control over the following matter:

1. The provision of information on the location, density and timing of planting. ¹⁴⁷

¹⁴¹ Cashmere Stream Care Group PC7-193.20; Rayonier NZ and Port Blakely PC7-224.1

¹⁴² Cashmere Stream Care Group PC7-193.20; Rayonier NZ and Port Blakely PC7-224.1

¹⁴³ HortNZ PC7-356, page 2

¹⁴⁴ RMA Schedule 1, Clause 16(2) - Minor amendment

¹⁴⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

¹⁴⁶ Cashmere Stream Care Group PC7-193.20; Rayonier NZ and Port Blakely PC7-224.1

¹⁴⁷ Cashmere Stream Care Group PC7-193.20

5.190B

The planting of forest that is specifically planted and managed for a carbon sink, excluding a plantation forest, that does not meet one or more of the conditions of Rule 5.190A, within any flow-sensitive catchment listed in Sections 6 to 15 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The actual or potential adverse environmental effects of the forest planting on the surface water flows in the catchment, including water allocation status, minimum flow or flow regime, in-stream values and authorised takes and use of the water; and
2. The actual or potential adverse environmental effects of the forest planting on groundwater recharge; and
3. The benefits of the forest for slope stability, erosion control, noxious plant control, water quality, carbon sequestration and biodiversity protection; and
4. The spacing and density, and species of the planting. ¹⁴⁸

Managed Aquifer Recharge

5.191

The take and use of surface water for managed aquifer recharge or the use of surface water associated with a lawfully established surface water take, and the associated use and discharge of that water and entrained contaminants into water or into or onto land, the use of land for the excavation and deposition of material to construct the managed aquifer recharge system, and the discharge of construction-phase stormwater into or onto land where it may enter water, is a restricted discretionary activity, provided the following conditions are met:

1. The take and use of water, in combination with all other takes, complies with the provisions of any relevant Water Conservation Order; and
2. Unless the proposed take is the replacement of a lawfully established take ~~for managed aquifer recharge affected by the provisions of section 124-124C of the RMA with no increase in the total rate or volume of water taken~~ ¹⁴⁹, the take, in addition to all existing consented takes, does not result in any exceedance of any environmental flow or allocation limit or rate of take or seasonal or annual volume limits set in Sections 6 to 15 of this Plan for that surface water body; and
3. The take is not from a high naturalness river or high naturalness lake listed in Sections 6 to 15, or from a wetland (excluding an artificial wetland); and
4. The application demonstrates the proposal will either reduce the concentration of contaminants, or increase the volume of water, in the receiving groundwater aquifer;
5. The application demonstrates ~~that the proposal will not reduce the quality of human and animal drinking water at any existing drinking water supply source within 1 kilometre of the point of discharge; and where there are no existing drinking water supply sources within 1 kilometre of the proposal, the application demonstrates there will be no degradation in groundwater quality further than 1 kilometre beyond the discharge point degrade groundwater quality~~ ¹⁵⁰; and
6. The point of discharge is not:
 - a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or
 - b. onto or into contaminated or potentially contaminated land; or
 - c. within 50 m of an existing bore used for water abstraction; or
 - d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and
7. A Managed Aquifer Recharge Plan is prepared in accordance with Schedule 32 and is submitted with the application for resource consent; and
8. The discharge does not contain wastewater. ¹⁵¹

¹⁴⁸ Cashmere Stream Care Group PC7-193.20

¹⁴⁹ Fish and Game PC7-351.23, PC7-95.85

¹⁵⁰ RMA Schedule 1, Clause 16(2) - Minor amendment

¹⁵¹ Ngā Rūnanga PC7-423.69

The exercise of discretion is restricted to the following matters:

1. The location, rate, volume and timing of the take; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use; and
3. The provisions of any relevant Water Conservation Order; and
4. The location, method, rate and timing of the discharge; and
5. The design, construction and operation of the managed aquifer recharge system and its effectiveness in increasing the quantity of groundwater, or reducing the concentration of contaminants in groundwater; and
6. The appropriateness of any proposed monitoring and reporting processes; and
7. The appropriateness of integration with existing or planned water infrastructure and water conveyance systems; and
8. The quality and adequacy of, compliance with and auditing of the Managed Aquifer Recharge Plan; and
9. The potential benefits of the activities to the community and the environment; and
10. Any adverse effects of the take and use of water on ecosystems and ecosystem services of the surface water body; and
11. Any adverse effects of the discharge on people, ~~and~~ property ~~and permitted or consented land use activities~~¹⁵² from raised groundwater levels and higher flows in hydraulically connected surface water bodies; and
12. Any adverse effects of the discharge on the hydraulic properties of the receiving groundwater; and
13. Any adverse effects of the discharge on water quality in the receiving groundwater and any hydraulically connected surface water bodies, including the availability, quality and safety of human and animal drinking water; and
14. Any adverse effects on Ngāi Tahu values including those associated with the unnatural mixing of water, or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and
15. Any adverse effects of the activities on existing wetlands, significant indigenous vegetation and significant habitats of indigenous fauna; ~~and~~
16. ~~Where the proposed take is the replacement of a lawfully established take and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable reduction of the over-allocation and the consistency of the proposal with Policy 4.50.~~¹⁵³

5.192 The take ~~and use~~ of surface water for managed aquifer recharge ~~or the use of surface water associated with a lawfully established surface water take, and the associated use and~~¹⁵⁴ discharge of that water and entrained contaminants into water or into or onto land, the use of land for the excavation and deposition of material to construct the managed aquifer recharge system, and the discharge of construction-phase stormwater into or onto land where it may enter water, that does not meet one or more of the conditions of Rule 5.191, excluding conditions ~~s 1 or 2~~¹⁵⁵, is a non-complying activity.

5.193 The take ~~and use~~ of surface water for managed aquifer recharge ~~or the use of surface water associated with a lawfully established surface water take, and the associated use and~~¹⁵⁶ discharge of that water and entrained contaminants into water or into or onto land, the use of land for the excavation and deposition of material to construct the managed aquifer recharge system, and the discharge of construction-phase stormwater into or onto land where it may enter water, that does not meet conditions ~~s 1 or 2~~¹⁵⁷ of Rule 5.191 is a prohibited activity.

¹⁵² ESAI PC7-207.38

¹⁵³ Fish and Game PC7-351.95, PC7-95.65

¹⁵⁴ Consequential to the amendment of the chapeau of Rule 5.191

¹⁵⁵ Fish and Game PC7-351.24, PC7-95.86

¹⁵⁶ Consequential to the amendment of the chapeau of Rule 5.191

¹⁵⁷ Fish and Game PC7-351.25, PC7-95.87

Section 7 Hurunui -Waiau

7.6 Allocation Limits

7.6.2 Groundwater Allocation Limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4 and Table 6: Hurunui-Waiau Groundwater Limits.

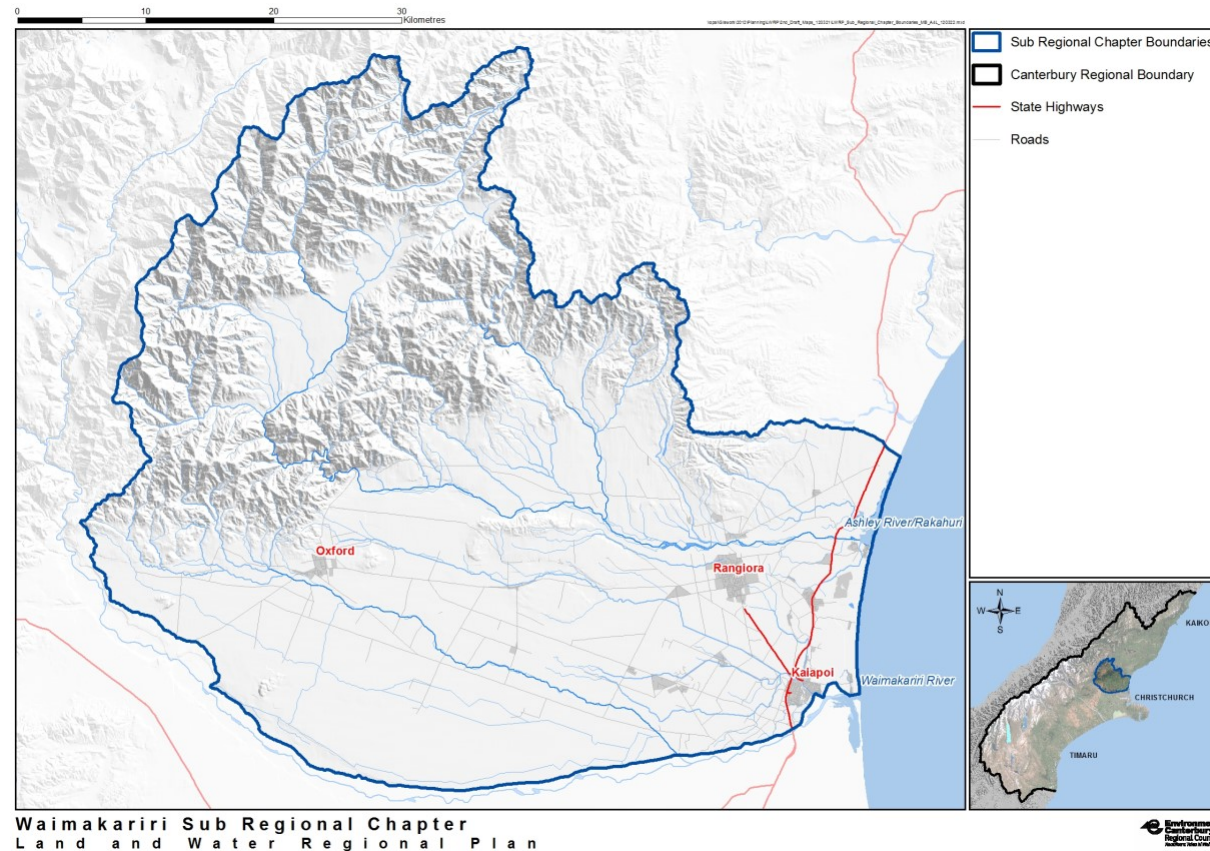
Table 6: Hurunui-Waiau Groundwater Limits

Zone (see Planning Maps)	Allocation Limit (million m ³ /yr)
Waipara North	2.9
Kowai	17.4 <u>7.43</u>

Section 8 Waimakariri

The area covered by this section is generally contiguous with the Waimakariri District Council boundary and the Waimakariri Zone boundary under the CWMS.

Waimakariri Sub-region



PC7 Instructions: Delete the Waimakariri Sub-region figure above and insert the new Waimakariri Sub-region figure below

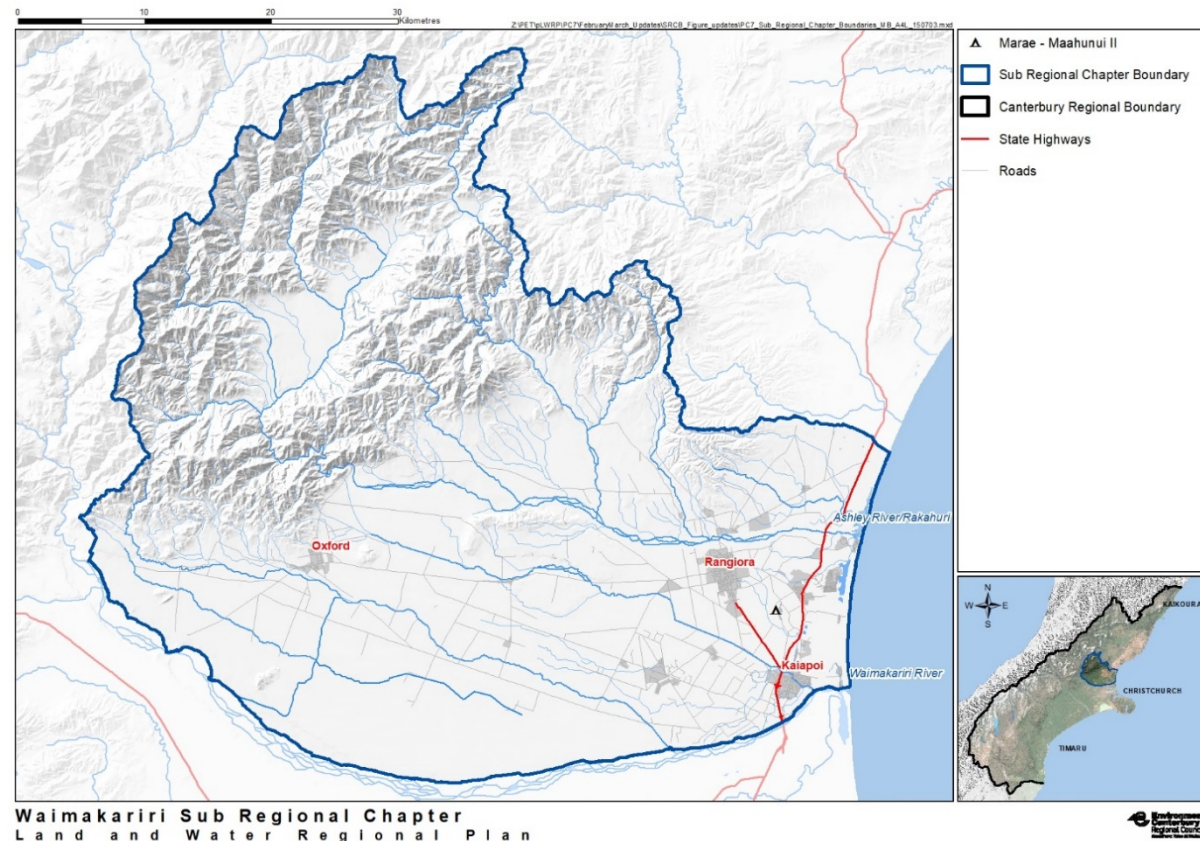


Figure 1 – Waimakariri sub-region¹⁵⁸

The area is characterised by the large alpine Waimakariri River alongside the hill fed Ashley/Rakahuri River and its tributaries (including the Okuku River), and a network of spring-fed streams and lagoons in the coastal zone. Much of the land to the east of Rangiora is reclaimed swamp, which is still subject to poor drainage and occasional flooding. The north-western portion of the area is hill and high country. These hills, including Mt Oxford, Mt Richardson, and Mt Thomas, dominate the district's western landscape. The following sustainable water management priority outcomes have been identified by the Waimakariri Zone Committee:

- Lowland stream water quality and water quantity supports mahinga kai gathering and a diversity of aquatic life.
- The Ashley/Rakahuri River is safe for contact recreation, has improved river habitat, improved fish passage, improved customary use, and flows that support natural coastal processes.
- The zone has safe and reliable drinking water, preferably from secure sources, and the Tuahiwi community has a high quality water supply.
- The biodiversity of coastal lagoons and foothills wetlands are protected with improved biodiversity on the plains.

¹⁵⁸ RMA Schedule 1 Clause 16(2) minor correction

- ~~Highly reliable irrigation water, to a target of 95%, is available in the Zone. Optimal water and nutrient management is common practice.~~
- ~~There is improved contribution to the regional economy from the Zone~~

The Waimakariri Sub-region lies to the north of the Waimakariri River and extends from Pegasus Bay in the east to the Puketeraki Range in the west. In the north-western corner lies Lees Valley with the Ashley River/Rakahuri flowing through the hills and onto the plains. As it flows across the plains it receives water from major tributaries including the Okuku, Makerikeri and Garry Rivers before discharging into the Ashley Estuary (Te Aka Aka).

Much of the land to the east of Rangiora is reclaimed swamp that is still subject to poor drainage and occasional flooding. The rivers, streams, lagoons and wetlands have always been an important place and food basket for Tangata Whenua.

The Waimakariri Sub-region is within the takiwa of Ngāi Tūāhuriri Rūnanga. Within this area are many locations of immense tribal significance, including Kaiapoi Pa. The marae of Ngāi Tuahuriri, Maahunui II, is located at Tuahiwi. Mahinga kai practices are central to the identity of Ngāi Tuahuriri, including the ability to harvest resources from land and freshwater bodies within the Waimakariri Sub-region.

Diversity abounds in the Waimakariri District due to its unique mix of small towns, farming, lifestyle blocks and its proximity to Christchurch. Despite rapid population growth, the District has been able to retain its rural/small town character with attractive town centres and surrounding rural areas.

Zone Committee

The Waimakariri Water Zone Committee (Zone Committee) published its Zone Implementation Programme (ZIP) under the Canterbury Water Management Strategy in 2011 and its Addendum (ZIPA) to this Programme in 2018. The Committee identified nine community outcomes they want to see achieved:

1. The quality and quantity of water in spring-fed streams maintains or improves mahinga kai gathering and diverse aquatic life
2. The Ashley River/Rakahuri is safe for contact recreation, has improved river habitat, fish passage, and customary uses, and has flows that support natural coastal processes
3. The Waimakariri River, as a receiving environment, is a healthy habitat for freshwater and coastal species and is protected and managed as an outstanding natural landscape and recreation resource
4. The zone has safe and reliable drinking water, preferably from secure sources
5. Indigenous biodiversity in the zone is protected and improved
6. Irrigation water with a reliability¹⁵⁹ target of 95% is available in the zone
7. Optimal water and nutrient management is commonplace
8. There is improved contribution to the regional economy from the zone
9. Land and freshwater management in the Waimakariri Water Zone supports, over time, maintenance of current high-quality drinking water in Christchurch's aquifers.

Outcome 9 was established in response to science investigations which concluded that a proportion of recharge to Christchurch's deep aquifer system is likely to be derived from an area within the Waimakariri Sub-region.

Freshwater Management Units

The Waimakariri Sub-region has been divided into two Freshwater Management Units (FMUs) as shown in Figure 2, for the purpose of managing the quality and quantity of freshwater.

¹⁵⁹ RMA Schedule 1, Clause 16(2) – minor correction

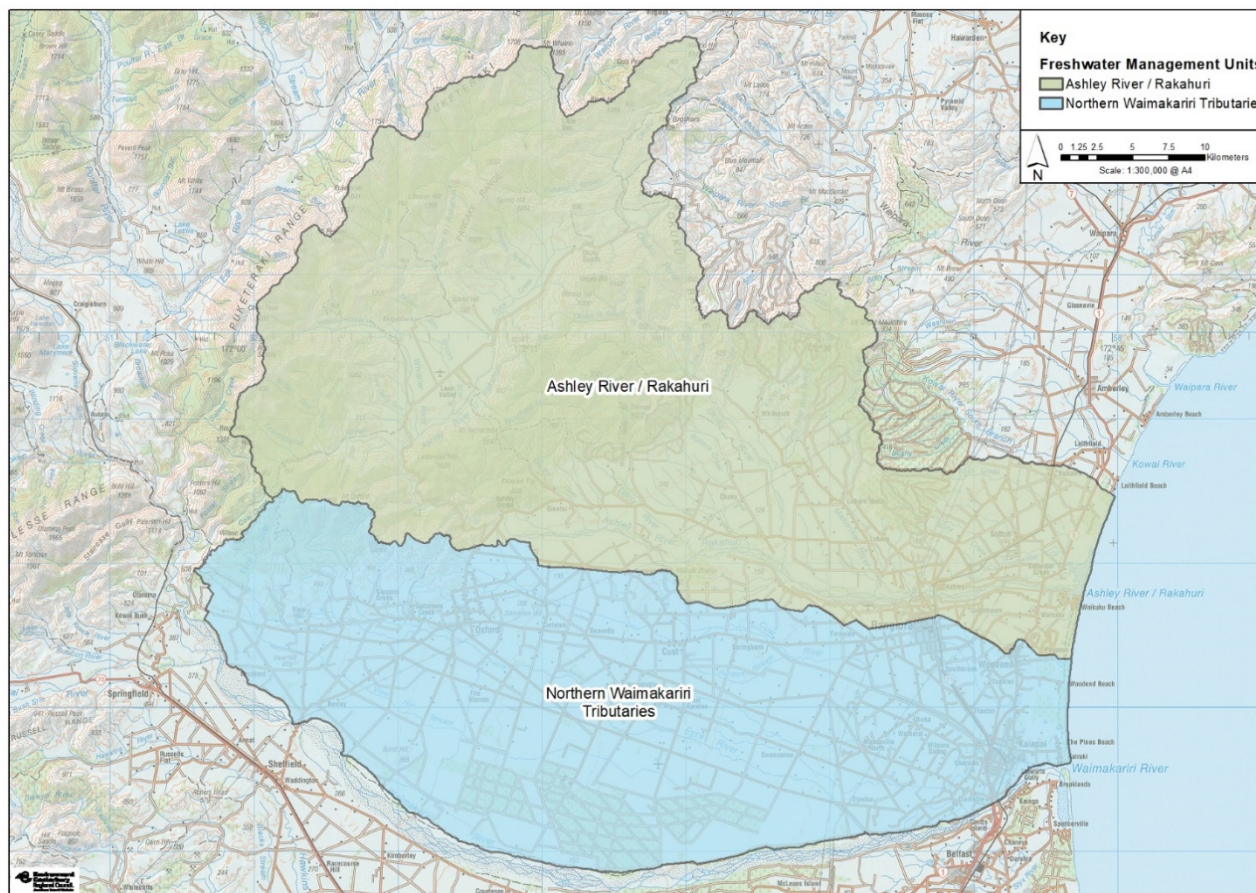


Figure 2 Freshwater Management Units within the Waimakariri sub-region

Ashley River/Rakahuri Freshwater Management Unit

The Ashley River/Rakahuri FMU encompasses the Ashley River/Rakahuri and its catchment from its headwaters in the hill and high country in the north-west upstream of Ashley Gorge to the sea on the east coast. The river receives the majority of its rainfall recharge from above the gorge. Below the gorge the river loses water to gravels as it flows across the plains but gains flow from inflowing tributaries including the hill-fed Okuku, Makerikeri and Garry Rivers. A large proportion of water lost to gravels feeds the springs and rivers further east towards the coast, including Taranaki Creek, Waikuku Stream, Little Ashley Creek and Saltwater Creek which are all highly valued by Ngai Tūāhuriri Rūnanga. The Ashley Estuary (Te Aka Aka) is located at the bottom of the catchment and is an important feeding, resting and nesting area for river birds. For Ngāi Tahu, the Ashley River/Rakahuri, Te Aka Aka and coastal lagoons (including the Tutaipatu Lagoon) were the food basket of Kaiapoi Pa. They are of special cultural significance and remain highly

used by tangata whenua today.

Northern Waimakariri Tributaries Freshwater Management Unit

The Northern Waimakariri Tributaries FMU includes the lower tributary catchments of the Waimakariri River and the Eyre and Cust Rivers. The Eyre has its headwaters in the foothills to the north-west of Oxford and the Cust River rises in the foothills north of Oxford. Both rivers originally flowed into vast wetland areas including the Rangiora and Ohoka swamps. Efforts to drain these wetlands for farmland and major river works to control flooding in the 1930s saw the Eyre River diverted directly into the Waimakariri River. Today, the Cust River is linked to the Cust Main Drain through a series of herringbone drains cut into the land in the 1860s as a means for draining the swamps. Parts of the Eyre River and Cust River are dry for periods in the late summer and early autumn. **The Eyre River rarely flows along its full length.**¹⁶⁰ The Cust Main Drain system joins the Kaiapoi River (Silverstream) which is one of the area's more significant lowland streams. Other significant spring-fed streams and tributaries of the Kaiapoi River system include Courtenay Stream, Greigs Drain, Ohoka Stream, the Cam River/Ruataniwha and its three tributaries, North Brook, Middle Brook and South Brook. These waterbodies are important sources of mahinga kai for Nga Tūāhuriri Rūnanga.

The Cam River/Ruataniwha is of particular importance to Ngāi Tūāhuriri Rūnanga because of its association with Tuahiwi marae. The Cam River/Ruataniwha is an important source of mahinga kai, enabling rūnanga to exercise Manaakitanga (hospitality) and Whanaungatanga (kinship). In addition to the measures in this plan, significant efforts to rehabilitate the Cam River/Ruataniwha have been **undertaken by**¹⁶¹ various organisations.

What this Plan does

The Zone Committee identified a suite of recommendations relating to cultural, stream health, biodiversity, and water quality and quantity outcomes. These outcomes are to be achieved through a programme of catchment investigations, practical actions on the ground and the provisions in this Plan. The provisions in Section 8 do the following:

- give greater recognition to Ngāi Tūāhuriri kaitiaki responsibilities and interests
- reduce permitted activity limits for farming activities, relative to the region-wide nutrient management provisions for Red Nutrient Allocation Zones
- establish a Nitrate Priority Area where the focus is on reducing nitrogen losses over time to achieve target nitrate-nitrogen concentrations in surface and groundwater within the Waimakariri Sub-region, and on managing risks of future increases in nitrate-nitrogen in waterbodies outside the Waimakariri Sub-region (including waterbodies in the Coastal Marine Area, the mainstem of the Waimakariri River, and waterbodies in the Christchurch-West Melton Sub-region)
- establish an Ashley Estuary (Te Aka Aka) and Coastal Protection Zone within which additional resource consents and Farm Environment Plans are required
- set water quality outcomes and limits for rivers, lakes, groundwater and community drinking water within the sub-region
- require stock to be excluded from a broader range of waterbodies within the sub-region
- set higher minimum flows for some rivers, to be met over time
- generally, cap water allocation at current levels of allocation and reduce over-allocation over time
- provide an enabling framework for environmental enhancement activities
- support ongoing monitoring of water quality, including monitoring of nitrate-nitrogen concentrations in waterbodies, to inform future management of land uses.

8.1 Other Regional Plans that apply to the Waimakariri Sub-region

Nil.

8.1.1 Waimakariri River Regional Plan 2004

¹⁶⁰ Bowden Environmental PC7-84.3

¹⁶¹ RMA Schedule 1, Clause 16(2) - minor correction

The Waimakariri River Regional Plan 2004 controls use of water in the Waimakariri River, its tributaries and hydraulically connected groundwater; point and non-point source discharges of contaminants to water bodies in the Waimakariri River catchment; and land use activities in the beds of rivers and lakes in the Waimakariri River catchment.

Except for Policies 8.4.4, 8.4.4A and Rules 8.5.2 and 8.5.3 which address the repair of earthquake damaged land on individual sites used for residential activities the LWRP's objectives, policies and rules do not apply to the matters controlled by the Waimakariri River Regional Plan 2004. The specific relationship between the LWRP and the Waimakariri River Regional Plan 2004 and how the plans are administered is detailed in Section 2.8.

8.1A Waimakariri Sub-region Definitions

The following definitions apply in addition to those in Section 2.9 of the Plan.

Word or Phrase	Definition
<u>Ashley Estuary (Te Aka Aka) and Coastal Protection Zone</u>	<u>means the area identified as the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone on the Planning Maps.</u>
<u>Ashley River/Rakahuri Freshwater Management Unit</u>	<u>means the area identified as the Ashley River/Rakahuri Freshwater Management Unit on the Planning Maps.</u>
<u>Ashley-Waimakariri Plains Area</u>	<u>means the area identified as the Ashley-Waimakariri Plains Area on the Planning Maps.</u>
<u>Bird colony</u>	<u>means a group of more than one pair of birds of a species that rests in colonies.</u> ¹⁶²
<u>Deep groundwater</u>	<u>means groundwater that is abstracted from a well:</u> <u>a. located at least 100 metres from a river; and</u> <u>b. that has a minimum top screen depth of at least 50 metres below ground level; and</u> <u>c. where the average abstraction rate over 150 days is no more than 10 L/s.</u> ¹⁶³
<u>Nitrate Priority Area</u>	<u>means the area identified as the Nitrate Priority Area on the Planning Maps.</u>
<u>Nitrate Priority Sub-area</u>	<u>means, within the Nitrate Priority Area, any area identified as Sub-areas A, B, C, D or E on the Planning Maps.</u>
<u>Northern Waimakariri Tributaries Freshwater Management Unit</u>	<u>means the area identified as the Northern Waimakariri Tributaries Freshwater Management Unit on the Planning Maps.</u>

¹⁶² Forest & Bird PC7-472.78

¹⁶³ Bowden Environmental PC7-84.4

<u>Spring</u>	<u>means an area where groundwater flows to the land surface and is at a rate or quantity where water discharges into a surface water body either on an intermittent or permanent basis.</u> ¹⁶⁴
<u>Surface Water Allocation Zone</u>	<u>means the areas identified as Surface Water Allocation Zones on the Planning Maps.</u> ¹⁶⁵
<u>Targeted Stream Augmentation</u>	<u>means the controlled and targeted addition of freshwater to a surface water body for the express purposes¹⁶⁶ of increasing flows or improving the quality of fresh water in the receiving waterbody.</u>
<u>Waimakariri Pro-rata Partial Restrictions</u>	<u>means, with regard to abstraction restrictions, the proportional reduction of an abstraction that is required whenever the flow at the minimum flow site, as estimated by the Canterbury Regional Council, is less than the sum of the applicable minimum flow and the applicable allocation limits, so as to avoid the minimum flow at the relevant recorder site from being breached as a result of abstractions.</u> ¹⁶⁷

8.2 Water Conservation Orders that apply to the Waimakariri Sub-region

NIL

8.3 Fresh-water Outcomes¹⁶⁸

See Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4 and freshwater outcomes in Tables 8(a) and 8(b).

8.4 Policies

The following policies apply in the Waimakariri Sub-region, in addition to those set out in Section 4 of this Plan.

- ~~8.4.1~~ ~~In implementing partial restrictions, takes from the Ashley River/Rakahuri catchment, other than for stock drinking water and community drinking water supplies, shall be reduced on a pro-rata basis in order to maintain the minimum flows in Table 7 below.~~
- ~~8.4.4~~ 8.4.1 Until 31 December 2018, and where the site was used for residential activities as at 4 September 2010, enable within the area shown in Map 8.1, the repair of earthquake damaged land within specified thresholds as permitted activities. Beyond these thresholds, provide for land repair activities by way of a resource consent, where the adverse effects on the environment are mitigated.

¹⁶⁴ Arowhenua and Te Rūnanga PC7-424.125

¹⁶⁵ RMA Schedule 1, Clause 16(2) – minor correction

¹⁶⁶ RMA Schedule 1, Clause 16(2) – minor correction

¹⁶⁷ Pareora Catchment Society Inc PC7-108.14

¹⁶⁸ RMA Schedule 1, Clause 16(2) – minor correction

- 8.4.4A 8.4.2 Enable, within specified thresholds and within the area shown in Map 8.1 the repair of earthquake damaged land associated with non-residential activities as permitted activities. Beyond these thresholds, provide for land repair activities by way of a resource consent, where the adverse effects on the environment are mitigated.
- 8.4.5 8.4.3 Ensure a focused and expedited decision making process for landowners by requiring resource consent applications to be processed and considered without public or limited notification. In addition, ensure the social, economic, cultural and environmental well-being of communities is met by requiring adverse effects from the repair of earthquake damaged land to be mitigated through conditions of consent.

Freshwater Management Units

- ~~8.4.4 Management of freshwater in the Waimakariri Sub-region is achieved through the establishment of two Freshwater Management Units and improvements in freshwater attained through setting of, and managing to, water quality and quantity limits for each area.~~¹⁶⁹

Natural State Waterbodies

- ~~8.4.5 Preserve the high water quality of View Hill Creek, Coopers Creek and the Eyre River upstream of the confluence of the Waimakariri River with the Eyre River Diversion by classifying them as Natural State waterbodies.~~¹⁷⁰

Tangata Whenua

- 8.4.6 Management ~~and use~~ of freshwater, ~~and the uses to which it is put in the Waimakariri Sub-region,~~ supports the exercise of kaitiakitanga and the abundance of ~~freshwater~~ mahinga kai species that are safe to gather, harvest, consume and use.¹⁷¹
- 8.4.7 Protect wāhi tapu and wāhi taonga ~~in the Waimakariri Sub-region~~¹⁷² by avoiding as a first priority ~~adverse effects on these sites~~¹⁷³, and only where avoidance is impracticable, requiring adverse effects of activities on sites of wāhi tapu and wāhi taonga to be minimised.
- ~~8.4.8 Protect mahinga kai values for all lakes, rivers, wetlands and springs (waipuna) through close evaluation of any actions and timeframes described in the Farm Environment Plan when considering applications for resource consent for farming activities.~~¹⁷⁴
- 8.4.9 ~~Recognise and provide for the~~ The cultural importance of ~~the waterbodies within the Waimakariri Sub-region~~ to Ngāi Tūāhuriri Rūnanga ~~are recognised and provided for by:~~¹⁷⁵
- improving the quality of water in groundwater, and in hill-fed and spring-fed rivers; and
 - improving flows in hill-fed and spring-fed rivers; and
 - reserving an allocation of water from the Cam River/Ruataniwha, Ashley River/Rakahuri, and Silverstream for mahinga kai enhancement purposes; and
 - extending the region-wide stock exclusion rules to springs (waipuna) and other surface waterbodies

¹⁶⁹ HortNZ PC7-356, page 2

¹⁷⁰ Federated Farmers PC7-430.74

¹⁷¹ HortNZ PC7-356, page 2

¹⁷² HortNZ PC7-356, page 2

¹⁷³ RMA Schedule 1, Clause 16(2) – minor correction

¹⁷⁴ HortNZ PC7-356, page 2

¹⁷⁵ HortNZ PC7-356, page 2

Abstraction of Water

- ~~8.4.10 Surface water flows are improved in the Waimakariri Sub-region by ensuring all A, B and C permit abstractions comply with the environmental flow and allocation regimes set out in Tables 8-1, 8-2 and 8-3.¹⁷⁶~~
- 8.4.2 8.4.11 Takes from any tributaries that join the Ashley River/Rakahuri upstream of State Highway 1 will have a minimum flow set at the Ashley Gorge plus any minimum flow set in the vicinity of the take.
- 8.4.12 Avoid flows in surface waterbodies falling below the minimum flows in Tables 8-1 and 8-2 due to water abstraction, by implementing Waimakariri pro-rata partial restrictions on all abstractions except abstractions for stock drinking water and community water supply purposes.
- ~~8.4.13 Assist with delivering mahinga kai outcomes for Ngāi Tūāhuriri Rūnanga and the Cam River/Ruataniwha, Ashley River/Rakahuri and Silverstream, by requiring any application for resource consent to take and use water from the mahinga kai enhancement allocation in Table 8-3, to include a Cultural Impact Assessment and a description of how the proposal will protect or enhance mahinga kai values.¹⁷⁷~~
- 8.4.14 Ecological and cultural values of outcomes for¹⁷⁸ the wetland and lagoon system in the Kairaki/McIntosh Surface Water Allocation Zone are protected by not granting any permits to take and use surface water, and only granting permits to take and use groundwater where it is demonstrated that the proposal will have a low stream depletion effect on any surface water body within the Kairaki/McIntosh Surface Water Allocation Zone.
- 8.4.15 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 only allowing applications to be made enabling the replacement of existing surface water takes or groundwater takes that have direct, high or moderate stream depletion effect with to take and use groundwater that has low stream depletion effect from the Transfer Permit Allocation limit in Table 8-4.¹⁷⁹ where:-
- ~~a. 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; and¹⁸⁰~~
 - b. the volume of water sought from deep groundwater the Transfer Permit Allocation in Table 8-4¹⁸¹ is for an equal or lesser volume than the existing permit; and
 - c. the existing permit is surrendered.
- 8.4.16 Avoid the grant of any water permit for the take and use of surface water or stream depleting groundwater until the freshwater outcomes in Tables 8(a) and 8(b) are met for that surface waterbody, except where:
- a. the take will replace an existing lawfully established take affected by the provisions of section 124 - 124C of the RMA; or
 - b. the take and use is for a community water supply, enhancement of mahinga kai, environmental enhancement (including managed aquifer recharge or targeted stream augmentation), or the take is non-consumptive.

¹⁷⁶ HortNZ PC7-356, page 2

¹⁷⁷ Ngāi Tūāhuriri PC7-399.41

¹⁷⁸ Forest & Bird PC7-472.81

¹⁷⁹ Consequential to Bowden Environmental PC7-84.4

¹⁸⁰ Consequential to DairyNZ PC7-357.31

¹⁸¹ Consequential to Bowden Environmental PC7-84.4

Transfer of Water Permits

- 8.4.3 ~~8.4.17~~ For any water permits that authorise the take of water from the Ashley River/Rakahuri, or from any of its tributaries that join the main stem above State Highway 1, there shall be:
- a. no transfer of the point of take on a water permit beyond the property to which the take applies; and
 - b. there shall be no transfer of water to another property of any part of any water permit for the take or use of water that is taken from the Ashley River/Rakahuri or from any of its tributaries that join the mainstem above State Highway 1.
- (This limitation does not apply to Taranaki Creek, Waikuku Stream, Little Ashley Creek and Saltwater Creek).¹⁸²

- 8.4.18 Assist with phasing out over-allocation of freshwater resources in the Ashley River/Rakahuri, Taranaki Creek, Waikuku Stream, Saltwater Creek, Cust River, Cust Main Drain and Courtenay Stream Surface Water Allocation Zones by 1 January 2032, through implementing region-wide Policy 4.50 to address over-allocation, and in addition:
- a. only granting a permit to transfer surface water from one site to another where the permit has been exercised and records of past use are provided which demonstrate the water to be transferred has been used in the preceding 5 years; and
 - b. requiring, the surrender of water in over-allocated Surface Water Allocation Zones, and except where the water is to be used for community supply or stock drinking water, that 50 percent of the water proposed to be transferred is surrendered and not re-allocated.¹⁸³

Targeted Stream Augmentation

- 8.4.19 Improve flows in rivers and/or decrease nitrate-nitrogen concentrations in surface waterbodies within the Waimakariri Sub-region¹⁸⁴ by enabling targeted stream augmentation where, by design, construction and operation of any project:
- a. the proposed take in combination with all existing consented takes does not result in any exceedance of the allocation limits in Tables 8-1, 8-2 and 8-3; and¹⁸⁵
 - b. adverse effects on Ngāi Tahu values, including those associated with unnatural mixing of water, are avoided as a first priority, and only where avoidance is not far as practicable, adverse effects are remedied or mitigated¹⁸⁶; and
 - c. adverse effects on the availability, quality, and safety of human drinking water are avoided; and
 - d. the inundation of existing wetlands is avoided or mitigated; and
 - e. any adverse effects on fish passage are avoided or mitigated; and
 - f. surface water quality or quantity is improved; and
 - g. there is no net¹⁸⁷ loss of river values and extent, including through inundation, of significant indigenous vegetation and significant habitats of indigenous fauna, unless:
 - i. there is a functional need for the activity in that location; and

¹⁸² McAllister, C & S PC7-255.20, Westburn Farm Ltd PC7-377.3, Four Hooves Ltd PC7-272.18

¹⁸³ Fish & Game PC7-95.14, HortNZ PC7-356, page 2

¹⁸⁴ HortNZ PC7-356, page 2

¹⁸⁵ HortNZ PC7-356, page 2

¹⁸⁶ WIL PC7-349.1, S & J Tallott PC7-405.4, Claxby Irrigation Ltd PC7-433.2, Waimakariri NGF PC7-425.6

¹⁸⁷ Forest & Bird PC7-472.88

- ii. ~~the effects of the activity are managed by applying the effects management hierarchy¹⁸⁸, and~~
h. adverse effects on people, property and drainage systems from higher flows are avoided or mitigated.

8.4.20 Ecological benefits from the discharge of water from targeted stream augmentation into a surface water body are protected by avoiding, in all circumstances, abstraction of that discharged water.

8.4.21 ~~When introducing water from outside the catchment for targeted stream augmentation, protect the values, customs and culture of Ngāi Tūāhuriri Rūnanga by:-~~

- ~~a. requiring any proposal to include, in addition to the matters in Policy 4.55, evidence of any consultation undertaken with Te Rūnanga o Ngāi Tahu and Ngāi Tūāhuriri Rūnanga and a description of how the proposal responds to any matters raised; and~~
b. In addition to the matters in Policy 4.55, decision makers will have having particular regard to any views expressed by Te Rūnanga o Ngāi Tahu and Ngāi Tūāhuriri Rūnanga, and in particular, any views expressed regarding the extent to which the proposal diminishes the mauri of freshwater resources and compromises customs and kaitiaki responsibilities.¹⁸⁹

Efficient Use of Water

8.4.22 Any decision on a proposal to maximise efficient use in accordance with Policy 4.69 associated with the alteration of a ~~system used to convey water~~ race¹⁹⁰ owned or operated by Waimakariri District Council or an irrigation scheme, takes into account:

- a. the benefits of existing water losses for diluting nitrate-nitrogen concentrations in groundwater; and
b. the benefits of existing water losses for supporting groundwater levels and stream flows; and
c. how any potential adverse effects will be avoided or mitigated.

8.4.23 Where a property is supplied with water by an irrigation scheme or principal water supplier, applications to take and use additional water are only granted where the applicant demonstrates that water supplied to the property by the irrigation scheme ~~or principal water supplier~~¹⁹¹ is being used efficiently and to the fullest extent possible.

8.4.24 When determining an efficient allocation (in accordance with Schedule 10) for the replacement of a lawfully established permit to take and use water for irrigation affected by the provisions of section 124-124C of the RMA, consider records of past water use.

Nutrient Management

8.4.25 Nitrate-nitrogen limits for the Waimakariri Sub-region are achieved, and ~~risks of degraded water quality in potential future impacts on the nitrate-nitrogen concentrations of~~¹⁹² waterbodies outside the Waimakariri Sub-region are managed by ~~requiring, within the Nitrate Priority Area~~¹⁹³:

- ~~a. further restricting, relative to the region-wide rules, the area of land used for a farming activity as a permitted activity, and the area of winter grazing that may occur as a permitted activity; and¹⁹⁴~~

¹⁸⁸ WWHT PC7-88.1.

¹⁸⁹ HortNZ PC7-356, page 2

¹⁹⁰ Several including Waimakariri DC PC7-3.11, Oxford-Ohoka CB PC7-148.13, Kaiapoi-Tuahiwi CB PC7-42.14

¹⁹¹ HortNZ PC7-356, page 2

¹⁹² HortNZ PC7-356, page 2

¹⁹³ T Stokes PC7-369.4, Waimakariri NGF PC7-425.34 and PC7-425.31, Ravensdown PC7-114.67

¹⁹⁴ HortNZ PC7-356, page 2

- b. ~~requiring, within the Nitrate Priority Area,~~¹⁹⁵ ~~further~~ reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) in accordance with Table 8-9, provided that any ~~further~~ stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities;¹⁹⁶ ~~and~~
- c. ~~further reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) beyond 2040, where ongoing monitoring, investigations and modelling undertaken in accordance with Policy 8.4.35 will be used to inform the extent of the reductions required to ensure the water quality targets set in Tables 8-5 to 8-8 of this plan will be met.~~¹⁹⁷

8.4.26 ~~Within the Waimakariri Sub-region~~ Only¹⁹⁸ consider granting an application for resource consent to exceed the Baseline GMP Loss Rate where:

- the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and
- the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and
- for properties within the Nitrate Priority Area, the applicant ~~demonstrates through identifies actions and a timeframe set out~~ in the Farm Environment Plan, how ~~any further~~ reductions required by Table 8-9 will be achieved, ~~for the duration of the consent.~~¹⁹⁹

8.4.27 Where an application for a land use consent for a farming activity demonstrates the nitrogen loss rate reductions required by Policy 8.4.26(c) are unable to be achieved by the dates specified in Table 8-9, ~~only consider granting an any~~ application for an extension of time to achieve those reductions ~~where will be considered having regard to:~~

- ~~the Baseline GMP Loss Rate and the level of any an~~ enduring nitrogen loss rate reduction ~~below the Baseline GMP Loss Rate has already been achieved; and~~
- ~~the nature and extent of any~~ mitigations implemented during the nitrogen baseline period ~~that~~ are better than Good Management Practice, and ~~it is demonstrated that the extent to which~~ these have been effective in minimising nitrogen losses; ~~and~~
- ~~the capital and operational costs of achieving the nitrogen loss rate reductions and the benefit (in terms of maintaining a farming activity's financial viability) of spreading that investment over time; and~~
- ~~the nature, sequencing, measurability, effectiveness and enforceability of any steps proposed to achieve the nitrogen loss rate reductions; and~~
- ~~progress made towards achieving nitrate-nitrogen limits and targets in Tables 8-5, 8-6, 8-7 and 8-8.~~²⁰⁰

8.4.28 Avoid declines in the ecological health and cultural values of ~~surface waterbodies in~~ the Ashley Estuary (Te Aka Aka) and ~~Coastal Protection Zone~~ ~~surface waterbodies~~ by requiring any property ~~located within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone~~²⁰¹ greater than 5 ha in area that includes or directly adjoins a river or coastal lake, and with winter grazing or irrigation on the property, to prepare, implement, and have audited a Farm Environment Plan.

8.4.28A For all activities within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone, discharges of contaminants to surface water or onto or into land in circumstances where contaminants may enter surface water are avoided as a first priority, and ~~only where avoidance is if this is~~²⁰² not achievable.

¹⁹⁵ T Stokes PC7-369.4, Waimakariri NGF PC7-425.34 and PC7-425.31, Ravensdown PC7-114.67

¹⁹⁶ HortNZ PC7-356, page 2

¹⁹⁷ T Stokes PC7-369.4, Waimakariri NGF PC7-425.34 and PC7-425.31, Ravensdown PC7-114.67

¹⁹⁸ HortNZ PC7-356, page 2

¹⁹⁹ DairyNZ PC7-357.17

²⁰⁰ CCC PC7-337.93 and PC7-337.97

²⁰¹ Melbury Ltd PC7-172.5

²⁰² HortNZ PC7-356, page 2

the best practicable option is used to minimise the loss or discharge of contaminants so as to achieve:

- a. the water quality outcomes in Tables 8a and 8b;²⁰³
- b. the limits in Table 8-5 and Table 8-6;
- c. the standards in Schedule 5 for contaminants where a limit is not established in Section 8; and
- d. any relevant water quality limits in a regional coastal plan for any receiving waterbody in the coastal environment.

~~8.4.28B Provide for the use of an Equivalent Baseline GMP Loss Rate or Equivalent Good Management Practice Loss Rate in those limited circumstances where it is demonstrated that the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous.~~²⁰⁴

~~8.4.28C Where resource consent is granted for the use of land for a farming activity and that resource consent restricts the nitrogen loss rate from the farming activity to an Equivalent Baseline GMP Loss Rate or Equivalent Good Management Practice Loss Rate, impose conditions that enable a review of that resource consent when the Farm Portal is able to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate for that farming activity.~~²⁰⁵

Irrigation Schemes

Note: Policy 8.4.29 prevails over ~~rRegional~~ ~~pPolicy~~ 4.41C²⁰⁶

8.4.29 Facilitate the achievement of water quality limits ~~within the Waimakariri Sub-region~~ by requiring:²⁰⁷

- a. any resource consent application for the discharge of nutrients ~~from farming activities~~²⁰⁸ submitted by an irrigation scheme or principal water supplier to:
 - i. describe the methods that will be used to implement the Good Management Practices on any land supplied with water from the scheme or principal water supplier; and
 - ii. describe whether the irrigation scheme or principal water supplier intends to manage nutrient losses within their command area on an aggregated basis or on a 'property by property' basis; and
 - iii. describe how any nitrogen loss reductions required by Table 8-9 will be achieved; and
- b. discharge permits granted to irrigation schemes or principal water suppliers to be subject to conditions that restrict the total nitrogen loss to a limit not exceeding:
 - i. the Baseline GMP Loss Rate (or Equivalent Baseline GMP Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met), for land within the Waimakariri Sub-region but outside the Nitrate Priority Area; and
 - ii. the Baseline GMP Loss Rate (or Equivalent Baseline GMP Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met) less any further reductions required by Table 8-9, for land within the Nitrate Priority Area.

except that where the nitrogen loss from the land is authorised by a condition on an existing water permit or discharge permit granted to an irrigation scheme or principal water supplier, and intensification on that land or change of land use occurred prior to 20 July 2019, the new discharge permit is to include a condition that limits the nitrogen loss to a rate that not greater than the aggregated Good Management Practice Loss Rate (or Equivalent

²⁰³ RMA Schedule 1, Clause 16(2) – minor correction

²⁰⁴ HortNZ PC7-356, page 2

²⁰⁵ HortNZ PC7-356, page 2

²⁰⁶ RMA Schedule 1, Clause 16(2) – minor correction

²⁰⁷ HortNZ PC7-356, page 2

²⁰⁸ Waimakariri DC PC7-3.25

Good Management Practice Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met) less any further reductions required by Table 8-9 for land within the Nitrate Priority Area.

Livestock Exclusion from Waterbodies

Note: ~~Policy~~ies 8.4.30 and 8.4.31 apply~~ies~~ in addition to ~~r~~Regional ~~p~~Policies 4.31 and 4.32 (Livestock Exclusion from Water Bodies)²⁰⁹

~~8.4.30 Within the Waimakariri Sub-region, the region-wide provisions on livestock exclusion also apply to:~~

- ~~a. permanently or intermittently flowing springs (waipuna); and~~
- ~~b. open drains and other artificial watercourses with surface water in them that discharge into a lake, river or wetland.~~²¹⁰

8.4.31 Protect Ngāi Tūāhuriri values associated with springs (waipuna), rivers, wetlands²¹¹ and lakes, and avoid discharges of sediment and contaminants to water bodies, and the degradation of aquatic ecosystems by:

- ~~a. implementing, within the Waimakariri Sub-region, extending~~ the region-wide provisions for stock exclusion ~~to also apply to permanently or intermittently flowing springs (waipuna), open drains and other artificial watercourses with surface water in them which discharges into a lake, river or wetland; and~~
- ~~b. excluding, within the Ashley-Waimakariri Plains Area, excluding~~ all farmed cattle, deer and pigs from the bed (including the banks) of any lake, river, permanently or intermittently flowing spring, or any open drain or other artificial watercourse that contains surface water and which discharges into a ~~wetland, river or lake.~~²¹²

Wetlands and Riparian Margins

8.4.32 Enable activities that maintain, restore or enhance water quality,²¹³ mahinga kai, safe fish passage, indigenous vegetation and biodiversity in riparian margins, habitats of indigenous fauna and significant habitats of trout and salmon.²¹⁴

~~8.4.33 Enable catchment restoration activities that focus on the protection of springs, the protection, establishment or enhancement of planted riparian margins, the creation, restoration or enhancement of wetlands, indigenous biodiversity in riparian margins, weed and pest control activities, and the targeted removal of fine sediment from waterbodies.~~²¹⁵

~~8.4.34 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:~~

- ~~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 watercourses and springs (waipuna).~~²¹⁶

²⁰⁹ HortNZ PC7-356, page 2

²¹⁰ HortNZ PC7-356, page 2

²¹¹ WWHT PC7-88.1

²¹² HortNZ PC7-356, page 2

²¹³ DairyNZ PC7-357.26

²¹⁴ HortNZ PC7-356, page 2

²¹⁵ HortNZ PC7-356, page 2

²¹⁶ HortNZ PC7-356, page 2

Current Information, Monitoring and Review

- 8.4.35 Inform successive plan review cycles by reporting every 5 years on:
- the current state of groundwater, surface water, estuarine water quality and ecosystem health, and any trends observed; and
 - any assessments of downstream impacts on the Waimakariri River and Christchurch deep aquifers; and
 - the results of any relevant investigations carried out in relation to the groundwater system; and
 - progress made towards freshwater outcomes and limits, including an assessment of the effectiveness of the framework, (including any non-statutory actions) in achieving those outcomes and limits.

Consent Expiry and Duration

- 8.4.36 To align consented activities with plan outcomes, ~~P~~provide for the regular review and adjustments in progress towards achieving the freshwater outcomes and limits ~~for the Waimakariri Sub-region~~, by applying the following common expiry dates to resource consents:
- 1 July 2037 for resource consents granted for the use of land for a farming activity;
 - ~~b. 1 July 2037 for resource consents granted for the discharge of nutrients by an irrigation scheme or principal water supplier; and~~
 - ~~c. 1 July 2037 for resource consents granted for the take and use of water;~~
 - 1 July 2047 for any resource consent that replaces an existing water permit that expires after 1 July 2030 and that is affected by the provisions of section 124-124C of the RMA.²¹⁷

- 8.4.37 Apply the following durations to a~~Any resource consent granted after the ~~relevant~~ common expiry date in ~~Policy 8.4.36~~ clauses (a) and (d) shall not exceed 10 years. :~~
- ~~a. 10 years for resource consents for the use of land for a farming activity; and~~
 - ~~b. 10 years for resource consents for the discharge of nutrients by an irrigation scheme or principal water supplier; and~~
 - ~~c. 10 years for resource consents for take and use of water.²¹⁸~~

Consent Review

- 8.4.38 Assist with achieving the freshwater outcomes ~~for the Waimakariri Sub-region~~ by ~~reviewing~~:
- ~~reviewing~~, by 31 December ~~2024~~ ~~2027~~, all surface water ~~or and~~ stream depleting groundwater permits within the Ashley River/Rakahuri Freshwater Management Unit that have a direct or high stream depletion effect, and by implementing the environmental flow and allocation regimes in Tables 8-1 and 8-3 on all reviewed permits and any new permits granted; and
 - ~~reviewing~~, by 31 December ~~2026~~ ~~2029~~, all surface water ~~or and~~ stream depleting groundwater permits within the Northern Waimakariri Tributaries Freshwater Management Unit that have a direct or high stream depletion effect, and by implementing the environmental flow and allocation regimes in Tables 8-2 and 8-3 on all reviewed permits and any new permits granted.²¹⁹

8.5 Rules

²¹⁷ HortNZ PC7-356, page 2

²¹⁸ Larundel Dairy Partnership PC7-179.20

²¹⁹ Kaiapoi Promotions Association Inc PC7-449.1, Forest & Bird PC7-472.100, PC7-472.101, Kaiapoi-Tuahiwi CB PC7-42.2

The following rules apply ~~in the Waimakariri Sub-region,~~²²⁰ in addition to those set out in Section 5 of this Plan.

8.5.1 The damming of the mainstem of the Ashley River/Rakahuri upstream from Ashley Gorge Bridge to downstream of the confluence with the Townshend River at approximate map reference BW22:300-174 is a prohibited activity.

Notes:

1. *For all activities in or near waterways, refer also to the requirements and restrictions under the Canterbury Flood Protection and Drainage Bylaw 2013.*
2. *In addition to the provisions of this Plan and any relevant district plan, any activity which may modify, damage or destroy pre 1900 archaeological sites is subject to the archaeological authority process under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority is required from Heritage New Zealand to modify, damage or destroy any archaeological site, whether recorded or not in the New Zealand Heritage List/Rārangī Kōrero website.*

...

- 8.5.2 Prior to 31 December 2018, the repair of earthquake damaged land located within the area shown on area shown on Map 8.1, and located outside the High Soil Erosion Risk Areas, and which is carried out on an individual site used for residential activities, but excluding any residential property zoned “red” by the Canterbury Earthquake Recovery Authority), which involves any one or more of**
- a. the use of land for:
 - i. the excavation of material over the unconfined, semi-confined or coastal confined aquifer system;
 - ii. the deposition of material into land or into groundwater, and any associated discharge into groundwater;
 - iii. vegetation clearance or earthworks within the riparian margin (defined for the purposes of this rule as any land within 10 metres of the bed of a river, lake or wetland boundary);
 - iv. the installation, maintenance, and use of a bore for geotechnical investigation or monitoring purposes;
 - v. the installation and construction of building foundations;
 - b. the discharge of sediment-laden water generated from earthworks into a surface waterbody, or onto or into land where it may enter a surface water body;
 - c. the taking of groundwater for the purposes of dewatering or land drainage, and the associated discharge of that water into a surface water body, or onto or into land where it may enter a surface water body

is a permitted activity, provided the following conditions, as applicable, are met:

General Conditions

1. The extent and duration of any works is limited to only that necessary to repair the land or building foundations.
2. The works (excluding any discharges associated with the works listed above) do not occur in, the bed of any lake, river or natural wetland.

Earthworks, Excavation and Deposition of Material

3. Erosion and sediment control measures are implemented and maintained in accordance with Environment Canterbury's Erosion and Sediment Control Guidelines for Small Sites to minimise erosion and the discharge of sediment laden water to surface water.
4. Any material deposited into land consists only of uncontaminated fill (soil, rocks, gravels, sand, silt, clay), concrete, cement, grout, concrete, steel or timber foundation piles, or inert building materials.
5. From the date this rule becomes operative, the use of land for the placement of treated timber foundation piles into confined groundwater within the Coastal Confined Aquifer System, and any discharge from those foundation piles, does not occur within a group or community drinking water supply

- protection area, as set out in Schedule 1 of this plan.
6. Any excavation over the coastal confined aquifer system maintains at least one metre of undisturbed material between the deepest part of the excavation and Aquifer 1.
 7. No materials (other than those listed in condition (4)), vehicles or machinery (excluding clean uncontaminated equipment used for dewatering, and infrastructure installed for the purposes of land repair) are deposited into, or used within groundwater.
 8. Compaction, or earthworks involving below ground soil disturbance (excluding filling), do not occur on any part of a site which is identified as a landfill.
 9. There is no discharge of any cement, concrete, grout, or water containing cement, grout, or concrete, into any surface waterbody, or beyond the property boundary.
 10. Where grout is deposited into land, or into groundwater, the following conditions also apply
 - a. The volume of grout shall not exceed 80 cubic metres per site.
 - b. The point of deposition into land is not within:
 - i. 20 metres of any surface water body, or 20 metres of the Coastal Marine Area, where the material is deposited into groundwater; or
 - ii. 5 metres of any surface waterbody, or 10 metres of the Coastal Marine Area, where a separation of one metre is maintained between groundwater and any deposited material.
 - c. Where grout is deposited into land via in-situ mixing:
 - i. The grout shall be mixed evenly throughout the augured soil column; and
 - ii. The percentage of grout within the area of the augured soil column shall not exceed 20%;
 - d. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%
 11. To prevent erosion, bare ground is stabilised within 10 days of any vegetation clearance or earthworks.
 12. For earthworks carried out within the riparian area, in addition to conditions (3) through (11), the following conditions apply:
 - a. Vegetation used and maintained by the Canterbury Regional Council for flood or erosion control purposes is not removed.
 - b. Replanting is not of a species listed in the Biosecurity NZ Register of Unwanted Organisms or Canterbury Pest Management Strategy.
 - c. The activities do not reduce the available floodway.
 - d. The activities do not result in the destabilisation of the bank of any river, lake or natural wetland, or destabilise any existing lawfully established structures, or interfere with access to waterways for maintenance or inspection purposes.

Geotechnical Investigations

13. The bore is used only for the purposes of geotechnical investigations and is decommissioned by filling with clean material and compacted or sealed at the surface to prevent contaminants entering the bore.
14. Information on location (including bore logs and intended uses), and other relevant information is submitted to the CRC within 20 working days of drilling the bore.

Dewatering, Sediment-laden Water, and Land Drainage

15. Dewatering and land drainage discharges are not from, or discharged onto or into any potentially contaminated land.
16. The taking of groundwater for dewatering purposes does not lower the groundwater level more than 8 metres below the ground level of the site.
17. The taking and discharge of land drainage water and site dewatering water onto or into land or into surface water does not result in subsidence of the land surface, or river bed or river bank erosion.
18. The discharge of dewatering water onto or into land, or into surface water, does not result in any flooding of any neighbouring property, or result in ponding on the land surface for more than 48 hours.
19. The concentration of suspended solids in any dewatering water or sediment- laden water discharged to any surface water body does not exceed 100 grams per cubic metre.

For the purposes of Rule 8.5.2 the following definitions apply:

'Earthquake Damaged Land' means land damaged as a result of the Canterbury Earthquake Sequence that commenced on 4 September 2010.

'Residential Activities' means land zoned residential in a district plan; or land used predominantly for residential occupation as at 4 September 2010.

'Grout' means a material which consists of water and at least 20% cement, and which may also contain aggregate, inert additives or bentonite.

'Landfill' means any part of a site where solid or hazardous waste has been deposited (either lawfully or not), and which is identified as a landfill on Environment Canterbury's Listed Land Use Register, or in the records of the relevant territorial authority.

8.5.3 The repair of earthquake damaged land which is carried out on individual sites used for residential activities which does not meet one or more of the applicable conditions of Rule 8.5.2 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The effect of not meeting the condition or conditions of Rule 8.5.2; and
2. Mitigation measures proposed to be implemented or mitigation measures available to minimise any actual or potential environmental effect.

Notification

Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

8.5.4 The discharge of contaminants to land associated with the construction of building foundations, or the repair of earthquake damaged land, within the area shown on Map 8.1, and located outside the High Soil Erosion Risk Area, and which is carried out on any site used for non-residential activities is a permitted activity, provided the following conditions are met:

1. The extent and duration of any works is limited to only that necessary for the construction of foundations or to repair the land.
2. The discharge is only leachate from the deposition of uncontaminated fill (soil, rocks, gravels, sand, silt, clay); concrete; cement; grout; concrete, steel or timber foundation piles; or inert building materials.
3. From the date this rule becomes operative, the use of land for the placement of treated timber foundation piles into confined groundwater within the Coastal Confined Aquifer System, and any discharge from those foundation piles, does not occur within a group or community drinking water supply protection area, as set out in Schedule 1 of this plan.
4. There is no discharge of any cement, concrete, grout, or water containing cement, grout, or concrete, into any surface waterbody, or beyond the property boundary.
5. Where grout is deposited into land, or into groundwater:
 - a. The point of deposition into land is not within 10 metres of any surface water body, or 20 metres of the Coastal Marine Area, where the material is deposited into groundwater; or 5 metres of any surface water body, or 10 metres of the Coastal Marine Area, where a separation of one metre is maintained between groundwater and any deposited material.
 - b. Where grout is deposited into land via in-situ mixing the grout shall be mixed evenly throughout the augured soil column and the percentage of grout within the augured soil column shall not exceed 20%.
 - c. Where grout is deposited into land using methods other than in-situ mixing, the percentage of cement in the dry grout mixture shall not exceed 30%.

For the purposes of Rule 8.5.4 the following definitions apply:

'Earthquake Damaged Land' means land damaged as a result of the Canterbury Earthquake Sequence that commenced on 4 September 2010.
'Non-Residential Activities' means any building used for purposes other than residential occupation, or any multi-unit or multi-storey (greater than 3 stories) residential development.

'Grout' means a material which consists of water and at least 20% cement, and which may also contain aggregate, inert additives or bentonite.

8.5.5

The discharge of contaminants to land associated with the construction of building foundations, or the repair of earthquake damaged land, within the area shown on Map 8.1, and located outside the High Soil Erosion Risk Area, and which is carried out on any site used for non-residential activities that does not meet one or more of the conditions in Rule 8.5.4 is a restricted discretionary activity.

The exercise of discretion is restricted to the following matters:

1. The effect of not meeting the condition or conditions of Rule 8.5.4; and
2. Mitigation measures proposed to be implemented or mitigation measures available to minimise any actual or potential environmental effect

Notification

Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.

Note that limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

Take and Use Surface Water

Notes:

- ~~1. Rules 8.5.6 to 8.5.8 apply to the take and use of water for the purpose of mahinga kai enhancement~~
- ~~2. Rules 8.5.9 to 8.5.11 prevail over Regional Rules 5.123 to 5.125 (Take and Use Surface Water)²²¹~~

8.5.6

The taking and use of surface water for the purposes of mahinga kai enhancement is a restricted discretionary activity provided the following conditions are met:

- ~~1. The application is accompanied by a Cultural Impact Assessment; and²²²~~
- ~~2. The take, in addition to all existing consented takes, does not result in an exceedance of any environmental flow or allocation limit in Table 8-3.~~

The exercise of discretion is restricted to the following matters:

1. The content and quality of the Cultural Impact Assessment; and
2. The effectiveness of the proposal in enhancing mahinga kai outcomes; and
3. Where the take is consumptive, the imposition of Waimakariri pro-rata partial restrictions; and
4. The rate, volume and timing of the take; and
5. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the water quality allocation status of the relevant catchment; and
6. Whether the amount of water to be taken and used is reasonable for the proposed use; and
7. The effects the take has on any other authorised take or diversion; and
8. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional

²²¹ HortNZ PC7-356, page 2

²²² Ngāi Tūāhuriri PC7-399.42

- Concept diagram in Schedule 16; and
9. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies ~~to~~ in Sections 4 and 8 of this Plan²²³; and
 10. Methods to prevent fish from entering the water intake; and
 11. The proximity and actual or potential adverse environmental effects of the use of water on any significant indigenous biodiversity and adjacent dryland habitats; and
 12. The actual or potential adverse environmental effects of the take of water on the extent and values of natural inland wetlands and rivers.²²⁴

8.5.7 ~~**The taking and use of surface water for the purposes of mahinga kai enhancement that does not meet condition 1 of Rule 8.5.6 is a non-complying activity.**~~²²⁵

8.5.8 **The taking and use of surface water for the purposes of mahinga kai enhancement that does not meet condition 2 of Rule 8.5.6 is a prohibited activity.**

8.5.9 **The taking and use of surface water is a restricted discretionary activity, provided the following conditions are met:**

1. The take, in addition to all existing consented takes, does not result in an exceedance of any minimum flow limit set in Table 8-1 or 8-2; and
2. The take:
 - a. will replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the take, in addition to all existing consented takes, will not result in an exceedance of any allocation limit, or rate of take, or seasonal or annual volume limit set in Table 8-1 or 8-2; or
 - b. will not replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, but the take, in addition to all existing consented takes, will not result in an exceedance of any allocation limit, or rate of take, or seasonal or annual volume limit, set in Table 8-1 or 8-2; and
3. The take is not from a river, lake or wetland within the Kairaki / McIntosh Surface Water Allocation Zone, or the Eyre River Surface Water Allocation Zone; and
4. Unless it is associated with the artificial opening of a hāpua, lagoon or coastal lake to the sea, the take is not from a wetland, hāpua or a high naturalness ~~waterbody river or high naturalness lake~~²²⁶ listed in Section 8.9.

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the water quality allocation status of the relevant catchment; and
3. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
4. For water used for irrigation, the management of water allocation and resulting nutrient discharges on individual farms; and
5. The potential effects on groundwater recharge where the Groundwater Allocation Zone in Table 8-4 is fully or over-allocated; and
6. The availability and practicality of using alternative supplies of water; and
7. The effects the take has on any other authorised takes or diversions; and
8. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and

²²³ HortNZ PC7-356, page 2

²²⁴ WWHT PC7-88.1

²²⁵ Consequential to Ngāi Tūāhuriri PC7-399.42

²²⁶ RMA Schedule 1 Clause 16(2) minor correction

9. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from reducing to zero as set out in policies ~~to in~~ Sections 4 and 8 of this Plan; and²²⁷
10. Methods to prevent fish from entering the water intake; and
11. The provisions of any relevant Water Conservation Order; and
12. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dry land habitats; and
13. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable reduction of the over-allocation; and
14. Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
15. Any adverse effects of the use of water on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and
16. The actual or potential adverse environmental effects of the take of water on the extent and values of natural inland wetlands and rivers.²²⁸

8.5.10 **The taking and use of surface water that does not meet one or more of conditions 2a or 4 of Rule 8.5.9 is a non-complying activity.**

8.5.11 **The taking and use of surface water that does not meet one or more of conditions 1, 2b or 3 of Rule 8.5.9 is a prohibited activity.**

Take and Use Groundwater

Notes:

~~1. Rules 8.5.12 to 8.5.13 apply to the take and use of groundwater that will replace an existing surface water take or groundwater take with a direct, high or moderate stream depletion effect~~

2. Rules 8.5.14 to 8.5.16 prevail over Regional Rules 5.128 to 5.130 ~~(Take and Use Groundwater)~~²²⁹

8.5.12 **The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect is a restricted discretionary activity providing the following conditions are met:**

1. The proposed take, in addition to all existing consented takes will not result in an exceedance of the relevant groundwater Transfer Permit Allocation limit in Table 8-4; and
2. The ~~take is from deep groundwater or the~~ application for resource consent demonstrates that the take will not have a direct, high or moderate stream depletion effect; and²³⁰
3. The point of abstraction will be within the same property as the existing water permit and there is no increase in the proposed rate of take or annual volume; and
4. The bore interference effects are demonstrated to be acceptable, determined in accordance with Schedule 12; and
5. ~~The surface water or groundwater permit that is being replaced is for a take from an over-allocated surface water allocation zone; and~~²³¹

²²⁷ HortNZ PC7-356, page 2

²²⁸ WWHT PC7-88.1

²²⁹ HortNZ PC7-356, page 2

²³⁰ Consequential to Bowden Environmental PC7-84.4

²³¹ DairyNZ PC7-357.31

~~6. The existing surface water or groundwater permit is surrendered.~~

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
3. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
4. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
5. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
6. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
7. Where the water is being used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
8. Any adverse effects of the use of water on Ngāi Tahu values, or on sites of ~~significance to~~ Ngāi Tahu ~~significance~~, including wāhi tapu and wāhi taonga; and²³²
9. ~~The timing of the surrender of the existing surface or groundwater permit.~~

8.5.12A

The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect that does comply with condition 4 of Rule 8.5.12 is a non-complying activity.²³³

8.5.13

The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect that does not comply with one or more of ~~the~~ conditions 1, 2 and 3²³⁴ of Rule 8.5.12 is a prohibited activity.²³⁵

8.5.14

The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:

1. For stream depleting groundwater takes, the take, in addition to all existing consented surface water takes, does not result in an exceedance of any minimum flow in Table 8-1 and 8-2; and
2. The take:
 - a. will replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the allocation limits in Tables 8-1, 8-2, and ~~the A~~ allocation limit in Table²³⁶ 8-4; or
 - b. will not replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the allocation limits in Tables 8-1, 8-2, and ~~the B~~ allocation limit in Table²³⁷ 8-4; and
3. The take and use of groundwater does not have a direct, high or moderate stream depletion effect on any surface water body within the Kairaki

²³² HortNZ PC7-356, page 2

²³³ Federated Farmers PC7-430.115

²³⁴ Consequential to the amendment of Rule 8.5.12, and addition of Rule 8.5.12A

²³⁵ Consequential to Federated Farmers PC7-430.115

²³⁶ Bowden Environmental PC7-84.30

²³⁷ Bowden Environmental PC7-84.30

- / McIntosh Surface Water Allocation Zone; and
4. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any groundwater abstraction other than an abstraction by or on behalf of the applicant are acceptable, as determined in accordance with Schedule 12.

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
3. The availability and practicality of using alternative supplies of water; and
4. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
5. The actual or potential adverse environmental effects on surface water resources; and
6. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the actual or potential adverse environmental effects the take has on any other authorised takes, including interference effects as set out in Schedule 12; and
7. For stream depleting groundwater takes, the matters of discretion under Rule 8.5.9; and
8. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
9. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
10. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
11. The reduction in the rate of take and volume limits to enable reduction of the over-allocation; and
12. Where the water is being used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
13. Any adverse effects of the use of water on Ngāi Tahu values or on sites of **significance to Ngāi Tahu** **significance**²³⁸, including wāhi tapu and wāhi taonga.

8.5.15 **The taking and use of groundwater that does not meet one or more of conditions 2a or 4 of Rule 8.5.14 is a non-complying activity.**

8.5.16 **The taking and use of groundwater that does not meet one or more of conditions 1, 2b or 3 of Rule 8.5.14 is a prohibited activity.**

Transfers of Water Permits

8.5.17 Within the Waimakariri Sub-region,²³⁹ Regional Rule 5.133 shall include the following additional conditions:

- 1A The volume of water able to be transferred is restricted to the annual average volume of water used in the preceding five years, as demonstrated with actual use records;
1. In over-allocated surface water allocation zones, 50 percent of the rate of take or volume of water to be transferred is surrendered unless the transfer of water is for community water supply or stock drinking water requirements; and
 2. There is no transfer of any allocation of water or any water permit that has not been **exercised used** in the preceding 5 years.²⁴⁰

²³⁸ HortNZ PC7-356, page 2

²³⁹ HortNZ PC7-356, page 2

²⁴⁰ Fish & Game PC7-95.34

Targeted Stream Augmentation

Notes: ~~For all activities in or near waterways, refer also to the Canterbury Flood Protection and Drainage Bylaw 2013²⁴¹~~

8.5.18 **The taking and use of groundwater or surface water for targeted stream augmentation or the use of groundwater or surface water associated with a lawfully established groundwater or surface water take, and the subsequent discharge of that water into a surface water body is a restricted discretionary activity provided the following conditions are met:**

1. The take, in combination with all other existing consented takes, does not result in an exceedance of any allocation limit in Tables 8-1, 8-2, 8-3 and 8-4; and
2. The application demonstrates that the discharge will reduce the concentration of contaminants and/or increase flows in the receiving surface waterbody; and
3. The take is not from a wetland or a high naturalness waterbody; and
- 3a. Any bore interference effects are demonstrated to be acceptable, determined in accordance with Schedule 12; and²⁴²
4. The activity does not take place on a site listed as an archaeological site; and
5. The discharge is not within a Community Drinking Water Protection Zone as set out in Schedule 1; and
6. The discharge is not within 100 m of an abstraction used to supply drinking water.

The exercise of discretion is restricted to the following matters:

1. The location, rate, volume and timing of the take; and
2. The location, method and timing of the discharge to surface water; and
3. The design, construction and operation of the targeted stream augmentation system and its effectiveness in reducing the concentration of contaminants or increasing flows in the receiving surface waterbody; and
4. ~~The appropriateness of~~ any proposed monitoring and reporting processes; and
5. ~~The appropriateness~~ Any proposal for integration²⁴³ with existing or planned infrastructure and water conveyance systems; and
6. Any adverse effects on people and property from raised water levels and any reduction in the capacity of a drainage system; and
7. Any adverse effects of the discharge on the quality of water in the receiving surface waterbody, including any adverse effects on the availability, quality and safety of human and animal drinking water; and
8. Any adverse effects on Ngāi Tahu values, including those associated with unnatural mixing of water, or any adverse effects on sites of significance to Ngāi Tahu, including wāhi tapu, wāhi taonga or mahinga kai; and
9. Any adverse effects of the discharge on significant habitats of indigenous flora and fauna; and
10. The potential benefits of the activity to the community and the environment; and
11. The actual or potential adverse environmental effects of the take of water on the extent and values of natural inland wetlands and rivers.²⁴⁴

8.5.19 **The taking and use of groundwater or surface water for targeted stream augmentation and the subsequent discharge of that water into a surface water body that does not meet one or more of conditions 2, 3, 4, 5 or 6 of Rule 8.5.18 is a discretionary activity.**

8.5.20 **The taking and use of groundwater or surface water for targeted stream augmentation and the subsequent discharge of that water into a surface water body that does not meet condition 4 3a of Rule 8.5.18 is a non-complying activity.**²⁴⁵

²⁴¹ HortNZ PC7-356, page 2

²⁴² Bowden Environmental PC7-84.23

²⁴³ HortNZ PC7-356, page 2

²⁴⁴ WWHT PC7-88.1

²⁴⁵ Consequential to Bowden Environmental PC7-84.23

8.5.20A **The taking and use of groundwater or surface water for targeted stream augmentation and the subsequent discharge of that water into a surface water body that does not meet condition 1 of Rule 8.5.18 is a prohibited activity.**²⁴⁶

Nutrient Management

Note: Commercial vegetable growing ~~activities operations~~ within the Waimakariri Sub-region are regulated by Regional Rules 5.42CA to 5.42CE.²⁴⁷

8.5.21 **The use of land for a farming activity on a property 5 hectares or less in area is a permitted activity.**

8.5.22 **Where any property or Farming Enterprise includes land within the Nitrate Priority Area, the nitrogen loss reductions in Table 8-9 only apply to that part of the property within the Nitrate Priority Area.**

8.5.23 **Where any property or Farming Enterprise includes land within more than one Nitrate Priority Sub-area, the required reduction in nitrogen loss for each sub-area is applied only to that part of the property that is within the sub-area.**

8.5.23A **Despite Rules 8.5.24 to 8.5.29, the use of land for a farming activity on a property greater than 5 hectares where:**

- a. **the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or**
- b. **more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER and where the OVERSEER Best Practice Data Input Standard does not recommend an alternative; or**
- c. **the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:**
 - i. **both the region-wide section of this Plan and rules in a sub-region section of this Plan; or**
 - ii. **more than one sub-region section of this Plan;**

is a discretionary activity provided the following conditions are met:

- 1. **The nitrogen loss calculation for any part of the property within the Waimakariri Sub-region does not exceed the nitrogen baseline; and**
- 2. **An Accredited Farm Consultant has prepared a Farm Environment Plan and nutrient budgets for the property in accordance with Part A of Schedule 7 and they are submitted with the application for resource consent; and**
- 3. **The application for resource consent includes a calculation of the Equivalent Baseline GMP Loss Rate and Equivalent Good Management Practice Loss Rate for the farming activity, and the methodology used to derive those numbers.**

8.5.23B **The use of land for a farming activity on a property greater than 5 hectares where:**

- a. **the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or**
- b. **more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER® and where the OVERSEER® Best Practice Data Input Standard does not recommend an alternative; or**
- c. **the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:**

²⁴⁶ Te Ngāi Tūāhuriri Rūnanga PC7-399.86

²⁴⁷ Consequential to the amendment of definition commercial vegetable growing operation

- i. both the region-wide section of this Plan and rules in a sub-region section of this Plan; or
- ii. more than one sub-region section of this Plan;

that does not meet condition 2 of Rule 8.5.23A is a non-complying activity.

8.5.23C

The use of land for a farming activity on a property greater than 5 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER and where the OVERSEER Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. both the region-wide section of this Plan and rules in a sub-region section of this Plan; or
 - ii. more than one sub-region section of this Plan;

that does not meet one or more of conditions 1 or 3 of Rule 8.5.23A is a prohibited activity.

8.5.24

The use of land for a farming activity on a property greater than 5 hectares in area is a permitted activity, provided the following conditions are met:

- 1. The property is registered in the Farm Portal by 20 July 2022 and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 36 months thereafter or whenever a material change in the land use associated with the farming activity occurs, or whenever any boundary of the property is changed; and
- 2. A Management Plan in accordance with Schedule 7A has been prepared, implemented, and supplied to the Canterbury Regional Council on request; and
- 3. For any property located outside the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone, or for any property located within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone that does not directly adjoin the bed of any river or coastal lake:
 - a. Any increase in the area of the property that is irrigated is limited to 10 hectares above that which was irrigated at 20 July 2019, provided that no more than 50 hectares is irrigated in total; and
 - b. The total area of the property used for winter grazing is less than or equal to:
 - i. 5 hectares for any property less than 100 hectares in area; or
 - ii. 5% of the area of the property, for any property between 100 and 1000 hectares in area; or
 - iii. 50 hectares, for any property greater than 1000 hectares in area; and
- 4. For any property located within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone, that includes or directly adjoins a river or coastal lake, there is no irrigation or winter grazing on any part of the property.

8.5.25

The use of land for a farming activity on a property greater than 5 hectares in area that does not comply with condition 4 of Rule 8.5.24 is a controlled activity, provided the following condition is met:

- 1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
- 2. The area of the property authorised to be irrigated with water is less than 50 hectares; and
- 3. Any increase in the irrigated area of the property is limited to 10 hectares above that which was irrigated at 20 July 2019, provided that no more than 50 hectares are irrigated in total; and
- 4. The total area of the property used for winter grazing is less than or equal to:
 - a. 5 hectares for any property less than 100 hectares in area; or

- b. 5% of the area of the property, for any property between 100 and 1000 hectares in area; or
- c. 50 hectares, for any property greater than 1000 hectares in area.

The CRC reserves control over the following matters:

- 1. The commencement date for the first audit of the Farm Environment Plan; and
- 2. The content, quality and accuracy of the nutrient budgets provided with the application for resource consent; and
- 3. The timing of any actions or Good Management Practices proposed to achieve the objectives and targets described in Schedule 7; and
- 4. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
- 5. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
- 6. Reporting of audit results of the Farm Environment Plan to the Canterbury Regional Council, including via the Farm Portal; and
- 7. The efficacy of any proposals in the Farm Environment Plan to as a first priority, avoid, and where impracticable, mitigate any adverse effects on mahinga kai, wāhi tapu or wāhi taonga.

8.5.26

The use of land for a farming activity on a property greater than 5 hectares in area that does not comply with one or more of conditions 1, 2 or 3 of Rule 8.5.24 or one or more of conditions 2, 3 or 4 of Rule 8.5.25 is a restricted discretionary activity, provided the following conditions are met:

- 1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
- 2A. The Farm Environment Plan submitted with the application for resource consent identifies how reductions required by Table 8-9 will be achieved for any land within the Nitrate Priority Area; and
- 2. Until 30 June 2020, the nitrogen loss calculation for the property does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate unless the nitrogen baseline was lawfully exceeded prior to 20 July 2019, and the application for resource consent demonstrates that the exceedance was lawful.

The exercise of discretion is restricted to the following matters:

- 1. The efficacy of the Farm Environment Plan; and
- 2. The commencement date for the first audit of the Farm Environment Plan; and
- 3. The content, quality and accuracy of the nutrient budgets provided with the application for resource consent; and
- 4. The actual or potential adverse effects of the activity on surface and groundwater quality and sources of drinking water and how these will be avoided or mitigated; and
- 5. The timing of any actions or Good Management Practices proposed to achieve the objectives and targets described in Schedule 7; and
- 6. Methods that limit the nitrogen loss calculation for the farming activity to the Baseline GMP Loss Rate; and
- 7. For land within the Nitrate Priority Management Area, the methods and timeline in the Farm Environment Plan for achieving the nitrogen loss rate reductions set out in Table 8-9; and
- 8. For land within the Nitrate Priority Area, the extent to which any mitigations better than Good Management Practice implemented during the 2009-13 Baseline period have been taken into account when applying the further reductions in nitrogen loss required by Table 8-9; and
- 9. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where the Good Management Practice Loss Rate has not been influenced by severe extraordinary events (including but not limited to droughts and floods) and is less than the Baseline GMP Loss Rate; and
- 10. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits;
- 11. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council, including via the Farm Portal; and

12. The efficacy of any proposals in the Farm Environment Plan to as a first priority, avoid, and where impracticable, mitigate any adverse effects on mahinga kai, wāhi tapu or wāhi taonga.

8.5.27

The use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the farming enterprise in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2A. The Farm Environment Plan submitted with the application for resource consent identifies how reductions required by Table 8-9 will be achieved for any land within the Nitrate Priority Area; and
2. Until 30 June 2020, the nitrogen loss calculation for the farming enterprise does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; and
3. The properties comprising the farming enterprise are in the same Surface Water Allocation Zone as shown on Planning Maps.

8.5.28

The use of land for a farming activity on a property greater than 5 hectares that does not comply with condition 1 of Rule 8.5.25, or condition 1 or 2A of Rule 8.5.26, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 1, 2A or 3 of Rule 8.5.27, is a non-complying activity.

8.5.29

The use of land for a farming activity on a property greater than 5 hectares in area that does not comply with condition 2 of Rule 8.5.26, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 of Rule 8.5.27, is a prohibited activity.

Irrigation Schemes

Notes:

1. Regional Rule 5.41 applies within the Waimakariri Sub-region.
2. Rules 8.5.30 and 8.5.30A replace Regional Rule 5.62 and apply to irrigation schemes and principal water suppliers within the Waimakariri Sub-region.
3. ~~Within the Waimakariri Sub-region, if the applicant is not an irrigation scheme or a principal water supplier, or the holder of the discharge permit will not be an irrigation scheme or a principal water supplier, then the activity is assessed under Rules 8.5.21 to 8.5.29.~~²⁴⁸

8.5.30

The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier is a discretionary activity provided the following condition is met:

1. The staged reductions in nitrogen loss required by Table 8-9 will be met for any land within the Nitrate Priority Area.

Notification

Pursuant to section 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification.

Note: Limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.

8.5.30A **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier that does not comply with condition 1 of Rule 8.5.30 is a non-complying activity.**

Incidental Nutrient Discharges

Note: *Rules 8.5.31 and 8.5.32 prevail over Regional Rules 5.63 and 5.64²⁴⁹*

8.5.31 **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following condition is met:**

1. The land use activity associated with the discharge is authorised under Rules 8.5.21 to 8.5.29.

8.5.32 **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA that does not meet condition 1 of Rule 8.5.31 is a non-complying activity.**

Stock Exclusion from Waterbodies

Notes: *1. Regional Rules 5.68A, 5.68B, 5.68, 5.69, 5.70 and 5.71 (Stock Exclusion) apply in the Waimakariri Sub-region.
2. Rule 8.5.33 extends the application of Regional Rules 5.68, 5.69, 5.70 5.71 to additional surface waterbodies.
3. Rule 8.5.34 applies as an addition to Regional Rule 5.71²⁵⁰*

8.5.33 **Within the Waimakariri Sub-region any reference in Rules 5.68A, 5.68B, 5.68, 5.69, 5.70 and 5.71 to the bed of a lake, river or wetland also includes a spring, and an artificial watercourse that discharges into a lake, river or wetland, but does not include any sub-surface drain or artificial watercourse that does not have surface water in it.**

8.5.34 **Within the Waimakariri Sub-region Regional Rule 5.71 includes the following additional condition:**

1. Within the Ashley-Waimakariri Plains Area as shown on Planning Maps.

Habitat Enhancement

8.5.35 **Despite any other rule in this Plan, 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 a river for the purpose of the maintaining or enhancing water quality,²⁵¹ indigenous vegetation, habitats of indigenous fauna, or habitats of trout and salmon, is a permitted activity, provided the following conditions are met:**

²⁴⁹ RMA Schedule 1, Clause 16(2) - Minor amendment

²⁵⁰ RMA Schedule 1, Clause 16(2) - Minor amendment

²⁵¹ Consequential to DairyNZ PC7-357.26

1. The disturbance of the bed does not occur within 100 metres of ~~any birds colony, which are~~ nesting or rearing their young in ~~the bed of the river~~ ~~bed gravels from 1 September to 31 January of the following year, or physically disturb any indigenous bird's nest currently in use~~²⁵²; and
2. The activity is not undertaken in or on the bed of a salmon spawning site listed in Schedule 17, or in any inanga spawning habitat during the inanga spawning season of 1 March to 1 June inclusive, or in any indigenous freshwater species habitat; and
3. The activity is not located in, on, under, or over any wetland in the bed; and
4. The quantity of bed material disturbed is less than 10 cubic metres; and
5. The disturbance does not occur within 5 metres of any flood protection works; and
6. The disturbance does not occur within 50 metres of any structure, other than flood protection works, located in the riverbed.

8.5.36

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 water quality,²⁵³ 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.

The exercise of discretion is restricted to the following matters:

1. The actual and potential adverse environmental effects of not meeting ~~the condition or any one or more of the~~ conditions of Rule 8.5.35; and;
2. The potential benefits of the activity to the applicant, the community and the environment.²⁵⁴

Structures

8.5.37

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 disturbance of the bed and banks of a river or lake²⁵⁵ necessary to carry out the activity is a permitted activity, provided the following conditions are met:

1. Flood protection works or other structures are not damaged; and
2. Demolished structures are completely removed from the bed; and
3. The banks of the river or lake are not de-stabilised; and
4. The activity, except for the use of the structure, does not occur within 100 metres of ~~any birds colony, which are~~ nesting or rearing their young in ~~the bed of the river~~ ~~bed gravels from 1 September to 31 January of the following year, or physically disturb any indigenous bird's nest currently in use~~²⁵⁶; and
5. Any mai mai is not larger than 4 square metres in area and is constructed of untreated timber and natural vegetation camouflage; and
6. Any temporary fish trap or temporary fish barrier is for the purpose of monitoring salmon, trout or eel populations, or harvesting trout or salmon ova, and the structure is removed and the bed restored to pre-activity condition within 3 months of commencement of the monitoring or harvesting.

8.5.38

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 disturbance of

²⁵² DOC PC7-160.45

²⁵³ Consequential to DairyNZ PC7-357.26

²⁵⁴ Fish & Game PC7-95.40

²⁵⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

²⁵⁶ DOC PC7-160.46

the bed **and banks of a river or lake**²⁵⁷ 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:

The exercise of discretion is restricted to the following matter:

1. The actual and potential adverse environmental effects of not meeting the condition or conditions of Rule 8.5.37.

²⁵⁷ RMA Schedule 1, Clause 16(2) - Minor amendment

8.6

Freshwater Outcomes Tables

See Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4 and the freshwater outcomes contained in Tables 8(a) and 8(b).

Table 8a Freshwater Outcomes for Waimakariri Sub-region Rivers

Freshwater Management Unit	River Type	Ecological Health Attributes			Macrophyte Attributes		Periphyton Attributes		Siltation Attribute	Human Health for Recreation Attribute				Cultural Attribute
		QMCI ¹	Dissolved oxygen [min saturation] (%)	Temperature [max] [°C]	Emergent macro phytes [max cover of bed] (%)	Total macrophytes [max cover of bed] (%)	Chloro phyll a [mg chl- a/m ²] ²	Filamentous algae >20mm [max % cover of bed]	Fine sediment <2mm diameter [m ax cover of bed] (%)	SFRG ³	E.coli [E.coli / 100mL]			
											Median ⁴ [cfu/ 100ml]	95 th percentile ⁴ [cfu/100m l]	Cyano bacteria mat cover [max cover of bed] ²⁵⁸	
Ashley River/ Rakahuri	Natural state waterbodies ⁵	Rivers are maintained in their natural state												
	Alpine - upland	6	90	20	No value set		50	10	10	Good		≤540	20	Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting and they are safe to eat.
	Hill-fed - upland						200	30	15	Good				
	Hill-fed - lower								Good to Fair					
	Spring-fed - plains	5	70		30	50	200	30	20	No value set	≤1000			
Northern Waimakariri Tributaries	Natural state waterbodies	Rivers are maintained in their natural state												
	Hill-fed - upland	6	90	20	No value set		50	10	15	Good	≤130	≤540	20	Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting and they are safe to eat.
	Hill-fed - lower						200	30		Good to Fair	≤130	≤1000		
	Spring-fed - plains	5	70		30	50			20	Good to Fair	≤130	≤1000		
	Spring-fed - plains urban	4.5			30	60			30	No value set	≤130	≤1000 ²⁵⁹		

¹ QMCI = Quantitative macro invertebrate community index

²⁵⁸ RMA Schedule 1, Clause 16(2) – Minor correction.

²⁵⁹ Consequential to CDHB PC7-347.4, PC7-347.5

2 Outcomes shall be exceeded in no more than 8% ~~1-out of 12~~ samples for rivers classified as default class in the National Policy Statement for Freshwater Management 2014 (amended 2017), River Environment Classification system, and in no more than 16% ~~2-out of 12~~ samples for rivers classified as productive class. A minimum of 3 years of monthly data is required to determine compliance with the outcomes²⁶⁰

3 SFRG = Suitability for Recreation Grade from Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment 2003

4 Determined from a minimum of 60 samples collected on a monthly basis over 5 years

5 Rivers within land that is administered for conservation purposes by the Department of Conservation

Table 8b Freshwater Outcomes for Waimakariri Sub-region Lakes

Freshwater Management Unit	Lake Type	Lake	Ecological Health Attribute				Eutrophication Attribute			Visual Quality Attribute	Human Health for Recreation Attribute				Cultural Attribute
			Dissolved oxygen (min saturation) [%]		Temperature [max] [°C]	Lake SPI ¹ [min grade]	Trophic Level Index (TLI) ² [maximum annual average]	Chlorophyll a		Colour	Cyanobacteria [either mm ³ /L or cells/mL] ¹ [max value]	E. coli [E. coli/100mL]		SFRG ⁴	
			Minimum Hypolimnion	Minimum Epilimnion				Maximum annual average [mg chl-a/m ³] ²⁶¹ [µg/L]	Annual maximum [mg chl-a/m ³] [mg/L]			Median [cfu/100mL] ²⁶²	95th percentile [cfu/100mL]		
Ashley River / Rakahuri	Artificial - other	Lake Pegasus	70	90	19	N/A	4.0	5	25	Natural colour not degraded by more than 5 Munsell Units	10 or 0.5 mm ³ /L of potentially toxic cyanobacteria	≤130	≤540	Good	N/A
Northern Waimakariri Tributaries	Coastal lake	Tutaepatu Lagoon	70	90	19	Moderate	5.0	12	60		10 or 1.8 mm ³ /L of potentially toxic cyanobacteria	≤130	≤1200 ²⁶³	No value set	Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting and they are safe to eat.

¹ Lake SPI = Lake Submerged Plant Indicators from Clayton J. Edwards T. (2002) LakeSPI: a method for monitoring ecological condition in New Zealand lakes (Technical report version 1 Report by NIWA)

² TLI = Trophic Level Index from: Protocol for Monitoring Trophic Levels of New Zealand Lakes and Reservoirs (Report by Lakes Consulting, March 2000)

³ Determined from a minimum of 60 samples collected on a monthly basis over 5 years.²⁶⁴

⁴ SFRG = Suitability for Recreation Grade from: Microbiological Water Quality Guidelines for Marine and Freshwater Recreational

²⁶⁰ HortNZ PC7-356, page 2

²⁶¹ RMA Schedule 1, Clause 16(2) – Minor correction

²⁶² Consequential to Forest & Bird PC7-472.18

²⁶³ Consequential to CDHB PC7-347.4, PC7-347.5

²⁶⁴ Consequential to Forest & Bird PC7-472.18

8.68.7 Allocation Limits and Water Quality Limits and Targets²⁶⁵

8.7.1 Environmental Flow and Allocation Limits

The following flow and allocation limits are to be applied when reading policies and rules in Sections 4, 5 and 8.

Note: For the avoidance of doubt, any surface water takes located within the mapped Waimakariri Sub-region (Section 8) of this Plan that take water directly from the Waimakariri River or groundwater takes that have a hydraulic connection to the Waimakariri River, are assessed and managed under the Waimakariri River Regional Plan and not counted within the allocation limits for the Surface Water Allocation Zones within Section 8 of this Plan.

Table 78-1: Ashley River/Rakahuri and tributaries Environmental Flow and Allocation Limits

See the Waimakariri River Regional Plan for the Waimakariri catchment flow and allocation limits.

River or stream (see Planning Maps) Surface Water Allocation Zone (see Planning Maps)	Location of recorder site*, or site where flow is measured Minimum flow site	Topo 50 Map Reference Measurement location NZTM 2000 Map Reference	Minimum flow for A permits (L/s) ¹			Allocation limit for A permits (L/s)	Minimum flow for B permits (L/s) ¹	Allocation limit for B permits (L/s)	Minimum flow for C permits (L/s) ¹	Allocation limit for C permits (L/s)
			From 20 July 2019	From 20 July 2025	From 20 July 2032					
Ashley River/ Rakahuri	Ashley Gorge* (recorder)	BW22:364-134 1536410 mE 5213275 mN	2500 Jan — Jul 4000 Aug — Nov 3000 Dec	2500 Jan — Jul 4000 Aug — Nov 3000 Dec	2500 Jan — Jul 4000 Aug — Nov 3000 Dec	700	3200 Jan — Jul 4700 Aug — Nov 3700 Dec	500-135	6000	3000-494
Taranaki Creek	Kaipohia monument Preeces Road	BW24:748-054 1574758 mE ²⁶⁶ 5205297 mN	120	120	120	64 149	No B Block N/A	No B Block Allocation	No C Block N/A	No C Block No C Allocation
Waikuku Stream	Waikuku Beach Road	BW24:747-069 1574689 mE 5206983 mN	100 Monday to Friday 150 Saturday and Sunday	150	1250 ²⁶⁷	460 831	No B Block N/A	No B Block Allocation	No C Block N/A	No C Block No C Allocation
Little Ashley Creek	State Highway One	BW24:746-073 1574532 mE 5207284 mN	50 except for four days per calendar month when the minimum flow shall be 30 L/s	50	50	172 43	No B Block N/A	No B Block Allocation	No C Block N/A	No C Block No C Allocation
Saltwater Creek (Sefton)	Toppings Rd	BW24:731-108 1573147 mE 5210696 mN	100	100	148	408 417	No B Block N/A	No B Block Allocation	No C Block N/A	No C Block No C Allocation

²⁶⁵ For consistency - OWL PC7-381.148

²⁶⁶ RMA Schedule 1, Clause 16(2) – Minor correction

²⁶⁷ Ngāi Tūāhuriri PC7-399.65

¹ the minimum flow is calculated by the Canterbury Regional Council as the flow measured or estimated at the minimum flow site less any flow that is the result of augmentation for ecological purposes

Table 8-2: Northern ~~Waimakariri Tributaries of the Waimakariri River~~ Environmental Flow and Allocations Limits²⁶⁸

<u>River or stream</u> <u>Surface Water</u> <u>Allocation Zone</u> ²⁶⁹ (see Planning Maps)	<u>Minimum flow site</u>	<u>Measurement location</u> <u>NZTM2000 Map Reference</u>	<u>Minimum flow for A permits (L/s)¹</u>			<u>Allocation limit</u> <u>for A permits</u> <u>(L/s)</u>	<u>Minimum flow for B</u> <u>permits (L/s)¹</u>		<u>Allocation limit for</u> <u>B limits (L/s)</u>
			<u>From 20 July</u> <u>2019</u>	<u>From 20 July</u> <u>2027</u>	<u>From 20</u> <u>July</u> <u>2032</u> ²⁷⁰		<u>From 20 July</u> <u>2019</u>	<u>From 20 July</u> <u>2027</u>	
<u>Cam River/Ruataniwha</u>	<u>Youngs Road</u> <u>(recorder)</u>	<u>1570106 mE 5201718 mN</u>	<u>1000</u>	<u>1000</u>	<u>1000</u>	<u>350</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>North Brook</u>	<u>Marsh Road</u>	<u>1569448 mE 5203287 mN</u>	<u>530</u>	<u>560</u>	<u>560</u>	<u>200</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Middle Brook</u>	<u>Marsh Road</u>	<u>1568610 mE 5203135 mN</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>30</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>South Brook</u>	<u>Marsh Road</u>	<u>1567772 mE 5202993 mN</u>	<u>140</u>	<u>155</u>	<u>155</u>	<u>38</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Cust River</u>	<u>Rangiora-²⁷¹Oxford</u> <u>Road</u>	<u>1556066 mE 5204417 mN</u>	<u>20</u>	<u>60</u>	<u>60</u>	<u>290</u>	<u>310</u>	<u>350</u>	<u>131</u>
<u>Cust Main Drain</u>	<u>Threlkelds Road</u> <u>(recorder)</u>	<u>1568536 mE 5198771 mN</u>	<u>230</u>	<u>230</u>	<u>230</u>	<u>690</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>No.7 Drain</u>	<u>Hicklands Road</u>	<u>1568155 mE 5199198 mN</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>96</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Ohoka Stream</u>	<u>Island Road Kaiapoi</u> <u>River Confluence</u> ²⁷²	<u>1570225 mE 5197461 mN</u>	<u>300</u>	<u>420</u>	<u>420</u>	<u>500</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Silverstream</u>	<u>Neeves Road</u>	<u>1569500 mE 5195182 mN</u>	<u>600</u>	<u>900</u>	<u>1200</u>	<u>591</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Courtenay Stream</u>	<u>Neeves Road</u>	<u>1571355 mE 5194431 mN</u>	<u>260</u>	<u>330</u>	<u>330</u>	<u>140</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Greigs Drain</u>	<u>Greigs Road</u>	<u>1570939 mE 5193137 mN</u>	<u>150</u>	<u>230</u>	<u>230</u>	<u>52</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Upper Eyre River</u>	<u>Trigpole Road Ford</u>	<u>1519706 mE 5208138 mN</u>	<u>54</u>	<u>54</u>	<u>54</u>	<u>89.5</u>	<u>N/A</u>	<u>N/A</u>	<u>No B Allocation</u>
<u>Eyre River</u>	<u>No minimum flow site</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>No surface</u> <u>water allocation</u>	<u>N/A</u>	<u>N/A</u>	<u>No surface water</u> <u>allocation</u>
<u>Kairaki / McIntosh</u>	<u>No minimum flow site</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>No surface</u> <u>water allocation</u>	<u>N/A</u>	<u>N/A</u>	<u>No surface water</u> <u>allocation</u>

¹ the minimum flow is calculated by the Canterbury Regional Council as the flow measured or estimated at the minimum flow site less any flow that is the result of augmentation for ecological purposes

² Stream depleting groundwater abstractions from the Eyre River SWAZ are not to be included in the surface water allocation for that SWAZ.²⁷³

²⁶⁸ RMA Schedule 1, Clause 16(2) – Minor correction

²⁶⁹ RMA Schedule 1, Clause 16(2) – Minor correction

²⁷⁰ Ngāi Tūāhuriri PC7-399.69

²⁷¹ RMA Schedule 1, Clause 16(2) – Minor correction

²⁷² RMA Schedule 1, Clause 16(2) – Minor correction

²⁷³ Bowden Environmental PC7-84.28

Table 8-3: Environmental Flow and Allocation Limits for Mahinga Kai Enhancement Purposes

Notes:

- The allocation limits for mahinga kai purposes in Table 8-3 apply in addition to the relevant allocation limits for the Ashley River/Rakahuri, Cam River/Ruataniwha and Silverstream in Tables 8-1 and 8-2.*
- Water takes for mahinga kai purposes are subject to the same minimum flows and partial restrictions as other water takes.*

<u>River or Stream Surface Water Allocation Zone</u> ²⁷⁴ (see Planning Maps)	<u>Minimum flow site</u>	<u>Measurement location NZTM 2000 Map Reference</u>	<u>Minimum flow for Mahinga kai A permits (L/s)</u>			<u>Allocation for Mahinga kai A permits (L/s)</u>	<u>Minimum flow for Mahinga kai B permits (L/s)</u>	<u>Allocation for Mahinga kai B permits (L/s)</u>	<u>Minimum flow for Mahinga kai C permits (L/s)</u>	<u>Allocation for Mahinga kai C permits (L/s)</u>
			<u>From 20 July 2019</u>	<u>From 20 July 2027</u>	<u>From 20 July 2032</u>					
<u>Ashley River/Rakahuri</u>	<u>Ashley Gorge (recorder)</u>	<u>1536410 mE 5213275 mN</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>No A Allocation</u>	<u>3200 (Jan-Jul) 4700 (Aug-Nov) 3700 (Dec)</u>	<u>182</u>	<u>6000</u>	<u>1253</u>
<u>Cam River/Ruataniwha</u>	<u>Youngs Road</u>	<u>1570106 mE 5201718 mN</u>	<u>1000</u>	<u>1000</u>	<u>1000</u>	<u>175</u>	<u>N/A</u>	<u>No B Allocation</u>	<u>N/A</u>	<u>No C Allocation</u>
<u>Silverstream</u>	<u>Neeves Road</u>	<u>1569500 mE 5195182 mN</u>	<u>600</u>	<u>900</u>	<u>1200</u> ²⁷⁵	<u>205</u>	<u>N/A</u>	<u>No B Allocation</u>	<u>N/A</u>	<u>No C Allocation</u>

8.6.2 8.7.2 Groundwater Allocation Limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in Sections 4 and 5.

Table 8: Waimakariri Groundwater Limits

Table 8-4: Waimakariri Groundwater Allocation Limits

<u>Groundwater Allocation Zone (see Planning Maps)</u>	<u>A Permit Allocation Limit (million m³/yr)</u>	<u>B Permit Allocation Limit (million m³/yr)</u> ²⁷⁶	<u>Transfer Permit Allocation (million m³/yr)</u> ¹
<u>Ashley</u>	<u>29.4 11.35</u>	<u>0.016</u>	<u>18.05</u>
<u>Cust</u>	<u>56.3 13.25</u>	<u>1.69</u>	<u>29.01</u>
<u>Eyre</u>	<u>99.07 75.33</u>	<u>0</u>	<u>23.77</u>

²⁷⁴ RMA Schedule 1, Clause 16(2) – Minor correction

²⁷⁵ Ngāi Tūāhuriri PC7-399.70

²⁷⁶ Addition of a B Permit Allocation Limit: Bowden Environmental PC7-84.30

Kowai	17.4 <u>7.43</u>	<u>0.85</u>	<u>9.20</u>
Loburn Fan	40.8 <u>0.016</u>	<u>0.010</u>	<u>6.05</u>
Lees Valley	<u>0.025</u>	<u>0.157</u>	<u>0</u>

*1. The Transfer Permit Allocation is only available to holders of existing surface water or groundwater permits in over-allocated surface water catchments who propose, by way of a consent application, to replace their existing take for a take from Deep
Groundwater that has a low stream depletion effect. ²⁷⁷*

~~For all other areas see Rule 5.128.~~

²⁷⁷ Consequential to Bowden Environment PC7-84.4

8.6.3 8.7.3 Catchment Nutrient Load Water Quality Limits and Allowances

Nil. See Rules 5.41 to 5.64

Table 8-5: Water Quality Limits and Targets for ~~Waimakariri~~ Rivers²⁷⁸

Freshwater Management Unit	River Type	River name and measurement location (see Planning Maps)	NZTM2000 Map Reference	Dissolved Inorganic Nitrogen (DIN) [5-year median] [mg/L]	Dissolved Reactive Phosphorus (DRP) [5-year median] [mg/L]	Nitrate-Nitrogen		Ammoniacal Nitrogen ¹	
						Annual median [mg/L]	Annual 95 th percentile [mg/L]	Annual median [mg/L]	Annual maximum [mg/L]
Ashley River/ Rakahuri	Hill-fed -upland	Ashley River/Rakahuri at Ashley Gorge Road	1537355 mE 5213583 mN	0.06	0.002	0.2	0.5	0.01	0.07
	Hill-fed lower	Ashley River/Rakahuri at SH1	1574736 mE 5208399 mN	0.18	0.004	0.3	0.6	0.01	0.02
	Spring-fed plains	Saltwater Creek at Factory Road	1574730 mE 5210832 mN	0.3	0.016	1.0	1.5	0.03	0.13
		Waikuku Stream at SH1	1574465 mE 5206975 mN	0.44	0.008	1.0	1.5	0.02	0.03
		Taranaki Creek at Preeces Road	1574757 mE 5205291 mN	0.55	0.13	1.0	1.5	0.03	0.07
		Little Ashley Creek at SH1	1574507 mE 5207281 mN	0.20	0.026 0.018	1.0	1.5	0.04	0.17
Northern Waimakariri Tributaries	Hill-fed lower	Cust River at Tippings Rd	1547647 mE 5205419 mN	N/A	0.008	3-8 2.4 (target)	6-4 3.5 (target)	0.02	0.04
	Spring-fed plains	Cust Main Drain at Skewbridge Road	1569938 mE 5197879 mN	N/A	0.023 0.018	3-8 2.4 (target)	6-4 3.5 (target)	0.02	0.16
		Cam River/Ruataniwha at Bramleys Road	1570577 mE 5200988 mN	0.66	0.008	1.0 (target)	1.5 (target)	0.02	0.05
		Ohoka Stream at Island Road	1570219 mE 5197465 mN	N/A	0.015	3-8 2.4 (target)	6-4 3.5 (target)	0.02	0.16
		Silverstream at Harpers Road	1564806 mE 5191961 mN	N/A	0.002	6-9 2.4 (target)	9-8 3.5 (target)	0.01	0.02
		Silverstream at Island Road	1570316 mE 5197431 mN	N/A	0.008	6-9 2.4 (target)	9-8 3.5 (target)	0.02	0.09
		Courtenay Stream at Neeves Rd	1571355 mE 5194431 mN	N/A	0.030 0.018 ²⁷⁹	3-8 2.4 (target)	6-4 3.5	0.24	0.40

²⁷⁸ RMA Schedule 1, Clause 16(2) – Minor correction

²⁷⁹ All recommended amendments to the DRP limits: North Canterbury Fish and Game Council PC7-95.101

Freshwater Management Unit	River Type	River name and measurement location (see Planning Maps)	NZTM2000 Map Reference	Dissolved Inorganic Nitrogen (DIN) [5-year median] [mg/L]	Dissolved Reactive Phosphorus (DRP) [5-year median] [mg/L]	Nitrate-Nitrogen		Ammoniacal Nitrogen ¹	
						Annual median [mg/L]	Annual 95 th percentile [mg/L]	Annual median [mg/L]	Annual maximum [mg/L]
							(target) ²⁸⁰		

¹. Based on pH8 and temperature of 20°C

N/A for DIN limits signifies that nitrogen related limits are set for toxicity purposes (nitrate-nitrogen) and not for controlling periphyton and/or plant growth

A target is a limit which must be met at a defined time in the future, meaning it only applies in the context of over-allocation. For rivers with a water quality (target) against them, the objective is to improve water quality to meet this target over time. Actions to achieve the nitrate targets in Table 8-5 will be implemented by 1 January 2080.

²⁸⁰ All recommended amendments to the Nitrate-Nitrogen targets: Royal Forest & Bird Protection Society Inc. PC7-472.122

Table 8-6: Water Quality Limits and Targets for ~~Waimakariri~~ Lakes²⁸¹

Freshwater Management Unit	Lake Type	Lake name and measurement location	NZTM2000 Map Reference	Total Phosphorus [mg/L] ¹	Total Nitrogen [mg/L] ¹	Ammoniacal Nitrogen [mg/L] ²	
				Annual average	Annual average	Annual median	Annual maximum
Ashley River/Rakahuri	Artificial - other	Lake Pegasus	1575421 mE 5204960 mN	0.05 (target)	0.750 (target)	0.03	0.05
Northern Waimakariri Tributaries	Coastal lake	Tutaetapu Lagoon	1576209 mE 5204807 mN	0.05 (target)	0.800 (target)	0.03	0.05

¹ A numeric freshwater objective to achieve trophic state outcomes for the lake in Table 8b).

² Based on pH8 and temperature of 20oC

A target is a limit which must be met at a defined time in the future, meaning it only applies in the context of over-allocation. For lakes with water quality (target) against them, the objective is to improve water quality to meet this target over time. Actions to achieve the targets in Table 8-6 will be implemented by 1 January 2040.

Table 8-7: ~~Waimakariri~~ Nitrate-nitrogen Limits for Drinking Water Supplies from Groundwater²⁸²

Drinking Water Source	Nitrate-Nitrogen Concentration (Mg/L)
Individual Waimakariri District Council Community water supply wells	5.65 (maximum) ¹
Private water supply wells	5.65 (median) ²

¹ The limit for individual Waimakariri District Council community water supply wells applies to any sample collected from any community supply well unless a second confirmatory sample (collected within 7 days of the first sample) shows the first sample result to be unreliable.

² The limit for private water supply wells is the median value for all samples collected from a representative area.

Table 8-8: ~~Waimakariri~~ Water Quality Limits and Targets for Groundwater²⁸³

Freshwater Management Unit	Groundwater Allocation Zone	Nitrate Nitrogen Limit or (Target)		E. coli	Other contaminants ²
		Annual average concentration (mg/L) ¹	Maximum Concentration (mg/L)	95% of samples	Any sample
Ashley River/Rakahuri	Ashley	0.25	11.3	< 1 organism / 100 millilitres	<50% MAV ³
	Kowai	0.25			
	Loburn Fan	4.4			
	Lees Valley	0.2			
Northern Waimakariri Tributaries	Cust	5.65 (target)	4.1		
	Eyre	4.1			

¹ The annual average nitrate concentration is the average of all samples collected within the Groundwater Allocation Zone over the preceding five year period. Where no groundwater samples are available for Lees Valley the nitrate-nitrogen concentrations in the Ashley River/Rakahuri at the Gorge under low flow conditions are

²⁸¹ RMA Schedule 1, Clause 16(2) – Minor correction

²⁸² RMA Schedule 1, Clause 16(2) – Minor correction

²⁸³ RMA Schedule 1, Clause 16(2) – Minor correction

used as a proxy.

2 Other contaminants of health significance as listed in NZ Drinking-water Standards.

3 Maximum Acceptable Value (as listed in 2 above)

A target is a limit which must be met at a defined time in the future, meaning it only applies in the context of over-allocation. For groundwater zones with water quality (target) against them, the objective is to improve water quality to meet this target over time. Actions to achieve the nitrate targets in Table 8-8 will be implemented by 1 January 2080

Table 8-9: Nitrate Priority Area Staged Reductions in Nitrogen Loss for Farming Activities, Farming Enterprises and Irrigation Schemes

Nitrate Priority Sub-area (see Planning Maps)	Farming type	Cumulative percentage reductions in nitrogen loss and dates by which these are to be achieved					
		By 1 January 2030	By 1 January 2040	By 1 January 2050	By 1 January 2060	By 1 January 2070	By 1 January 2080
Sub-area A	Dairy	1520%	30%	=	=	=	=
	All other	5%	10%	=	=	=	=
Sub-area B	Dairy	1520%	30%	45%	=	=	=
	All other	5%	10%	15%	=	=	=
Sub-area C	Dairy	1520%	30%	45%	60%	=	=
	All other	5%	10%	15%	20%	=	=
Sub-area D	Dairy	1520%	30%	45%	60%	75%	=
	All other	5%	10%	15%	20%	25%	=
Sub-area E	Dairy	1520% ²⁸⁴	30%	45%	60%	75%	90%
	All other	5%	10%	15%	20%	25%	30% ²⁸⁵

1. The starting point for applying each percentage reduction in nitrogen loss in Table 8-9 is generally the Baseline GMP Loss Rate except as otherwise provided for in Policy 8.4.26 for individual farming activities and farming enterprises, and in Policy 8.4.29 for irrigation schemes

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

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

8.7 8.8 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

Major Catchment (see Planning Maps)	Sub-catchment	Sensitive part of catchment	Monitoring site – lower boundary of catchment
Ashley/Rakahuri	Okuku River	Catchment upstream from Fox Creek confluence	Fox Creek recorder

8.8 8.9 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

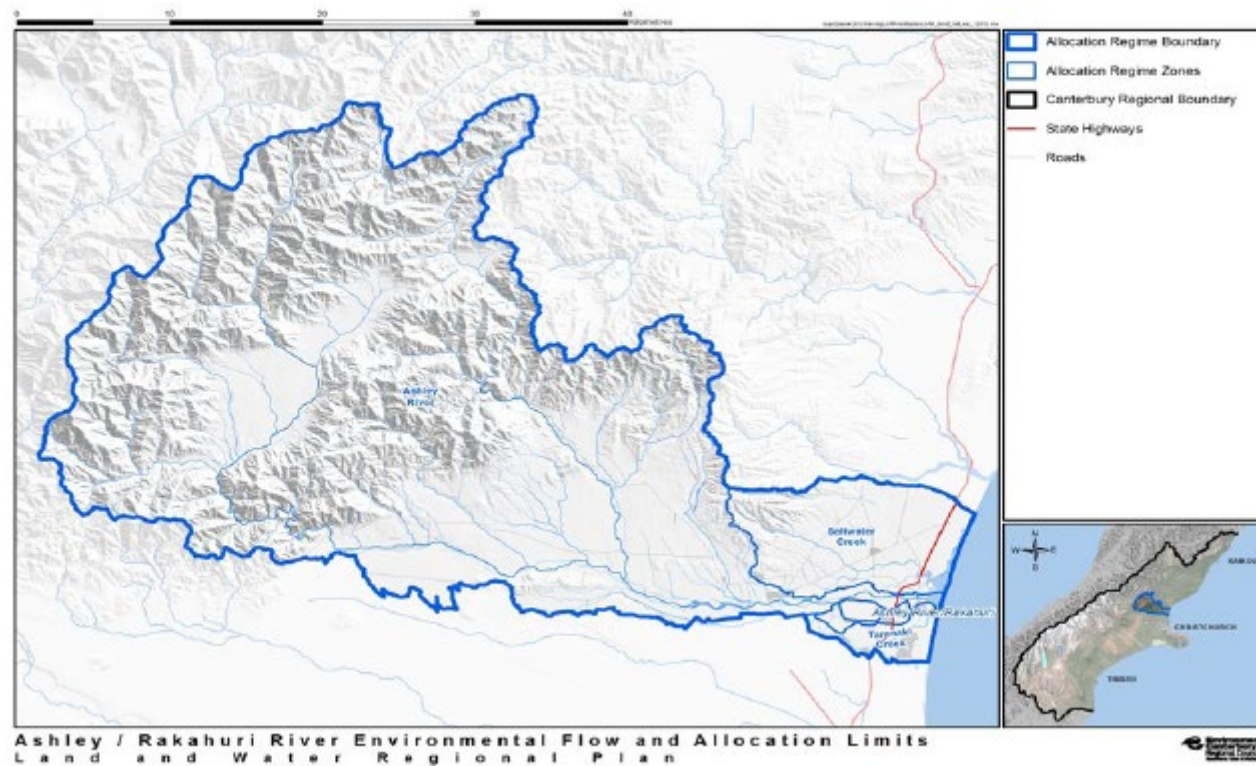
Main River/Lake (see Planning Maps)	Location and Topo-50 NZTM2000 Map Reference	Outstanding and significant characteristics
Ashley River/ Rakahuri River	From the Ashley Gorge Bridge (at or about BW22:374-134- 1537400 mE 5213400 mN) to 200 m below the confluence with the Townshend River (at or about BW22:300-474 1530000 mE 5217400 mN)	High degree of naturalness High visual amenity value – very

²⁸⁴ All recommended amendments to 1 January 2030 reductions for dairy: CCC PC7-337.168

²⁸⁵ PC7-425.30 Waimakariri NGF

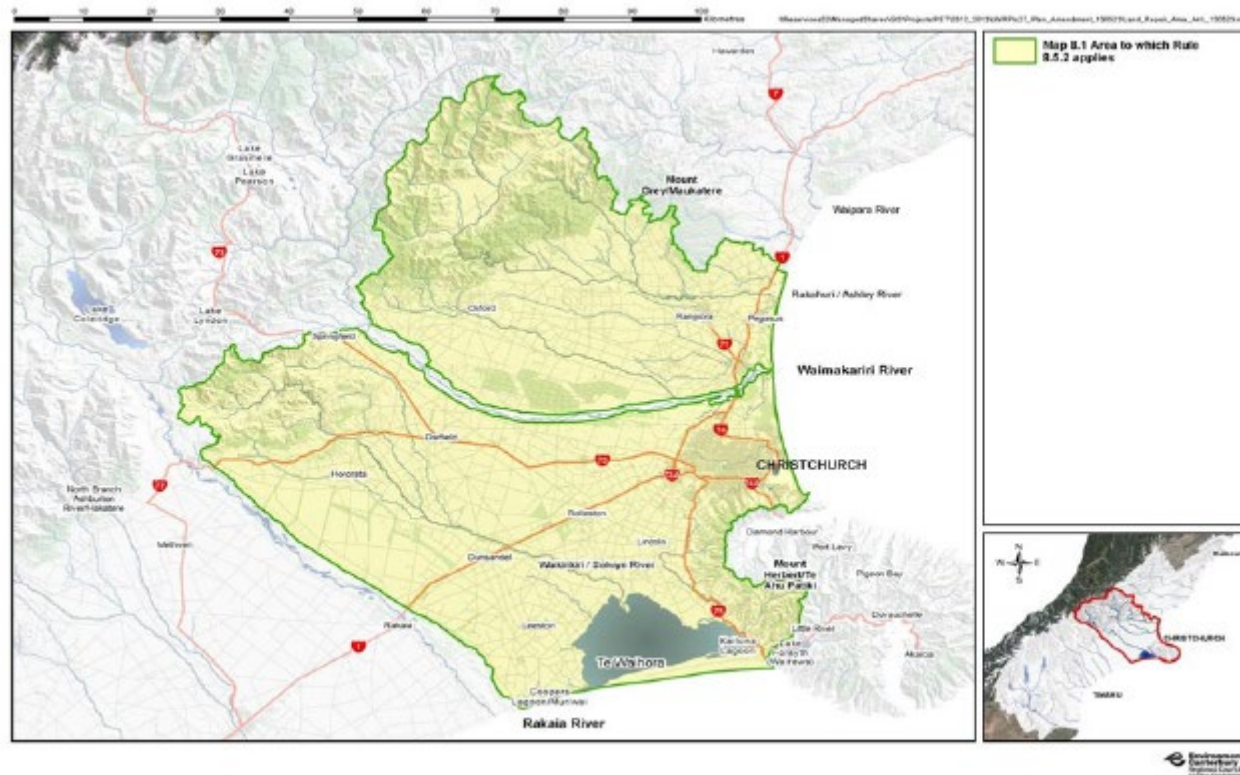
scenic and deeply incised gorge
which is visible in places from Lees Valley Road

Ashley / Rakahuri River Environmental Flow and Allocation Limit

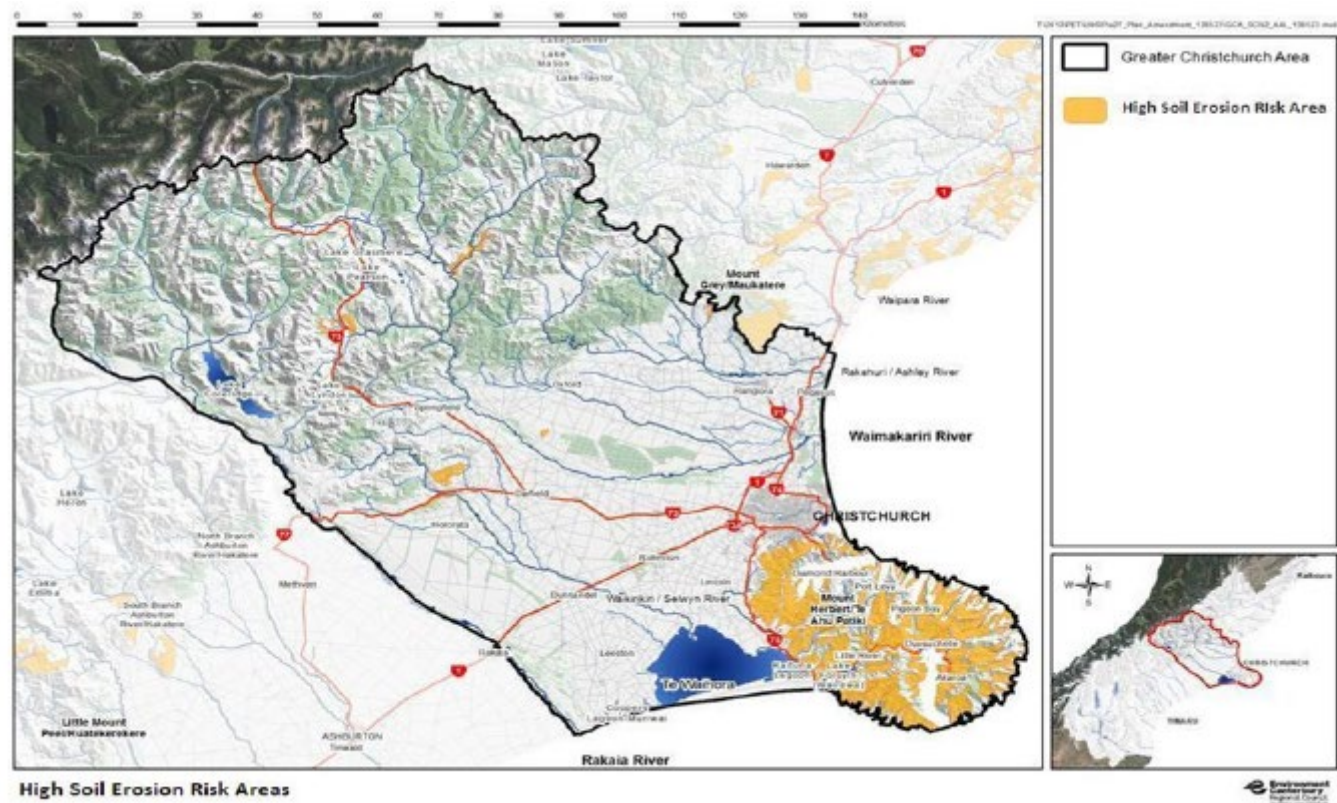


PC7 Instructions: Delete the Ashley / Rakahuri River Environmental Flow and Allocation map above

Map 8.1



High Soil Erosion Risk Areas



Section 11 Selwyn – Te Waihora

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11.2A Selwyn Te Waihora Sub-region Section Definitions

For this sub-region section of the Plan the following definitions apply in addition to the definitions contained in Section 2.9

Word	Definition
Adaptive management conditions	means a condition or conditions on a resource consent to take groundwater that includes an annually variable volume dependent on the annually assessed state of the groundwater resource in a zone.
Augmentation	means the addition of water to surface water or groundwater to increase flows in Hill fed-lower and Spring fed-plains rivers.
Baseline land use	means the land use, or uses, comprising a farming activity or farming enterprise, that was carried on within the period between 1 July 2009 and 30 June 2013, used to determine the 'nitrogen baseline' as defined in Section 2.9 of this Plan; and where a discharge permit that imposes nitrogen loss limits was granted in the period 01 July 2009 – 30 June 2013, the land use associated with the discharge permit is the 'baseline land use'.
Central Plains Water	means the holder of resource consents CRC061973, CRC061972, CRC062685 and CRC136234 or any variation or replacement consent.
Cultural Landscape/Values Management Area	means the area of land comprising the Lake Zone and River Zone identified in Section 11.8.

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Lake, Catchment and Flow Restoration

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- 11.4.20 Enable lake restoration activities that re-establish aquatic plants, lake margin wetlands and remove phosphorus from lake bed sediments in Te Waihora/Lake Ellesmere.
- 11.4.21 Enable catchment restoration activities that protect springheads, protect, establish or enhance plant riparian margins, create restore or enhance wetlands and target removal of macrophytes or fine sediment from waterways.
- 11.4.22 Enable managed aquifer recharge and targeted stream augmentation to assist with improvements to lowland stream flows and their ecological and cultural health where, by design, construction, and operation of any project:
- Adverse effects on cultural values, including those associated with unnatural mixing of water, are remedied or mitigated; and
 - Adverse effects on the availability, quality and safety of human drinking water are avoided; and
 - Adverse effects on fish passage are avoided or mitigated; and
 - Inundation of existing wetlands is avoided or mitigated; and
 - There is no net loss of significant indigenous vegetation or significant habitats of indigenous biodiversity; and
 - Adverse effects on people, property and drainage systems from raised groundwater levels and higher flows are avoided, remedied or mitigated.

Sustainable Use of Water and Improved Flows

- 11.4.23 Manage groundwater and surface water together as a single resource, to ensure, in combination with the introduction of alpine water into the catchment, flows in the Selwyn River/Waikirikiriri and lowland streams are improved and the allocation limits and targets in Table 11(e) are met.
- 11.4.24 Prohibit the allocation of surface or groundwater which may either singularly or cumulatively result in the allocation limits within Tables 11(e), 11(f) or 11(g) being exceeded.
- 11.4.25 Restrict the transfer of water permits within the Rakaia-Selwyn and Selwyn-Waimakariri water allocation zones to minimise the cumulative effects on flows in hill-fed and spring-fed plains rivers from the use of allocated but unused water, by requiring that:
- irrigation scheme shareholders within the Irrigation Scheme Area shown on the planning maps do not transfer their permits to take and use groundwater; and
 - fifty percent of any transferred water is surrendered except where:
 - the transferred water is to be used for a community water supply, or
 - the transferred water is or will, following transfer, be used for an industrial or trade process and result in a neutral or positive water balance.

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11.5 Rules

Index to Rules

The following index identifies regional rules that are modified by this sub-region section or where new rules are introduced.

On-site Wastewater

Topic	Regional rule	Additions to regional rules	Sub-region rules that prevail over regional rules	New sub-region rules
On-site Wastewater	5.8	11.5.1	-	-
	5.9	11.5.2	-	-
Offal and Farm Rubbish Pits	5.26, 5.28	11.5.3	-	-
Stock Holding Areas and Animal Effluent	5.36	11.5.4	-	-
Silage Pits and Compost	5.40	11.5.5	-	-
Nutrient Management	5.41 - 5.64	-	11.5.6 - 11.5.19	-
Stock Exclusion	5.68 - 5.71	11.5.20	-	-
	5.68	11.5.21	-	-
	5.71	11.5.22	-	-
Drainage Water	5.77	11.5.23		
	5.75	11.5.24		
Sewerage Systems	5.84	-	11.5.25	-
	-	-	-	11.5.26
Industrial and Trade Wastes	5.91	11.5.27	-	-
	5.92	-	11.5.28	-
	-	-	-	11.5.29

Stormwater	5.93	11.5.30	-	-
	-	-	-	11.5.31
Small and Community Water Takes	5.111	11.5.32	-	-
Taking and Using Surface Water	5.123 - 5.127	-	11.5.33 -11.5.37	-
Taking and Using Groundwater	5.128 - 5.130	-	11.5.33 -11.5.37	-
Transfer of Water Permits	5.133 - 5.134	-	11.5.38 -11.5.41	-
Augmenting groundwater or surface water	-	-	-	11.5.42 -11.5.43
Dams and Damming	-	-	-	11.5.44
Vegetation in Lake and River Beds	5.163	11.5.45	-	-
Sediment Removal	-	-	-	11.5.46-11.5.47
Earthquake Recovery	-	-	-	11.5.48-11.5.53

The following index identifies regional rules that are modified by this sub-region section or where new rules are introduced.

Note: Regional Rules 5.7, 5.8 and 5.9 apply in the Selwyn Te Waihora sub-region. Rules 11.5.1 and 11.5.2 apply as additions to Regional Rules 5.8 and 5.9.

11.5.1 Within the Selwyn Te Waihora sub-region Regional Rule 5.8 includes the following additional condition:

1. The discharge of wastewater from a new on-site domestic wastewater treatment system is not within the Cultural Landscape/Values Management Area.

11.5.2 Within the Selwyn Te Waihora sub-region Regional Rule 5.9 includes the following additional matter of discretion:

1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.

Offal and Farm Rubbish Pits

Note: Regional Rules 5.24, 5.25, 5.26, 5.27 and 5.28 apply in the Selwyn Te Waihora sub-region. Rule 11.5.3 applies as an addition to Regional Rules 5.26 and 5.28.

11.5.3 Within the Selwyn Te Waihora sub-region Regional Rule 5.26 and 5.28 includes the following additional matter of discretion:

1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.

Stock Holding Areas and Animal Effluent

Note: Regional Rules 5.31, 5.32, 5.33, 5.34, 5.35, 5.36 and 5.37 apply in the Selwyn Te Waihora sub-region. Rule 11.5.4 applies as an addition to Regional Rule 5.36.

11.5.4 Within the Selwyn Te Waihora sub-region Regional Rule 5.36 includes the following additional matter of discretion:

1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.

Silage Pits and Compost

Note: Regional Rules 5.38, 5.39 and 5.40 apply in the Selwyn Te Waihora sub-region. Rule 11.5.5 applies as an addition to Regional Rule 5.40.

11.5.5 Within the Selwyn Te Waihora sub-region Regional Rule 5.40 includes the following additional matter of discretion:

1. Any adverse effects on mahinga kai, wāhi tapu or wāhi taonga within the Cultural Landscape/Values Management Area.

Nutrient Management, Sediment and Microbial Contaminants

Notes:

1. Rules 11.5.6, 11.5.7, 11.5.8, 11.5.9, 11.5.10, 11.5.11, 11.5.12 11.5.13 and 11.5.14 prevail over Regional Rules 5.41 to 5.56A (Nutrient Management - Red, Orange and Lake Zones).
2. Rules 11.5.6 to 11.5.17 do not apply to the use of land for the disposal to land of wastewater (excluding sewage) from industrial or trade process, including livestock processing.
3. The terms “farming enterprise”, “nitrogen loss calculation” and “nitrogen baseline” are defined in Section 2.9 of this Plan.
4. Commercial vegetable growing activities operations are regulated by Rules 5.42CA to 5.42CE.²⁸⁶

- 11.5.6** **Despite any of Rules 11.5.7 to 11.5.14, the use of land for a farming activity in the Selwyn Te Waihora sub-region is a permitted activity provided the following conditions are met:**
1. The land is used for the disposal of wastewater or liquid waste from an industrial or trade process and a resource consent has been granted for that discharge that limits nitrogen loss from that property; or
 2. The property is less than 10 hectares; and
 3. The nitrogen loss calculation for the property does not exceed 15 kg per hectare per annum.

...

Irrigation Schemes

Note: Regional Rule ~~5.64~~ 5.41 applies in the Selwyn Te Waihora sub-region, in which Rules 11.5.15 and 11.5.16 prevail over Regional Rules ~~5.60 and~~ 5.62. Rule 11.5.17 is a new rule.

- 11.5.15** **Despite any of Rules 11.5.6 to 11.5.14, the use of land for a farming activity in the Selwyn Te Waihora sub-region is a permitted activity provided the following conditions are met:**
1. The property is irrigated with water from an Irrigation Scheme and the discharge is a permitted activity under Regional Rule ~~5.64~~ 5.41; or
 2. The property is irrigated with water from an Irrigation Scheme and the Irrigation Scheme holds a discharge consent under Rule 11.5.16 or 11.5.17 or Rule 5.62.
- 11.5.16** **The discharge of nitrogen, phosphorus, sediment or microbial contaminants onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA, in the Selwyn Te Waihora, is a discretionary activity, provided the following conditions are met:**
1. The applicant is an Irrigation Scheme; and
 2. If the Irrigation Scheme is described in Table 11(j) the nitrogen loss calculation for land that was not irrigated (other than by effluent) prior to 1 January 2015 will not exceed the Irrigation Scheme Nitrogen Limits in Table 11(j).
- 11.5.17** **The discharge of nitrogen, phosphorus, sediment or microbial contaminants onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA, in the Selwyn Te Waihora catchment, and meets**

²⁸⁶ Consequential to the amendment of definition commercial vegetable growing operation

condition 1 of Rule 11.5.16 but does not meet condition 2 of Rule 11.5.16, is a non-complying activity.

...

Taking and Using Surface Water and Groundwater

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- 11.5.35** Despite Rule 11.5.33 the taking and use of surface water or groundwater for the sole purpose of augmenting ~~groundwater or surface water~~ to increase stream flows in the Selwyn Te Waihora sub-region and including all areas within the Little Rakaia Combined Surface and Groundwater Allocation Zone is a discretionary activity.
- 11.5.36** The taking and use of surface water from a river, lake or wetland or groundwater within the Selwyn Te Waihora sub-region and including all areas within the Little Rakaia Combined Surface and Groundwater Allocation Zone that does not meet Conditions 4, 6, 7 or 8 in Rule 11.5.33 or does not comply with Rule 11.5.34 is a non-complying activity.
- 11.5.37** The taking and use of surface water from a river, lake or wetland or groundwater within the Selwyn Te Waihora sub-region and including all areas within the Little Rakaia Combined Surface and Groundwater Allocation Zone that does not meet Conditions 1, 2, 3, or 5 of Rule 11.5.33 is a prohibited activity.

Transfer of Water Permits

Note: Rules 11.5.38, Rule 11.5.39, 11.5.40 and 11.5.41 prevail over Regional Rules 5.133 and 5.134.

- 11.5.38** The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater within the Selwyn Te Waihora sub-region, is to be considered as if it is a restricted discretionary activity, provided the following conditions are met:
1. The reliability of supply for any other lawfully established water take is not reduced; and
 2. In the case of surface water, the point of take remains within the same surface water catchment and the take complies with the minimum flow and restriction regime in Tables 11(c) and 11(d); or
 3. In the case of groundwater:
 - a. the point of take is within the same Groundwater Allocation Zone or combined surface and Groundwater Allocation Zone; and
 - b. the bore interference effects as set out in Schedule 12 are acceptable; and
 - c. the transfer is not from a person who holds shares in an Irrigation Scheme in the Irrigation Scheme Area as shown on the Planning Maps; and
 - d. in addition for stream-depleting groundwater takes:
 - i. the transfer is within the same surface water catchment; and
 - ii. the take complies with the minimum flow and restriction regime in Table 11(c) and 11(d); and
 - iii. the stream depletion effect is no greater in the transferred location than in the original location unless a volume of surface water allocation from the affected water body that is at least equivalent to the additional volume of stream depletion is surrendered, for at least the duration of the transferred take; and
 4. If the transfer is within the Rakaia-Selwyn or Selwyn-Waimakariri Combined Surface and Groundwater Allocation Zones 50 percent of the volume of transferred water is to be surrendered unless:
 - a. the transferred water is to be used for a community water supply; or
 - b. the transferred water is used, or will following transfer be used, for an industrial or trade process and result in a neutral or

positive water balance.

The exercise of discretion is restricted to the following matters:

1. The nature of the transfer, whether short term, long term, partial or full, and the apportioning of the maximum rate of take and annual volume in the case of a partial transfer; and
2. The appropriateness of conditions, including conditions on minimum flow, annual volume and other restrictions to mitigate effects; and
3. The reasonable need for the quantities of water sought, the intended use of the water and the ability of the applicant to abstract and use those quantities; and
4. The efficiency of the exercise of the resource consent; and
5. The reduction in the rate of take in times of low flow; and
6. The method of preventing fish from entering any water intake.

11.5.39 Despite Rule 11.5.38, the temporary or permanent site-to-site transfer, in whole or in part, of a water permit to take or use water for gravel extraction (and ancillary activities) is to be considered as if it is a discretionary activity, provided the following condition is met:

1. The water continues to be used only for gravel extraction and ancillary activities.

11.5.40 Despite Rule 11.5.38, the permanent transfer, in whole or in part, (other than to the new owner of the site at which the water is abstracted and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater in the Selwyn Te Waihora sub-region, is to be considered as if it is a discretionary activity provided the following conditions are met:

1. The transferred water is used, or will following transfer be used for community water supply; or
2. The transferred water is used, or will following transfer be used, for an industrial or trade process and result in a neutral or positive water balance.

11.5.41 The transfer, in whole or in part, of a water permit to take or use surface water or groundwater in the Selwyn Te Waihora sub-region that does not meet the conditions of Rule 11.5.38, Rule 11.5.39 or Rule 11.5.40 must not under section 136 of the RMA be approved, in the same way as if it were a prohibited activity.

Augmenting Groundwater or Surface Water

Notes:

1. For all activities in or near waterways, refer also to the Canterbury Flood Protection and Drainage Bylaw 2013
2. Rules 11.5.42 and 11.5.43 are new rules.
3. Managed aquifer recharge activities are regulated by Rules 5.191 to 5.193.

11.5.42 The discharge of water into surface water or onto ~~or into~~ land in circumstances where it may enter surface water 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:

1. The discharge is part of a trial for investigative purposes and for a duration not exceeding 5 years; and
2. The activity does not take place on a site described as an archaeological site; and
3. The discharge is not within a Group or Community Drinking Water Protection Zone as set out in Schedule 1; and
4. The discharge is not within 100 m of any well used to supply potable water; and
5. The discharge is for restoring flows for ecological or cultural benefit.

The exercise of discretion is restricted to the following matters:

1. The location, method and timing of the discharge to ~~groundwater or~~ surface water; and
2. The adequacy of the scheme design, construction, operation, monitoring, reporting and management processes; and
3. The appropriateness of integration with existing or planned infrastructure and water conveyance systems; and
4. Any adverse effects on people and property from raised groundwater levels and higher flows; and
5. Any adverse effects on water quality in the receiving ~~aquifer or~~ river, significant habitats of indigenous flora and fauna; and
6. Any adverse effects on sites or values of importance to Ngāi Tahu from moving water from one catchment or waterbody to another; and
7. The potential benefits of the activity to the community and the environment; and
8. Any adverse effects of the discharge on fish passage or existing wetlands.

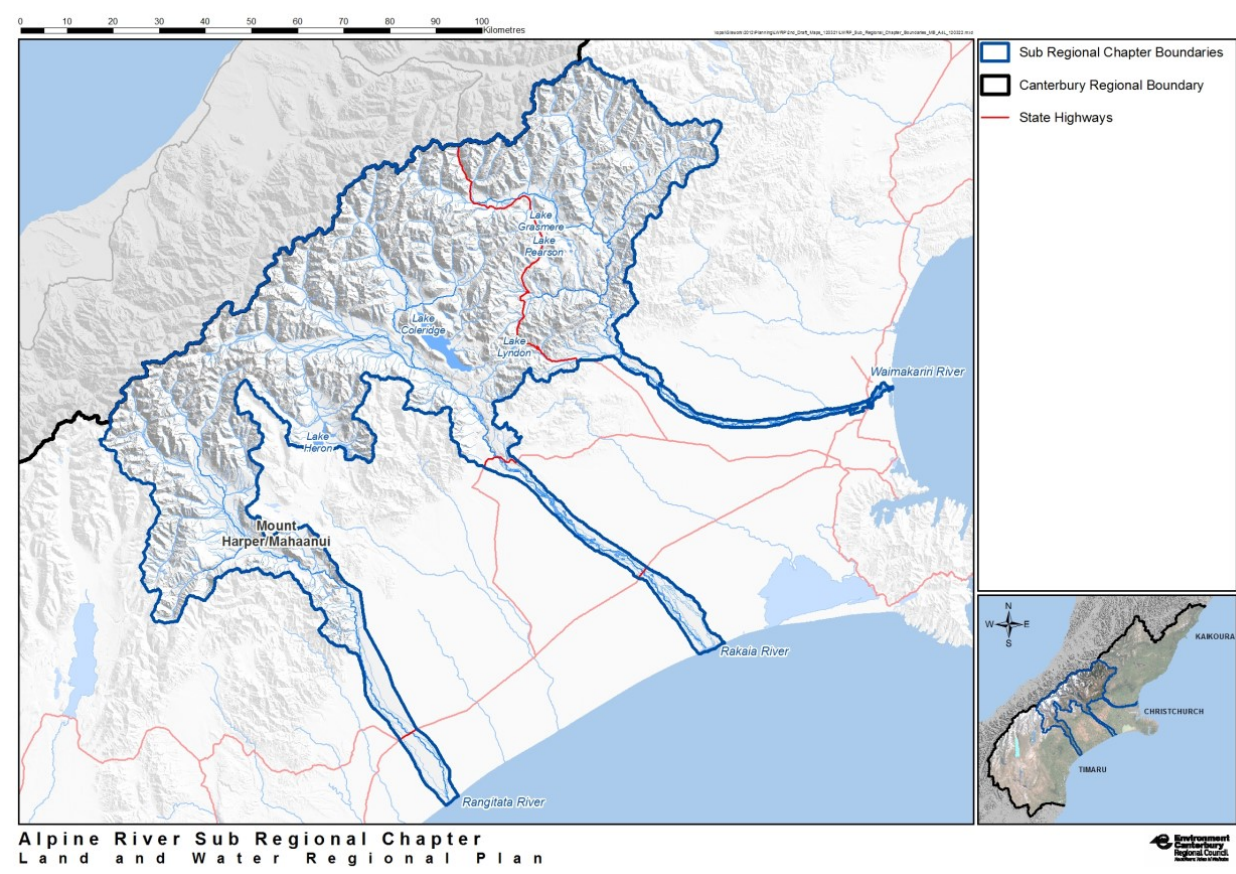
11.5.43 **The discharge of water into surface water or onto ~~or into~~ land in circumstances where it may enter surface water for the purpose of augmenting ~~groundwater or~~ surface water to increase stream flows in the Selwyn Te Waihora sub-region that does not meet one or more of the conditions of Rule 11.5.42 is a discretionary activity.**

...

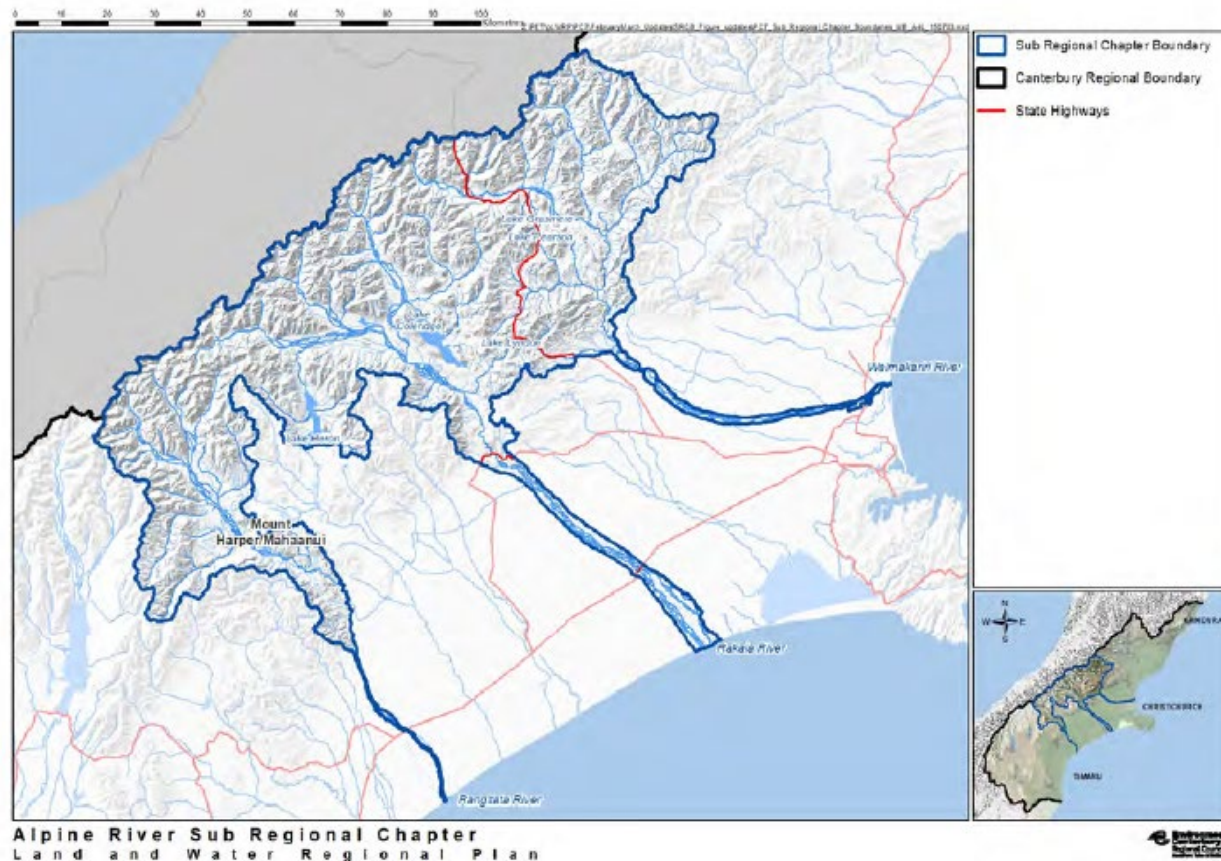
Section 12 Central Canterbury Alpine Rivers

...

Alpine River Sub-region



PC7 Instructions: Delete the Alpine River Sub-region above. Insert new Alpine River Sub-region figure below.



12.1 Other Regional Plans that apply to the Central Canterbury Alpine Rivers Sub-region

12.1.1 Waimakariri River Regional Plan 2004

The Waimakariri River Regional Plan 2004 controls the take and use of water in the Waimakariri River, its tributaries and hydraulically connected groundwater; ~~point and non-point source~~ discharges of contaminants to water bodies in the Waimakariri River and upper catchment; and land use activities in the beds of rivers and lakes in the Waimakariri River, its upper catchment and tributary catchments south of the Waimakariri River. For the avoidance of doubt, any surface water takes located within the mapped Waimakariri Sub-region (Section 8) of this Plan that take water directly from the Waimakariri River, or groundwater takes that are hydraulically connected to surface water in²⁸⁷ the Waimakariri River, are managed under the Waimakariri River Regional Plan.

The LWRP's objectives, policies and rules do not apply to the matters controlled by the Waimakariri River Regional Plan.

²⁸⁷ HortNZ PC7-356, page 2

Section 13 Ashburton

...

13.1 Definitions

13.1A Hinds/Hekeao Definitions

For the Hinds/Hekeao Plains Area the following definitions apply in addition to the definitions contained in Section 2.9.

Word	Definition
Augmenting	means the addition of water to surface water or groundwater specifically for the purpose of reducing the concentration of nitrate nitrogen in <u>surface water, including hydraulically connected groundwater</u> , or increasing flows in lowland streams.
Hinds Coastal Strip Zone	means the coastal area shown as Hinds Coastal Strip Zone on the Planning Maps. ²⁸⁸
Main and Secondary Hinds Drain	means a watercourse within the Lower Hinds/Hekeao Plains Area identified as a Main and Secondary Hinds Drain on the Planning Maps.

...

13.4 Policies

The following policies apply in the Ashburton sub-region, in addition to those set out in Section 4 of this Plan.

...

~~13.4.5A~~ ~~When addressing over-allocation of surface water in the Lower Hinds/Hekeao Plains Area and when considering 'acceptable bore interference effects' for resource consent applications to take and use deep groundwater, regard shall be had to the potential for improvements to surface water flows and the economic impacts on any other authorised abstraction.~~²⁸⁹

...

- 13.4.11²⁹⁰ Reduce discharges of microbial contaminants, phosphorus and sediments in the Hinds/Hekeao Plains Area by:
- implementing the region-wide stock exclusion rules, ~~including for any Main and Secondary Hinds Drain irrespective of whether water is present in the drain~~²⁹¹, and
 - ~~excluding cattle, pigs and deer from drains, including any Main and Secondary Hinds Drain irrespective of whether water is present in the drain;~~

²⁸⁸ Consequential to the amendment of Policy 13.4.24 - Forest & Bird (PC7-472.135, PC7-472.142)

²⁸⁹ Bowden Environmental PC7-84.32

²⁹⁰ RMA Schedule 1, Clause 16(2) - Minor amendment – this rule number was incorrectly underlined in the notified version of proposed PC7

²⁹¹ Forest & Bird PC7-472.136

~~and~~²⁹²

- c. establishing phosphorous limits for 'Hill-fed Upland' surface water bodies; and
- d. implementing the farm practices in Schedule 24a; or
- e. preparing and implementing Farm Environment Plans, in accordance with Schedule 7.

...

- 13.4.18 Improve flows in spring-fed waterbodies and/or decrease nitrate nitrogen concentrations in the Hinds River/Hekeao spring-fed waterbodies and groundwater in the Lower Hinds/Hekeao Plains Area by enabling ~~managed aquifer recharge and~~ targeted stream augmentation, where:
- a. adverse effects on cultural values, including those associated with unnatural mixing of water are avoided as the first preference, and where avoidance is not practicable, they are remedied or mitigated;
 - b. adverse effects on the availability and quality of community drinking water supplies are avoided;
 - c. adverse effects on fish passage are avoided or mitigated;
 - d. inundation of existing wetlands is avoided, remedied or mitigated through scheme design, construction and operation;
 - e. there is no net loss, including through inundation, of significant biodiversity habitat of indigenous biodiversity; and
 - f. adverse effects on people and property from raised groundwater levels and higher flows are avoided as the first preference, and where avoidance is not practicable, they are remedied or mitigated.

- 13.4.22 In the Lower Hinds/Hekeao Plains Area, with the exception of the Lower Hinds River/Hekeao ~~and the waterbodies listed in Table 13(ea)~~, and until 30 June 2025 ~~2030~~, any water permit granted to replace an existing water permit will be subject to the minimum flow and allocation limits in Table 13(e).

- 13.4.23 ~~After~~ From 1 July 2025 ~~2030~~ a minimum flow of 50% 7DMALF and an allocation limit of 20% 7DMALF will be applied to all water permits granted to abstract surface water from the waterbodies listed in Table 13(e), or to abstract groundwater with a direct, high or moderate stream depletion effect on those waterbodies, unless there is a collaboratively developed flow and allocation regime that has been included in this Plan through a Schedule 1 RMA process.

- ~~13.4.24 Recognise the potential difficulties for existing surface water and hydraulically connected groundwater permit holders in the Hinds Coastal Strip Zone to obtain reliable groundwater that does not have a stream depletion effect when considering resource consent applications to take deep groundwater by:~~
- ~~a. providing for a portion of the existing water take to be retained provided the proposed take will have an equal or lesser stream depletion effect than the existing water permit; and~~
 - ~~b. providing for a transition period for the consent holder to demonstrate the reliability and volume of the non-stream depleting groundwater take.~~²⁹³

13.5 Rules

...

Hinds/Hekeao Plains Area

The following index identifies region-wide rules that are modified by the Hinds/Hekeao Plains Area rules introduced into this section.

¹ Additional conditions or matter of discretion to region-wide rules that apply to the Hinds/Hekeao Plains Area only.

²⁹² Consequential to the amendment of Policy 13.4.11(a)

²⁹³ Forest & Bird (PC7-472.135, PC7-472.142)

² Hinds/Hekeao Plains Area rules cover nutrients, sediment and microbial contaminants.

Topic		Region-wide Rule	Additions to Region-wide Rules ¹	Sub-region rules that prevail over Region-wide Rules	New Sub-region rules
Pest Control and Agrichemicals		5.22	13.5.7	-	-
Nutrient Management ²	Red, Lake Zone, Orange, Green or light Blue	5.41 - 5.59	-	13.5.8-13.5.20	-
	Irrigation Scheme	5.60 5.41- and 5.62	-	13.5.21-13.5.23	-
	Incidental Nutrient Discharges	5.63 - 5.64	13.5.26	13.5.24-13.5.25	-
Stock Exclusion		5.68-5.71	5.68-5.71	13.5.26	-
Sediment Removal from Rivers and Streams		-	-	-	13.5.27 - 13.5.28
Small and Community Water takes		5.111	-	13.5.29	-
Take and use Surface Water		5.123 - 5.127	-	-	-
Take and use of Groundwater		5.128 - 5.132	-	-	13.5.30 - 13.5.31
Transfer of Water Permits		5.133 - 5.134	-	13.5.32-13.5.34	-
Augmenting Groundwater or Surface water		-	-	-	13.5.35 - 13.5.37

Nutrient Management, Sediment and Microbial Contaminants

Notes:

- Rules 13.5.8 to 13.5.20 prevail over Region-wide Rules 5.41 and 5.43 to 5.59 (Nutrient Management - Red, Orange and Green and Light Blue Zones) in the Hinds/Hekeao Plains Area.
- Commercial vegetable growing ~~activities operations~~ are regulated by Rules 5.42CA to 5.42CE.²⁹⁴

...

Irrigation Schemes

Note: Rules 13.5.21, 13.5.22 and 13.5.23 prevail over Region-wide Rules ~~5.60, 5.64~~ 5.41 and 5.62 in the Hinds/Hekeao Plains Area.

13.5.21

Despite Rules 13.5.14 to 13.5.20, the use of land for a farming activity in the Lower Hinds/Hekeao Plains Area where the property is fully or partially irrigated with water from an irrigation scheme or principal water supplier and the irrigation scheme or principal water supplier:

- holds a discharge permit that was granted under Rule 5.62 prior to 1 August 2014; or
- holds a resource consent that meets the conditions of Rule ~~5.64~~ 5.41; or
- holds a discharge permit that has been granted under Rule 13.5.22;

is a permitted activity.

²⁹⁴ Consequential to the amendment of definition commercial vegetable growing operation

...

Stock Exclusion

- 13.5.26** Within the Hinds/Hekeao Plains Area any reference to the bed of a lake, river or wetland in Rules 5.68, 5.69, 5.70 and 5.71 also includes any Main and Secondary Hinds Drain whether or not there is water in it, and any other drain that has water in it, a drain, but does not include any sub-surface drain, ~~or drain that does not have water in it.~~²⁹⁵

...

Take and Use of Ground and Surface water

- 13.5.30** The taking and use of groundwater within the Valetta and Mayfield-Hinds Groundwater Allocation Zones that will substitute an existing surface water or groundwater permit with a direct, high or moderate stream depletion effect is a restricted discretionary activity, provided the following conditions are met:
1. The use of groundwater is on the same property as the existing resource consent and there is no increase in the annual volume, or is for the sole purpose of augmenting a surface waterbody; and
 2. ~~The groundwater take will not have a direct or high stream depletion effect; and~~
 3. The bore interference effects are acceptable, as determined in accordance with Schedule 12; and
 4. The proposed take, in combination with all other resource consents granted under this Rule, will not exceed the T allocation limits in Table 13(f); and
 5. The take is from deep groundwater or the application for resource consent demonstrates that the take ~~is not from stream depleting groundwater will have a low stream depletion effect~~²⁹⁶ ; and
 6. ~~Where the proposed point of take is within the Hinds Coastal Strip Zone:~~
 - ~~a. if a portion of the existing surface water or stream depleting groundwater take will be retained, the combined volume of the proposed deep groundwater take and the existing surface water or stream depleting groundwater take is the same or lesser volume than the existing water permit, and the existing water permit is surrendered concurrently with the application; or~~
 - ~~b. if no portion of the existing surface water or stream depleting groundwater take will be retained, the existing surface water or stream depleting groundwater take is surrendered and the bore is established within 36 months of the date of the new resource consent and the combined rate and volume of water taken at any time is the same or lesser amount than the existing water permit.~~²⁹⁷

The exercise of discretion is restricted to the following matters:

1. Whether the volume and abstraction rate of water to be taken and used is reasonable for the proposed use assessed in accordance with Schedule 10; and
2. The timing of the surrender of the existing surface water or groundwater permit or permits; and
3. The effects the take has on any other authorised abstraction, including interference effects as indicated by an Aquifer Test undertaken in accordance with the requirements of Schedule 11 and well interference calculated in accordance with the method in Schedule 12; and
4. Where the take is less than 2 km from the coast, whether salt-intrusion into the aquifer or inland movement of the salt water/fresh water interface is prevented; and

²⁹⁵ RMA Schedule 1, Clause 16(2) - Minor amendment (deletion of comma)

²⁹⁶ M Bubb PC7-527.1

²⁹⁷ Forest & Bird (PC7-472.144, PC7-472.145)

5. The protection of groundwater from contamination, including the prevention of backflow of water or ~~contaminants~~²⁹⁸ ~~;~~ ~~and~~
~~6. Where the proposed point of take is within the Hinds Coastal Strip Zone:~~
~~a. the timing of the disestablishment of the existing bore, and provision of proof to the Canterbury Regional Council to demonstrate that disestablishment has occurred; and~~
~~b. where a combination of deep groundwater and surface water abstraction is to continue, the need for telemetered data that demonstrates in real time that abstraction limits are not breached.~~²⁹⁹

13.5.30A

The taking and use of groundwater that does not meet conditions ~~s 3 or 5~~ of Rule 13.5.30 is a non-complying activity, provided the following conditions are met:

1. ~~The well interference effects calculated in accordance with the method in Schedule 12 are no greater than 25% of the total available drawdown during the period of proposed water use~~ groundwater take will not have a direct or high stream depletion effect; ~~and~~
2. ~~The application for resource consent includes an assessment of the effects on surface water flows~~ stream depletion effect is no greater at the new point of take than at the existing point of take.³⁰⁰

13.5.31

The taking and use of groundwater that does not meet ~~one or more of the~~ conditions ~~1, or 4, 5~~³⁰¹ ~~or 6~~³⁰² of Rule 13.5.30 or one or more of the conditions of Rule 13.5.30A is a prohibited activity.

...

Augmenting ~~Groundwater~~ or Surface Water

Notes:

1. *For all activities in or near waterways, refer also to the Canterbury Flood Protection and Drainage Bylaw 2013.*
2. *Rules 13.5.35 to 13.5.37 are new rules that apply in the Hinds/Hekeao Plains Area*
3. *Managed aquifer recharge activities are regulated by Rules 5.191 to 5.193.*

13.5.35³⁰³

The taking and use of surface water or groundwater in the Lower Hinds/Hekeao Plains Area for the sole purpose of augmenting surface water ~~or groundwater~~ to reduce concentrations of nitrate nitrogen in surface water or hydraulically connected groundwater and/or increase flows in lowland streams is a discretionary activity.

13.5.36³⁰⁴

The discharge of water into surface water, or onto land in circumstances where it may enter surface water (where that water contains

²⁹⁸ RMA Schedule 1, Clause 16(2) - Minor amendment (the operative word “contaminants” was inadvertently underlined)

²⁹⁹ Forest & Bird (PC7-472.144, PC7-472.145)

³⁰⁰ Bowden Environmental PC7-84.33

³⁰¹ Bowden Environmental PC7-84.33; RMA Schedule 1, Clause 16(2) - Minor amendment (number “5” was inadvertently deleted instead of being shown with strikethrough)

³⁰² Consequential to the amendment of Rule 13.5.30 - Forest & Bird (PC7-472.144, PC7-472.145)

³⁰³ RMA Schedule 1, Clause 16(2) - Minor amendment (deletion of underline)

³⁰⁴ RMA Schedule 1, Clause 16(2) - Minor amendment (deletion of underline)

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:

1. The discharge is part of a trial for investigative purposes and the duration of the trial will not exceed 5 years; and
2. The activity does not take place on a site listed as an archaeological site; and
3. The discharge is not within a Community Drinking Water Protection Zone as set out in Schedule 1; and
4. The discharge is not within 100 m of any well used to supply potable water; and
5. The discharge is for the purpose of reducing the concentration of nitrate nitrogen in surface water or groundwater, or increasing flows in lowland streams for ecological or cultural benefits.

The exercise of discretion is restricted to the following matters:

1. The location, method and timing of the discharge to ~~groundwater or~~ surface water; and
2. The adequacy of the scheme design, construction, operation, monitoring, reporting; and
3. The appropriateness of integration with existing or planned infrastructure and water conveyance systems; and
4. Any adverse effects on people and property from raised groundwater levels and reduced drainage capacity in the drainage system; and
5. Any adverse effects on water quality in the receiving ~~aquifer or~~ river or significant habitats of indigenous flora and fauna; and
6. Any adverse effects on sites or values of importance to Ngāi Tahu from moving water from one catchment or water body to another; and
7. Any adverse effects on sites or areas of wāhi tapu, wāhi taonga or mahinga kai; and
8. The potential benefits of the activity to the community and the environment.

13.5.37³⁰⁵

The discharge of water into surface 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 conditions of Rule 13.5.36 is a discretionary

³⁰⁵ RMA Schedule 1, Clause 16(2) - Minor amendment (deletion of underline)

13.6

Freshwater Outcomes

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Table 13(e) Lower Hinds / Hekeao Plains Area Environmental Flow and Allocation Limits

Spring-fed Plains Rivers ¹	Minimum flow sites	Topo 50 Map reference	1 October 2014 – 30 June 2025 <u>2030</u>	
			Minimum flow (L/s)	Allocation (L/s) ²
Blees Drain	Lower Beach Road	BY21:0132-2104	As per existing minimum flow and partial restriction conditions on existing resource consents	349
Flemington Drain	Lower Beach Road	BY21:0112-2059	As per existing minimum flow and partial restriction conditions on existing resource consents	547
Parakanoi Drain	Lower Beach Road	BZ21:9575-1779	As per existing minimum flow and partial restriction conditions on existing resource consents	588
Windermere Drain	Poplar Road	BY21:9369-1968	As per existing minimum flow and partial restriction conditions on existing resource consents	668
Boundary Drain	Trigpole Road	BZ20:8982-1672	As per existing minimum flow and partial restriction conditions on existing resource consents	987
Stormy Drain	Lower Beach Road	BZ20:8764-1178	As per existing minimum flow and partial restriction conditions on existing resource consents	436
Spicers Drain	Lower Beach Road	BY21:0012-2019	As per existing minimum flow and partial restriction conditions on existing resource consents	184
Dawson Drain	Twenty One Drains Road	BY21:9773-1919	As per existing minimum flow and partial restriction conditions on existing resource consents	35
Home Paddock Drain	Poplar Road	BZ21:9443-1679	As per existing minimum flow and partial restriction conditions on existing resource consents	333
Deals Drain	Poplar Road	BZ21:9273-1599	As per existing minimum flow and partial restriction conditions on existing resource consents	347
O 'Shaughessys Drain	Poplar Road	BY20:9123-1969	As per existing minimum flow and partial restriction conditions on existing resource consents	426
Taylors Drain	At corner Hinds River Road and Newpark Road	BY20:9033-2189	As per existing minimum flow and partial restriction conditions on existing resource consents	513
Northern Drain	Surveyors Road	BY20:8863-2164	As per existing minimum flow and partial restriction conditions on existing resource consents	634
Griggs Drain	Lower Beach Road	BZ20:9173-1479	As per existing minimum flow and partial restriction conditions on existing resource consents	100
<u>Dobson Drain³⁰⁶</u>	<u>Twenty One Drains Road</u>	<u>BZ20:8953-1449</u>	<u>As per existing minimum flow and partial restriction conditions on existing resource consents</u>	<u>447</u>
<u>Twenty One Drain</u>	<u>Twenty One Drains Road</u>	<u>BZ20:8933-1299</u>	<u>As per existing minimum flow and partial restriction conditions on existing resource consents</u>	<u>351</u>
<u>Crows Drain</u>	<u>Lower Beach Road</u>	<u>BZ20:8603-1059</u>	<u>As per existing minimum flow and partial restriction conditions on existing resource consents</u>	<u>314</u>
<u>Harris Drain</u>	<u>Lower Beach Road</u>	<u>BZ20:8504-0979</u>	<u>As per existing minimum flow and partial restriction conditions on existing resource consents</u>	<u>260</u>
Yeatmans Drain	-	BZ20:8588-1048	As per existing minimum flow and partial restriction conditions on existing resource consents	72
Oakdale Drain	Rangitata Mouth Road	BZ20:8276-1004	As per existing minimum flow and partial restriction conditions on existing resource consents	190
McLeans Swamp Road Drain	Windermere cut off	B Y20:8673-2799	As per existing minimum flow and partial restriction conditions on existing resource consents	-

³⁰⁶ RMA Schedule 1, Clause 16(2) - Minor amendment to insert four 'operative' rows in Table 13(e) (Dobson Drain, Twenty One Drain, Crows Drain and Harris Drain) that were erroneously omitted from the notified version of PC7.

Moffats Drain	Boundary Road	-	As per existing minimum flow and partial restriction conditions on existing resource consents	353
Montgomerys Drain	At confluence with Hinds River	BZ21:9223-1569	As per existing minimum flow and partial restriction conditions on existing resource consents	125
Pyes Drain	Lower Beach Road	BZ20:8893-1249	As per existing minimum flow and partial restriction conditions on existing resource consents	381

¹ The drains referred to in this column are considered to be modified watercourses for the purposes of the Resource Management Act 1991.

² Existing rates of allocation

Table 13(ea): ~~Lower Hinds/Hekeao Plains Area~~ Environmental Flow and Allocation Limits for Windermere, Home Paddock and Deals Drains

<u>Spring-fed Plains Rivers</u> ¹	<u>Minimum flow sites</u>	<u>Topo 50 Map reference</u>	<u>Minimum flow (L/s)</u>	<u>Allocation Limit (L/s)</u>
<u>Windermere Drain</u>	<u>Poplar Road</u>	<u>BY21:9369-1968</u>	<u>80</u>	<u>571</u>
<u>Home Paddock Drain</u>	<u>Poplar Road</u>	<u>BZ21:9443-1679</u>	<u>40</u>	<u>338</u>
<u>Deals Drain</u>	<u>Poplar Road</u>	<u>BZ21:9273-1599</u>	<u>70</u>	<u>524</u>

¹ The Hinds Drains referred to in this column are considered to be modified watercourses for the purposes of the Resource Management Act 1991.

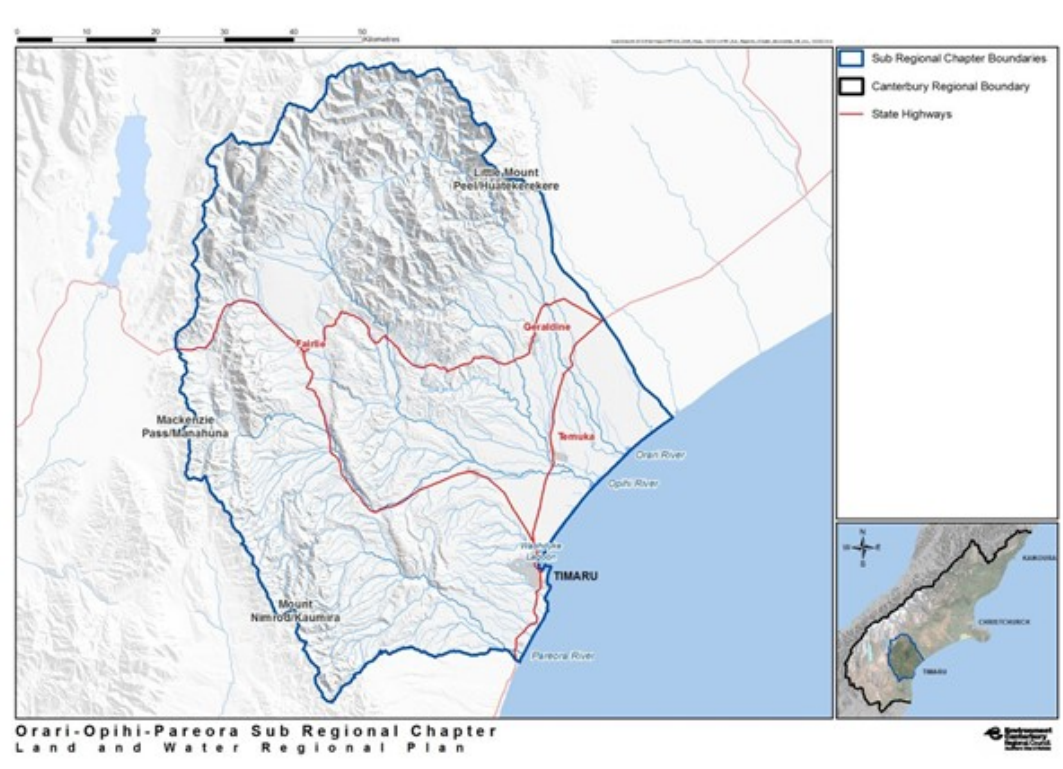
...

Section 14 Orari-Temuka-Opihi-Pareora

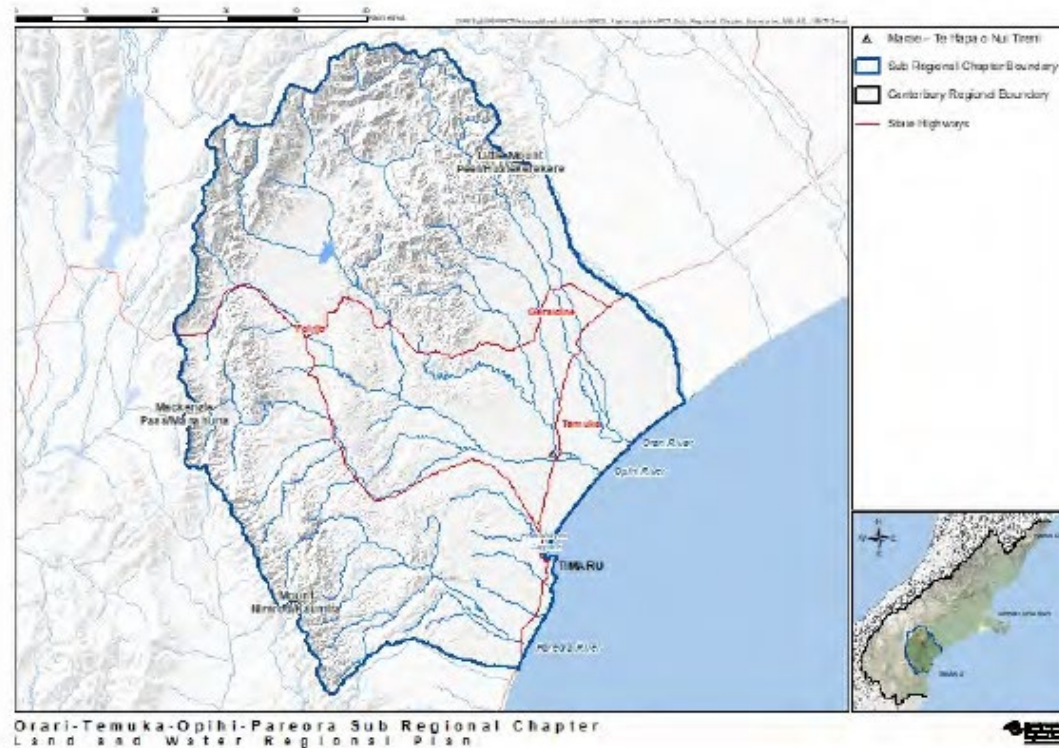
The area covered by this section is bordered by the Rangitata River (an alpine braided river) in the north and the hill-fed Pareora River and Lyalldale Creek in the south, and has the Orari, Temuka, and Opihi hill-fed rivers in the middle. The Opihi catchment includes significant tributaries, including the Tengawai Te Ana Wai, and Opihi, and North and South Opuha Rivers. The Temuka catchment includes the significant tributaries of the Kakahu, Hae Hae Te Moana, and Waihi Rivers.

Coastal erosion has considerably reduced the size of coastal wetlands and Hapū in the area, but significant ones remain, most notably Spider, Horseshoe, and Washdyke lagoons, and Orakipaoa Creek, and Milford Hapū. Some inland and hill country wetlands remain, such as Seven Sisters wetland, Peel Forest wetland and Deep Spring (Mesopotamia) wetland.

Figure 14.1: Orari-Temuka-Ophi-Pareora Sub-region



PC7 Instructions: Delete the Orari-Temuka-Opihi-Pareora figure above and insert the new Orari-Temuka-Opihi-Pareora figure below.



Cultural Significance

The Orari-Temuka-Opihi-Pareora sub region is located within the takiwā of Te Rūnanga o Arowhenua and Te Rūnanga o Waihao. There are a number of culturally important sites of wāhi tapu, wāhi taonga, nohoanga, ~~tuhituhi neherā~~ (rock art)³⁰⁷ and waipuna (springs) within the zone. This section includes provisions which seek to protect these sites of cultural importance from the effects of the use of land for farming, the take and use of water and the discharge of contaminants. There are also two mātaihai reserves within the Zone (Opihi and Waitarakao). The Opihi Mātaihai reserve extends from the Opihi Lagoon up to the Opihi River, and the Waitarakao mātaihai³⁰⁸ includes the Waitarakao Washdyke Lagoon and all streams and tributaries that flow into the Lagoon. Mātaihai and Waipuna Protection Zones are established with a primary purpose of

³⁰⁷ Consequential to Arowhenua and Te Rūnanga e.g. PC7-424.124.

³⁰⁸ RMA Schedule 1, Clause 16(2) – Improved grammar.

protecting areas with waipuna (springs) that provide habitat for mahinga kai and are taonga to Te Rūnanga o Arowhenua and Ngāi Tahu.³⁰⁹

Freshwater Management Units

Freshwater resources in the Orari-Temuka-Opihi-Pareora sub-region have historically been managed under separate regional plans in recognition of their distinct hydrological properties. The Orari-Temuka-Opihi-Pareora sub-region has been divided into six Freshwater Management Units for the purposes of managing the quality and quantity of freshwater within the sub-region ~~(Figure 14.1)~~³¹⁰. These Freshwater Management units are described below.

Orari Freshwater Management Unit

The Orari Freshwater Management Unit encompasses the area of the Orari River catchment south of the Rangitata River to the Temuka River and north to the headwaters of the Upper Orari catchment. It includes the Orari mainstem, Hewson River, Ohapi Creek, Rhodes Creek, and Coopers Creek. The Orari River has a strong hydraulic relationship with the shallow groundwater system and for that reason the Orari Conjunctive Use Zone and the Coopers Creek Conjunctive Use Zone have been established to manage the effects of shallow groundwater abstractions.

~~The environmental flow and allocation regime for the Orari Freshwater Management Unit was developed by the Orari Environmental Flow and Allocation Regime Steering Committee and includes a three stepped approach to managing flow and allocation in the catchment. The first step caps allocation at the current rate of abstraction, while the second and third steps introduce a higher minimum flow and a reduction in allocation. The purpose of the environmental flow and allocation regime is to improve cultural, in-stream ecological, social and economic values.~~³¹¹

Temuka Freshwater Management Unit

The Temuka Freshwater Management Unit has three major tributaries, the Kakahu, Hae Hae Te Moana and Waihi rivers. It also contains a number of lowland spring-fed tributaries that provide significant contributions to surface flows in the Waihi and Temuka rivers, notably the Raukapuka Creek, Dobies Creek and Taumatakahu Stream. There is also a strong interaction between groundwater in the Orari and the Temuka catchments, with water leaving the Orari River and emerging in the Waihi Catchment. ~~The Temuka River joins the Opihi River in the lower catchment, approximately 3km upstream of the Opihi River mouth.~~³¹² The Temuka Freshwater Management Unit also receives water from the Opihi Catchment through the Kakahu Irrigation Scheme. This water comes from the Opuha River and uses a combination of irrigation canals and natural waterways to convey water to Opuha Water Limited shareholders for irrigation.

~~An environmental flow and allocation regime for the Temuka Freshwater Management Unit is contained within this section. It includes a two staged approach for increasing minimum flows, before introducing pro-rata partial restrictions and phasing out over allocation by 2035. The framework includes an allocation of water reserved for mahinga kai purposes, that becomes available once over allocation of water has been reversed. To offset some adverse impacts on irrigators due to a reduction in the reliability of supply, an additional allocation block has been established that allows water to be abstracted and stored during periods of high flows in the river.~~³¹³

Opihi Freshwater Management Unit

The Opihi Freshwater Management Unit encompasses the North and South Opuha, Opuha, Upper Opihi, Te Ana Wai, and Opihi rivers and the Opuha Dam. The Opuha Dam augments flows in the Opuha and the Opihi rivers providing for environmental values as well as providing a ~~reliable~~³¹⁴ source of irrigation water via run of river takes for shareholders of Opuha Water Limited, and urban and industrial users of Timaru via the Timaru District Council's community water take. There are

³⁰⁹ Orakipaoa Water Users PC7-165.1

³¹⁰ RMA Schedule 1, Clause 16(2) – Redundant information.

³¹¹ Consequential to OWUG PC7-145.4, PC7-145.5, GWS PC7-295.7, PC7-295.8

³¹² OWL PC7-381.8, TCWP PC7-318.2, TCGI PC7-319.1

³¹³ Consequential to Arowhenua and Te Rūnanga PC7-424.9, Forest & Bird PC7-472.175-176, DOC PC7-160.89, H Woolstencroft PC7-553.1, J Richardson PC7-65.34-36

³¹⁴ Consequential to Forest & Bird PC7-472.180

three irrigation schemes that abstract water from the Opuha and Opihi rivers and there are also ~~shareholder~~³¹⁵ irrigators who abstract directly from the Te Ana Wai, the Upper Opihi and North and South Opuha rivers.

~~An environmental flow and allocation regime for the Opihi Freshwater Management Unit is contained within this section. It includes a two staged approach for increasing minimum flows alongside capping allocation at current consented levels. The purpose of the two staged approach is to increase minimum flows so as to enhance instream health of the waterbodies within the Opihi Freshwater Management Unit, while providing time for abstractors to adjust to the new flow and allocation regime. To offset some of the adverse impacts on irrigators due to a reduction in reliability of supply, an additional allocation block has been established that allows water to be abstracted and stored during periods of high flows in the river.~~³¹⁶

A mātaītai reserve, which designates an area of particular importance for mahinga kai, extends up the Opihi River from the Opihi Lagoon and is managed by tangata kaitaki nominated by tangata whenua.

Timaru Freshwater Management Unit

The Timaru Freshwater Management Unit encompasses all urban waterways including Saltwater (Otipua) Creek, Te Aitarakihi Creek, Washdyke Creek, the Seadown Drainage system and the Washdyke (Waitarakao Lagoon). A mātaītai reserve, identifying a place of particular importance for customary food gathering, also covers the Waitarakao/Washdyke Lagoon and the Seadown Drain.

Pareora Freshwater Management Unit

The Pareora Freshwater Management Unit encompasses the Pareora River, its tributaries, and Pig Hunting, Springbrook and Lyalldale Creeks. ~~The environmental flow and allocation regime for the Pareora Freshwater Management Unit provides for abstraction for irrigation, industry and community water supply within the 'A' allocation limit. An additional 'B' allocation limit provides for water to be abstracted and stored during periods of high flow in the mainstem of the Pareora River.~~³¹⁷

Groundwater Freshwater Management Unit

Groundwater resources in the Orari-Temuka-Opihi-Pareora sub-region ~~are have historically been~~³¹⁸ managed under seven Groundwater Allocation Zones (GAZs):

- Rangitata Orton
- Orari Opihi
- Levels Plain
- Timaru
- Pareora
- Upper Pareora
- Fairlie

~~These GAZs did not cover the entire spatial extent of the sub-region creating challenges when accounting for the volume of water allocated within the sub-region. Section 14 addresses this by extending the seven existing GAZ boundaries to cover the entire sub-region.~~³¹⁹

³¹⁵ OWL PC7-381.9, Timaru DC PC7-292.43

³¹⁶ Consequential to J Richardson PC7-65.38, PC7-65.43, PC7-65.48, P Driver PC7-22.1, OWL PC7-381.149, PC7-381.162

³¹⁷ Consequential to OWUG PC7-145.4, Arowhenua and Te Rūnanga PC7-424.9, OWL PC7-381.149, in order to maintain consistency with descriptions of other FMUs.

³¹⁸ RMA Schedule 1, Clause 16(2) – Redundant historical information.

³¹⁹ RMA Schedule 1, Clause 16(2) – Redundant historical information

High Nitrogen Concentration Areas

The Orari, Opihi and Timaru Freshwater Management Units contain the High Nitrogen Concentration Areas of Rangitata Orton, Fairlie Basin and Levels Plain. Within these areas, nitrate-nitrogen concentrations in groundwater and surface water exceed recommended guidelines in the New Zealand Drinking Water Standards 2005 (revised 2018³²⁰), and national bottom lines for ecosystem health in the National Policy Statement for Freshwater Management. Water quality targets have been established in these areas alongside a two- or three-tiered approach to ~~ef~~³²¹ nitrate reductions.

Orari-Temuka-Opihi-Pareora Zone Committee

In 2012 the Orari-Temuka-Opihi-Pareora Zone Committee developed a Zone Implementation Programme (ZIP) under the Canterbury Water Management Strategy. The ZIP is a non-statutory document that includes recommendations for actions, and proposals to implement the Canterbury Water Management Strategy within the Orari-Temuka-Opihi-Pareora sub-region.

The vision in the Orari-Temuka-Opihi-Pareora ZIP is:

'Water is precious and limited. It must be managed in ways that recognise and balance its importance for cultural, economic and recreational use, aesthetic and landscape values and biodiversity values and delivers both individual and community good. We affirm and recognise tangata whenua and the value they place on mahinga kai, and the priority of available high quality sources of drinking water in rivers, waterways and aquifers. We also recognise the intrinsic value of aquatic ecosystems and river health (quality and flow), and the need to both prevent further decline and then restore wetlands and waterways. We know that to achieve all the targets of the CWMS within our zone it is necessary to find a way to bring more water into the zone.'

The Orari-Opihi-Pareora Zone Committee has identified a suite of recommendations covering ecological, cultural and economic outcomes for the Zone. The Orari Integrated Catchment Management (ICM) Group has prepared a Catchment Management Strategy and the review of environmental flows is identified as an action point. In the Orari Catchment a three stepped approach to managing flow and allocation in the catchment was developed by the Orari Environmental Flow and Allocation Regime Steering Committee to assist with achieving the Zone vision and the objectives to this Plan. The first step caps current allocation. The next step is introduced three years after the LWRP becomes operative and the final step is a vision for 2040.

The steps involve a combination of increasing environmental flows and reducing allocation limits for the Orari Catchment so that in-stream ecological, cultural and economic values are better met. The limits are to be achieved through managing transfers of water permits, storage, metering, reasonable use, water user groups, augmentation and efficiency. Alongside the policies and rules in this Plan, there is also an accord between the Orari Environmental Flow and Allocation Regime Steering Committee and the Zone Committee to implement other actions to achieve the vision for the catchment. The 2040 environmental flow and allocation regime is a vision that may change along with new scientific information. Actions include a collaborative approach to improving water quality through fencing and planting waterways and investigating other practical on the ground solutions to achieve outcomes. There is also a need for increased certainty surrounding the science within the Orari Catchment. Within the Orari environmental flow and allocation regime, two maps along with definitions of each minimum flow site and the different zones are provided at the back of this section. A background to each of the sites is provided below.

Orari mainstem permits are attached to the Upstream Ohapi minimum flow site and allocation limit. The Orari mainstem contains the mainstem conjunctive use zone and the Coopers Creek conjunctive use zone. Given the lack of hydrological data and scientific understanding with the upper section of Coopers Creek and the Upstream Ohapi, mainstem minimum flow will apply to users within this catchment.

For Ohapi Creek, the existing minimum flows and flow-sharing regimes, including a Water Users' Group within this catchment, have worked well historically and the ecological situation is considered to be supported under this regime. Therefore the status quo is to remain in place in this Plan, with the addition of a conjunctive use zone. Given the lack of hydrological data available for Rhodes Stream, the minimum flow and allocation regime is proposed to remain unchanged until a more complete hydrological understanding is obtained. Therefore the status quo is to remain in place in this Plan with the addition of a conjunctive use zone.

³²⁰ RMA Schedule 1, Clause 16(2) – Minor correction

³²¹ RMA Schedule 1, Clause 16(2) – Improved grammar

In addition to the Orari-Temuka-Opihi-Pareora Zone Implementation Programme (ZIP), the Orari-Temuka-Opihi-Pareora Zone Committee have developed, in conjunction with community and catchment groups, an Addendum to the ZIP (ZIPA). The ZIPA contains recommendations to protect and enhance freshwater resources, cultural values and biodiversity in the Zone, and is intended to be delivered through statutory provisions, and non-statutory actions. The ZIPA aims to maintain or improve the quality of freshwater and phase out and prevent the recurrence of over-allocation of freshwater resources. Key actions to implement the recommendations in the ZIPA include:

- The establishment of six Freshwater Management Units to represent major surface water catchments and groundwater resources within the Orari-Temuka-Opihi-Pareora sub region (being the Orari, Temuka, Opihi, Timaru, Pareora and Groundwater FMUs);
- The establishment of environmental flow and allocation regimes on the North and South Opuha, Upper Opihi and Te Ana Wai rivers, which include increased minimum flows and capped allocation limits;
- The establishment of ~~a two-tiered minimum flow an alternative management regime~~³²² for the Opihi mainstem ~~with alternative minimum flow levels which to~~³²³ respond to drying climatic conditions;
- Within the Temuka FMU, an increase in the minimum flow, reduction in the allocation limit, setting of pro-rata partial restrictions, and the reservation of water for mahinga kai purposes;
- The establishment of High Nitrogen Concentration Areas and requirements for farmers in HNCAs to further reduce nitrogen losses over time;
- Nitrogen limits for higher-risk farms, and requirements for farmers to operate at Good Management Practice and prepare and implement audited Farm Environment Plans.

14.1A Orari-Temuka-Opihi-Pareora Definitions

The following definitions apply within in the Orari-Temuka-Opihi-Pareora sub-region.

<u>Words or Phrase</u>	<u>Definition</u>
<u>AA Permit</u>	means, in the Opihi Freshwater Management Unit as shown on the Planning Maps, a water permit to take and use surface water, or groundwater with a direct, high or moderate stream depletion effect, that was granted prior to 30 July 1994, (and includes any variation to that consent under Section 127 of the RMA, any transfer (in whole or part) under Section 136 of the RMA, and any replacement consent affected by the provisions ³²⁴ of Sections 124 – 124C of the RMA), where the consent holder holds shares in Opuha Water Limited.
<u>Alternative Management Regime</u>	means a flow management regime developed to achieve environmental flows in the Opihi River and which takes into account the depth of snow pack, inflows upstream of the Opuha Dam and the level of water in Lake Opuha. ³²⁵

³²² Arowhenua and Te Rūnanga 424.201, 424.193, 424.194, Forest & Bird PC7-179, 180, 181, 182

³²³ Consequential to Forest & Bird PC7-472.180

³²⁴ RMA Schedule 1, Clause 16(2) – Improved grammar.

³²⁵ Consequential to Forest & Bird PC7-472.180

<u>AN Permit</u>	<u>means, in the Opihi Freshwater Management Unit as shown on the Planning Maps, a water permit to take and use surface water, or groundwater with a direct, high or moderate stream depletion effect, that was granted prior to 30 July 1994, (and includes any variation to that consent under Section 127 of the RMA, any transfer (in whole or part) under Section 136 of the RMA, and any replacement consent affected by the provisions of Sections 124 – 124C of the RMA), where the consent holder does not hold shares in Opuha Water Limited.</u>
<u>BA Permit</u>	<u>means, in the Opihi Freshwater Management Unit as shown on the Planning Maps, a water permit to take and use surface water, or groundwater with a direct, high or moderate stream depletion effect, that was granted after 30 July 1994, (and includes any variation to that consent under Section 127 of the RMA, any transfer (in whole or part) under Section 136 of the RMA, and any replacement consent affected by the provisions of Sections 124 – 124C of the RMA), where the consent holder holds shares in Opuha Water Limited.</u>
<u>BN Permit</u>	<u>means, in the Opihi Freshwater Management Unit as shown on the Planning Maps, a water permit to take and use surface water, or groundwater with a direct, high or moderate stream depletion effect that was granted after 30 July 1994, (and includes any variation to that consent under Section 127 of the RMA, any transfer (in whole or part) under Section 136 of the RMA, and any replacement consent affected by the provisions of Sections 124 – 124C of the RMA), where the consent holder does not hold shares in Opuha Water Limited.</u>
<u>Fairlie Basin High Nitrogen Concentration Area</u>	<u>means, in the Opihi Freshwater Management Unit, the area identified as the Fairlie Basin High Nitrogen Concentration Area on the Planning Maps.</u>
<u>Kakahu KIL³²⁶ Permit</u>	<u>means, in the Opihi and Temuka Freshwater Management Units, a water permit to take and use surface water, or groundwater with a direct, high or moderate stream depletion effect (and includes any variation to that consent under Section 127 of the RMA, any transfer (in whole or part) under Section 136 of the RMA, and any replacement consent affected by the provisions of Sections 124 – 124C of the RMA), where the consent holder holds shares in Opuha Water Limited and is supplied water from the Kakahu Irrigation Scheme.</u>
<u>Level 1 Restriction</u>	<u>means the environmental flow restrictions in Tables 14(v) and 14(w) that may apply when two or more of the Level 1 ‘Snow Pack’, ‘Inflows’ or ‘Lake Level’ thresholds in Table 14(x) are met.</u> ³²⁷
<u>Level 2 Restriction</u>	<u>means the environmental flow restrictions in Table 14(v) and 14(w) that may apply when two or more of any of the Level 2 ‘Snow Pack’, ‘Inflows’ or ‘Lake Level’ thresholds in Table 14(x) are met.</u> ³²⁸

³²⁶ OWL PC7-381.16

³²⁷ Consequential to Forest & Bird PC7-472.180

³²⁸ Consequential to Forest & Bird PC7-472.180

<u>Levels Plain High Nitrogen Concentration Area</u>	<u>means, in the Timaru Freshwater Management Unit, the area identified as the Levels Plain High Nitrogen Concentration Area on the Planning Maps.</u>
<u>Mātaimai and Waipuna³²⁹ Protection Zone</u>	<u>means the area identified as the Mātaimai and Waipuna Protection Zone on the Planning Maps.</u>
<u>Opihi Freshwater Management Unit</u>	<u>means the area identified as the Opihi Freshwater Management Unit on the Planning Maps.</u>
<u>Opihi River Un-modified Flow</u>	<u>means the flow that would have occurred in the Opihi Mainstem at State Highway 1 in the absence of the Opuha Dam and which is calculated based on flows in the North Opuha, South Opuha, Upper Opihi and Te Ana Wai rivers, as estimated by the Canterbury Regional Council.</u>
Orari e Conjunctive u Use z Zone ³³⁰	<u>means the area identified as the Orari Conjunctive Use Zone on the Planning Maps. Groundwater abstractions takes which are screened 30 metres deep or less within this zone and are considered to have a direct degree of hydraulic connection with surface water, unless otherwise demonstrated through field testing in accordance with Schedule 9.</u>
<u>Orari Freshwater Management Unit</u>	<u>means the area identified as the Orari Freshwater Management Unit on the Planning Maps.</u>
Orari m Mainstem ³³¹	<u>means, for the purposes of the location of the Upstream Ohapi minimum flow recorder and application of the minimum flow for the Orari Freshwater Management Unit, the Orari River from its headwaters through to the lower catchment, including all tributaries that do not have their own specific allocation limit as per Table 14(h) Table 15 and are attached to the Upstream Ohapi minimum flow site and allocation limit. This also includes the Orari mainstem conjunctive use zone and the Coopers Creek conjunctive use zone.</u>
<u>Pareora Freshwater Management Unit</u>	<u>means the area identified as the Pareora Freshwater Management Unit on the Planning Maps.</u>
<u>Pro Rata Partial Restriction</u>	<u>means, with regard to abstraction restrictions, the proportional reduction of an abstraction that is required whenever the flow at the minimum flow site as estimated by the Canterbury Regional Council is less than the sum of the applicable minimum flow and the applicable allocation limit, so as to avoid the minimum flow at the relevant recorder site from being breached as a result of abstractions.</u> ³³²
<u>Rangitata Orton High Nitrogen Concentration Area</u>	<u>means, in the Orari Freshwater Management Unit, the area identified as the Rangitata Orton High Nitrogen Concentration Area on the Planning Maps.</u>

³²⁹ Arowhenua and Te Rūnanga PC7-424.126

³³⁰ RMA Schedule 1 Clause 16(2) – Improved grammar/consistency.

³³¹ RMA Schedule 1 Clause 16(2) – Improved grammar/consistency.

³³² Consequential to Arowhenua and Te Rūnanga PC7-424.201

<u>Rock Art Management Area</u>	<u>means the area identified as the Rock Art Management Area on the Planning Maps.</u>
<u>Spring</u>	<u>means an area where groundwater flows to the land surface and is at a rate or quantity where water discharges into a surface water body either on an intermittent or permanent basis.</u> ³³³
<u>Stepped Partial Restriction</u>	<u>means, with regard to abstraction restrictions, the flow at which abstractions must reduce at either 25%, 50% or 75% increments so as to avoid the minimum flow at the relevant recorder site from being breached as a result of abstractions.</u> ³³⁴
<u>Temuka Freshwater Management Unit</u>	<u>means the area identified as the Temuka Freshwater Management Unit on the Planning Maps.</u>
<u>Timaru Freshwater Management Unit</u>	<u>means the area identified as the Timaru Freshwater Management Unit on the Planning Maps.</u>

14.1 Other Regional Plans and instruments³³⁵ that apply to the Orari-Temuka-Opihi-Pareora Sub-region

Ni³³⁶

14.1.1 The Opihi River Regional Plan

~~The Opihi River Regional Plan controls the taking, using, damming and diverting of water from the Opihi River and its tributaries (including hydraulically connected groundwater), and the discharge of contaminants into the Opihi River or its tributaries or onto or into land within the catchment.~~

~~The LWRP's objectives, policies and rules do not apply to the matters controlled by the Opihi River Regional Plan.~~

14.1.2 Pareora Catchment Environmental Flow and Water Allocation Regional Plan

~~The Pareora Catchment Environmental Flow and Water Allocation Regional Plan controls the taking, using, damming and diverting of water from within the Pareora catchment.~~

~~The LWRP's objectives, policies and rules do not apply to the matters controlled by the Pareora Catchment Environmental Flow and Water Allocation Regional Plan.~~

14.1A Orari Environmental Flow and Allocation Definitions

³³³ Arowhenua and Te Rūnanga PC7-424.125

³³⁴ Consequential to Arowhenua and Te Rūnanga PC7-424.201

³³⁵ RMA Schedule 1, Clause 16(2) – Redundant addition.

³³⁶ RMA Schedule 1, Clause 16(2) – Clarification.

14.1A Orari Environmental Flow and Allocation Definitions

Ohapi Creek	A tributary to the mainstem of the Orari, attached to Ohapi Creek minimum flow site. This also includes the Ohapi Creek conjunctive use zone.
Orari Catchment	The entire catchment, including mainstem and tributaries and the three minimum flow sites.
Rhodes Stream	A tributary to the mainstem of the Orari, attached to Rhodes Stream minimum flow site. This also includes the Rhodes Creek conjunctive use zone.
Upper Coopers Creek	A tributary to the mainstem of the Orari, attached to Upstream Ohapi minimum flow site.

14.2 Water Conservation Orders that apply to the Orari-Temuka-Opihi-Pareora Sub-region

National Water Conservation (Rangitata River) Order 2006.

14.2A Iwi Management Plans that apply to the Orari-Temuka-Opihi-Pareora Sub-region

Te Rūnanga o Ngāi Tahu Freshwater Policy Statement (1991)

Te Whakatau Kaupapa – Resource Management Strategy for Canterbury (1990)

Iwi Management Plan of Kati Huirapa for the area Rakaia to Waitaki (July 1992)

14.3 Freshwater Outcomes

Objectives in Section 3, Policies 4.1, 4.2, 4.3 and 4.4 and freshwater outcomes in Tables 14(a) and 14(b).

14.4 Policies

The following policies apply in the Orari-Temuka-Opihi-Pareora sub-region, in addition to those set out in Section 4 of this Plan.

Freshwater Management Units

14.4.1 ~~Over allocation of fresh water from the Orari Catchment is addressed by prioritising the use of Rangitata South Irrigation Limited scheme water ahead of the use of fresh water in the Orari Catchment.~~

~~14.4.1 Management of freshwater in the Orari-Temuka-Opihi-Pareora sub-region is achieved through the establishment of six Freshwater Management Units, and improvements in freshwater attained through the setting of, and managing to, water quality and quantity limits and targets for each area.~~³³⁷

³³⁷ Waimate DC PC7-279.2; HortNZ PC7-356, page 2

Tangata Whenua

- 14.4.2 ~~On application for a water permit in the Orari Catchment affected by Section 124B or when consents are reviewed, any property that is supplied by Rangitata South Irrigation Limited scheme water must demonstrate that Rangitata South Irrigation Limited scheme water is being used to the fullest extent possible and minimising the use of fresh water from the Orari Catchment.~~
- ~~14.4.2 Recognise and provide for the cultural importance of the Orari-Temuka-Opihi-Pareora sub-region to Ngāi Tahu by requiring any resource consent application to use land for a farming activity, or to take and use water, or to discharge contaminants, to demonstrate how potential adverse effects of these activities on culturally significant sites will be avoided or mitigated.~~³³⁸
- 14.4.3 ~~Freshwater quality and quantity~~ within the Orari-Temuka-Opihi-Pareora sub-region³³⁹ ~~provides for the abundance of mahinga kai that is are~~³⁴⁰ safe to gather, harvest and consume or use by:
- ~~a. freshwater quality achieving the freshwater limits and targets in Tables 14(c) to 14(g); and~~
 - ~~b. improving flows in hill-fed and spring-fed rivers; and~~
 - ~~c. reserving an allocation of water from the Temuka Freshwater Management Unit, in accordance with Table 14(l), for the enhancement of mahinga kai and associated tangata-whenua values; and~~
 - ~~d. requiring all farming activities which include winter grazing or irrigation and that include or directly adjoin a surface water body within the Mātaitai Protection Zone, to operate at Good Management Practice and prepare and implement an audited Farm Environment Plan in accordance with Schedule 7.~~³⁴¹
- 14.4.4 ~~Protect wāhi tapu, wāhi taonga and nohoanga~~ in the Orari-Temuka-Opihi-Pareora sub-region³⁴² ~~by avoiding as a first priority adverse effects on these sites, and where avoidance is impracticable, requiring adverse effects on wāhi tapu, wāhi taonga and nohoanga to be minimised.~~
- 14.4.4 ~~Over allocation of fresh water in the Orari Catchment is addressed by preventing the transfer of water permits, other than to new owners of the same property at the same location.~~
- 14.4.5 ~~As an exception to Policy 14.4.4, to address environmental and reliability issues, water permits in the Upper Coopers Creek zone, identified on Map 2 Orari Catchment may be transferred if scientific studies show an environmental benefit.~~
- 14.4.5 ~~Ngāi Tahu values associated with~~ tuhituhi neherā (rock art)³⁴³ ~~and waipuna (springs) and freshwater mātaimai~~ in the Orari-Temuka-Opihi-Pareora sub-region³⁴⁴ are protected by:

³³⁸ Orakipaoa Water Users PC7-165.3; TCWP PC7-318.11; TCG PC7-319.9; OWL PC7-381.25

³³⁹ HortNZ PC7-356, page 2

³⁴⁰ RMA Schedule 1, Clause 16(2) – Improved grammar.

³⁴¹ Federated Farmers PC7-430.179, PC7-430.330

³⁴² HortNZ PC7-356, page 2

³⁴³ Consequential to Arowhenua and Te Rūnanga e.g. PC7-424.124.

³⁴⁴ HortNZ PC7-356, page 2

- a. defining a Rock Art Management Area and a Mātaitai and Waipuna Protection Zone; and
- b. requiring, for any application to use land for a farming activity, to take and use water, or to discharge contaminants, an assessment of the actual and potential effects of the proposal on springs, freshwater mātaitai and/or rock art; and
- c. the implementation of actions or methods to avoid, as a first priority, adverse effects on these sites, and where avoidance is impractical, requiring or minimise³⁴⁵ adverse effects to be minimised.³⁴⁶

Abstraction of Water

14.4.6 ~~Over allocation of fresh water in the Orari Catchment is addressed by requiring that future allocation of water to any new or replacement resource consent does not exceed the allocation limits in Table 15 and is based on demonstrated need and efficiency.~~

~~14.4.6 Surface water flows are improved in the Orari-Temuka-Opihi-Pareora sub-region by ensuring all consented abstractions comply with the applicable environmental flow and allocation regimes set out in Tables 14(h) to 14(za).³⁴⁷~~

~~14.4.6A Only consider granting applications for resource consent to take surface water from the C Allocation limit Table 14(k) in circumstances where:~~

- ~~a. the consent applicant holds a lawfully established surface water and/or stream depleting groundwater permit that will be surrendered if the application for resource consent is granted; and~~
- ~~b. the take, in combination with all other takes, will not cause the C Allocation limit in Table 14(k) to be exceeded; and~~
- ~~c. the proposed volume has been calculated taking into account records of past use for the permit(s) that will be surrendered.³⁴⁸~~

14.4.6B To offset any decrease in reliability of supply as a result of the implementation of the environmental flow and allocation regimes in the Opihi and Temuka Freshwater Management Units, provide for the taking of water for storage in accordance with the minimum flows and partial restrictions for AA, BA, AN, and BN and C takes.³⁴⁹

14.4.7 Groundwater in the Orari-Temuka-Opihi-Pareora sub-region³⁵⁰ is managed through establishing A and T Allocation limits, the purpose of which is to:

- a. provide for all existing lawfully established groundwater abstractions (the A Allocation limit); and
- b. provide for the abstraction of groundwater in circumstances where an existing lawfully established surface water permit or stream-depleting groundwater permit with a direct, high or moderate stream depletion effect will be surrendered (the T Allocation limit).

14.4.8 Only consider granting applications for resource consent for the abstraction of groundwater from the T Allocation Limit set out in Table 14(zb) in circumstances where:

- a. the consent applicant holds a lawfully established surface water and/or stream depleting groundwater permit that will be surrendered if the

³⁴⁵ HNZPT PC7-331.9

³⁴⁶ RMA Schedule 1, Clause 16(2) - Minor amendment for clarification

³⁴⁷ HortNZ PC7-356, page 2

³⁴⁸ Arowhenua and Te Rūnanga PC7-424.193, PC7-424.194

³⁴⁹ Forest & Bird PC7-472.152

³⁵⁰ HortNZ PC7-356, page 2

- application for resource consent is granted; and
- b. the abstraction of groundwater, in combination with all other abstractions, will not cause the T Allocation Block limits in Table 14(zb) to be exceeded; and
- c. the proposed volume has been calculated taking into consideration records of past use for the permit that will be surrendered; and
- d. an assessment provided as part of the application for resource consent demonstrates that the abstraction has a low stream depletion effect.

14.4.9 Where an application for resource consent to take or use water from the T Allocation Limit will affect the reliability of an existing lawfully established groundwater abstraction, only consider granting resource consent where:

- a. a constant rate discharge test has been undertaken to inform the assessment of bore interference effects; and
- b. the bore interference effects are unable to be avoided or mitigated by modifying the instantaneous flow rate(s), return period volume(s) or the annual volume.

14.4.14 ~~In the Orari Catchment, water used for irrigation shall achieve at least 80% efficiency.~~

Efficient Use of Water

~~14.4.10 Enable the taking of water for community water supply by not requiring compliance with any minimum flow, residual flow or partial restriction conditions, or the environmental flow and allocation regime or groundwater allocation limit set out in Tables 14(h) to 14(zb), provided a Water Supply Strategy developed in accordance with Schedule 25 is in place and the water supply is managed so as to restrict the use of water during periods of low flow or low water levels.~~³⁵¹

14.4.11 Where a property is supplied with water by an irrigation scheme or principal water supplier, applications to take and use additional water may only be granted where the applicant has demonstrated that water supplied by the irrigation scheme or principal water supplier is used efficiently and to the fullest extent possible so as to minimise the abstraction of other water ~~within the Orari Temuka Opihi Pareora sub region.~~³⁵²

14.4.12 Except for AA, BA or ~~Kakahu KIL~~³⁵³ permits, restrict the volume and/or rate of water allocated to any water permit for irrigation that will replace an existing water permit affected by the provisions of Sections 124 – 124C of the RMA to a volume and/or rate that reflects past use, determined in accordance with Method 1 of Schedule 10.

14.4.13 ~~Prior to water permits in the Orari Catchment being reviewed as a result of this Plan, any water permit holder may seek a change of consent conditions to alter the minimum flow restrictions on their permit, to accord with the Orari environmental flow and allocation limits in Table 15.~~

Transfers of Water Permits

³⁵¹ HortNZ PC7-356, page 2

³⁵² HortNZ PC7-356, page 2

³⁵³ OWL PC7-381.16

14.4.13

Assist with phasing out over-allocation of freshwater resources by implementing region-wide Policy 4.50 and in addition:

- a. ~~by only authorising the granting a permit to~~ transfer of water from one site to another where the water permit has previously been exercised and the maximum rate and/or volume to be transferred is determined as efficient based on records of past use; and
- 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~~³⁵⁴
- c. ~~not granting any application to transfer a water permit from the Temuka Freshwater Management Unit.~~³⁵⁵

Out of Catchment Water

14.4.14

~~When introducing water from outside the catchment, protect the values, customs and culture of papatipu rūnanga by:~~

- a. ~~requiring any proposal to include, in addition to the matters in Policy 4.55, evidence of any consultation undertaken with Te Rūnanga o Ngāi Tahu and papatipu rūnanga, and a description of how the proposal responds to any matters raised; and~~
- b. ~~In addition to the matters contained in Policy 4.55, decision makers will have decision makers having~~³⁵⁶ particular regard to any views expressed by Te Rūnanga o Ngāi Tahu and papatipu rūnanga, and in particular any views expressed regarding the extent to which the proposal diminishes the mauri of freshwater resources or compromises values or customs.

Livestock Exclusion from Waterbodies

~~Note: Policies 14.4.15 and 14.4.16 apply in addition to Regional Policies 4.31 and 4.32 (Livestock Exclusion from Water Bodies)~~

14.4.15

~~Within the Orari-Temuka-Opihi-Pareora sub-region, the region-wide provisions on livestock exclusion also apply to:~~

- a. ~~permanently or intermittently flowing springs (waipuna); and~~
- b. ~~open drains and other artificial watercourses with surface water in them that discharge into a lake, river or wetland.~~³⁵⁷

14.4.16

Protect papatipu rūnanga values associated with springs (waipuna), freshwater mātaimai, rivers, wetlands³⁵⁸ and lakes and reduce the loss of microbial contaminants, phosphorus and sediment to surface water by:

- a. ~~extending, including to other categories of stock in the Mātaimai and Waipuna Protection Zone, implementing, within the Orari-Temuka-Opihi-Pareora sub-region, the region-wide provisions for stock exclusion to permanently or intermittently flowing springs (waipuna); and open drains and other artificial watercourses with surface water in them that discharge into a lake, river or wetland; and~~
- b. ~~excluding, within the Mātaimai Protection Zone, all farmed cattle, deer and pigs from the bed (including the banks) of lakes and rivers, any permanently or intermittently flowing spring, and any open drain or artificial watercourse that contains water and that discharges into a~~

³⁵⁴ M A Orchards et al PC7-488.2

³⁵⁵ TCGI PC7-319.34; TCWP PC7-318.37

³⁵⁶ HortNZ PC7-356, page 2

³⁵⁷ HortNZ PC7-356, page 2

³⁵⁸ WWHT PC7-88.1

~~lake, river or wetland.~~³⁵⁹

Nutrient Management

- 14.4.17** Water quality outcomes, limits and targets in Tables 14(a) to 14(g) ~~in the Orari Temuka Opihi Pareora sub-region~~ are achieved by implementing region-wide Policies 4.36 and 4.38I, and in addition, requiring:-
- ~~a. all permitted farming activities on properties greater than 10 hectares to prepare and implement a Management Plan in accordance with Schedule 7A; and~~
 - ~~b. all farming activities that require a resource consent to prepare and implement a Farm Environment Plan in accordance with Schedule 7 and implement Good Management Practice; and~~
 - ~~c. farming activities with the potential for higher nitrogen losses to not exceed the Baseline GMP Loss Rate; and~~
 - ~~d. farming activities within the High Runoff Risk Phosphorus Zone and which use more than 20 hectares of land for winter grazing of cattle or deer, to demonstrate through their Farm Environment Plan how active management of the loss of phosphorous, sediment and microbial contaminants to water will be achieved; and~~³⁶⁰
 - e. farming activities with irrigation and/or winter grazing within the Mataitai Protection Zone and that adjoin a surface water body, to demonstrate through their Farm Environment Plan how **active management of** the loss of phosphorous, sediment and microbial contaminants to water will be **minimised achieved**; and
 - f. farming activities with irrigation within the Rock Art Management Area to demonstrate through their Farm Environment Plan how adverse effects on tuhituhi neherā (rock art) sites will be **avoided minimised**.³⁶¹
- 14.4.18** Water quality is improved ~~in the Orari, Opihi and Timaru Freshwater Management Units~~ by:
- ~~a. requiring further reductions of nitrogen losses in defining the Rangitata Orton High Nitrogen Concentration Area, Fairlie Basin High Nitrogen Concentration Area and Levels Plain High Nitrogen Concentration Area **within which targeted reductions of nitrogen** in accordance with Table 14(zc) **are required**; and~~
 - ~~b. avoiding the grant of any resource consent that will result in the nitrogen loss calculation from a farming activity exceeding the Baseline GMP Loss Rate, except where Policy 14.4.20 applies; and~~
 - ~~c. limiting the duration of any resource consent for a farming activity that is required to make further reductions in nitrogen loss (beyond Baseline GMP Loss Rates or consented nitrogen loss rates) to no more than ten years.~~³⁶²
- ~~**14.4.19** Water quality targets in the Rangitata Orton High Nitrogen Concentration Area, Fairlie Basin High Nitrogen Concentration Area and Levels Plain High Nitrogen Concentration Area are achieved by:~~
- ~~a. all resource consents granted for farming activities that require the preparation of a nutrient budget being subject to consent conditions requiring further reductions in nitrogen loss beyond Baseline GMP Loss Rates, or consented nitrogen loss rates, in accordance with Table 14(zc); and~~
 - ~~b. limiting the duration of any resource consent for a farming activity that is required to make further reductions in nitrogen loss (beyond Baseline GMP Loss Rates or consented nitrogen loss rates) in accordance with Table 14(zc), to no more than ten years and only imposing one reduction beyond Baseline GMP Loss Rates or consented nitrogen loss rates per consent term; and~~
 - ~~c. avoiding the grant of any resource consent that will result in a farming activity not reducing nitrogen losses beyond Baseline GMP Loss Rates~~

³⁵⁹ HortNZ PC7-356, page 2

³⁶⁰ HortNZ PC7-356, page 2

³⁶¹ Forest & Bird PC7-472.163; HNZPT PC7-331.4

³⁶² HortNZ PC7-356, page 2

~~or consented nitrogen loss rates.~~³⁶³

14.4.20

~~In the Orari-Temuka-Opihi-Pareora sub-region, only~~³⁶⁴ consider granting an application for a land use consent for a farming activity to exceed the Baseline GMP Loss Rate where:

- a. the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and
- b. the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and
- c. for properties within the Rangitata Orton High Nitrogen Concentration Area, Fairlie Basin High Nitrogen Concentration Area and Levels Plain High Nitrogen Concentration Area, the applicant commits to achieving the percentage-based nitrogen loss reductions in Table 14(zc).

14.4.20A

Where an application for a land use consent for a farming activity demonstrates the nitrogen loss rate reductions required by Policy 14.4.20(c) are unable to be achieved by the dates specified in Table 14(zc), any application for an extension of time to achieve those reductions will be considered having regard to:

- a. the Baseline GMP Loss Rate and the level of any enduring nitrogen loss rate reduction already achieved; and
- b. ~~the nature and extent of any~~³⁶⁵ mitigations implemented during the nitrogen baseline period that are better than Good Management Practice, and the extent to which these have been effective in minimising nitrogen losses; and
- c. ~~the capital and operational costs of achieving the nitrogen loss rate reductions and the benefit (in terms of maintaining a farming activity's financial viability) of spreading that investment over time; and~~³⁶⁶
- d. the nature, sequencing, measurability, effectiveness and enforceability of any steps proposed to achieve the nitrogen loss rate reductions; and
- e. progress made towards achieving nitrate-nitrogen limits and targets in Tables 14(a) to 14(g).

~~14.4.20B~~

~~Provide for the use of an Equivalent Baseline GMP Loss Rate or Equivalent Good Management Practice Loss Rate in those limited circumstances where it is demonstrated that the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous.~~³⁶⁷

~~14.4.20C~~

~~Where resource consent is granted for the use of land for a farming activity and that resource consent restricts the nitrogen loss rate from the farming activity to an Equivalent Baseline GMP Loss Rate or Equivalent Good Management Practice Loss Rate, impose conditions that enable a review of that resource consent when the Farm Portal is able to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate for that farming activity.~~³⁶⁸

Consent Reviews

³⁶³ HortNZ PC7-356, page 2

³⁶⁴ HortNZ PC7-356, page 2

³⁶⁵ HortNZ PC7-356, page 2

³⁶⁶ Forest & Bird PC7-472.171

³⁶⁷ HortNZ PC7-356, page 2

³⁶⁸ HortNZ PC7-356, page 2

14.4.21 Assist with achieving the freshwater outcomes ~~for the Orari, Temuka and Opihi Freshwater Management Units~~³⁶⁹ by reviewing, immediately after Plan Change 7 is made operative, all surface water and stream depleting groundwater permits with a direct or high stream-depletion effect ~~to implement, and by implementing~~³⁷⁰ the environmental flow and allocation regimes ~~in Tables 14 (h) to 14(y), particularly minimum flows, allocation limits (including proportional reductions in abstractions) and partial restrictions,~~³⁷¹ on all reviewed permits.

Freshwater Management Unit Specific Policies

Orari Freshwater Management Unit

14.4.322 Over-allocation of fresh water in the Orari ~~Freshwater Management Unit Catchment~~ is addressed, ~~including~~³⁷² by Timaru District Council ~~demonstrating, on or before 2044, surrendering CRC011982 or its replacement in 2013 and increased efficiency for any replacement of CRC011991-CRC173644, or any variation thereof; in 2017, and However, for security of supply for community drinking water and stockwater is protected by continuing to reserve a total flow rate of 235 L/s in 2025 of surface water will continue to be reserved for Timaru District Council community drinking and stock water,~~ in addition to the volumes in Table ~~14(h)45, which form part of the environmental flow and allocation regime for Orari Freshwater Management Unit River.~~

14.4.723 To prevent the flow falling below the A permit allocation limit minimum flows for the Orari ~~Freshwater Management Unit Catchment~~ in Table ~~14(h)45~~, the following restrictions shall be applied and strictly adhered to in respect of the abstraction of surface water, stream depleting groundwater and abstractions from within the Orari Conjunctive Use Zone:

- ~~In the Orari Catchment~~ all partial restrictions for water permits ~~in the Orari Catchment~~ including takes to storage shall be stepped unless the consent applicant is part of a water users group; and
- ~~In the Orari Catchment~~ when the stepped approach applies, the rate of take is to be reduced in increments of 50% and 100% of the available flow rate to ensure the minimum flow is not breached; and
- ~~In the Orari Catchment~~ if a water permit holder is part of a water users group, any restrictions will be managed according to the water users group roster.

14.4.824 To prevent the flow falling below the B permit allocation minimum flows for the Orari ~~mainstem Freshwater Management Unit~~ in Table ~~14(h)45~~, the following restrictions shall be applied and strictly adhered to in respect of the abstraction of surface water and stream depleting groundwater and abstractions from within the Orari conjunctive use zone:

- ~~In the Orari mainstem,~~ if the water permit holder is part of a water users group then all takes shall cease when the river falls to the B block minimum flow; and
- ~~In the Orari mainstem,~~ if the water permit holder is not part of a water users group, when the flow is above the B block minimum flow but below the sum of the minimum flow and the B permit allocation limit, all permits shall share the available flow above the B permit allocation limit minimum flow and shall cease when the minimum flow is reached.

14.4.925 In the Orari Freshwater Management Unit, all All permits for groundwater takes from the Orari Catchment within the conjunctive use zone and where the screen is less than 30 m deep shall have minimum flow conditions in accordance with the environmental flow and allocation regime set out

³⁶⁹ Forest & Bird PC7-472, paragraph 36

³⁷⁰ RMA Schedule 1, Clause 16(2) – Improved grammar.

³⁷¹ HortNZ PC7-356, page 2

³⁷² Arowhenua and Te Rūnanga PC7-424.7

in Table 14(h), unless the application for resource consent demonstrates that the take will not have a direct, ~~or high~~ ~~or moderate~~³⁷³ degree of stream depletion effect as determined through field testing in accordance with Schedule 9 ~~consistent with the minimum flow sites and allocations in Table 15.~~

14.4.4026

In the Orari ~~Freshwater Management Unit Catchment~~, in addition to the requirements of the Resource Management (measurement and reporting of water takes) Regulations 2010, replacement of an expiring water permit, review or transfer of an existing permit to take 5 L/s or more of water shall include a condition requiring water use to be metered and water use records to be telemetered to the CRC or nominated agent.

14.4.4227

The in-stream damming of the mainstem of the Orari River below the Orari Gorge is avoided unless:

- The dam was lawfully established prior to 1 July 2012; or~~;~~
- No more than 25% of the flow is diverted into the dam at any point in time; and~~;~~
- No more than 5,000 m³ of water is impounded by the dam~~;~~ and
- The damming of water maintains a residual flow that ensures that the minimum flow limits in Table ~~14(h)~~~~15~~ will not be exceeded more often than they would be in the absence of the damming and also maintains flow variability.

Rangitata Orton High Nitrogen Concentration Area

14.4.28

Assist in achieving water quality targets in the Rangitata Orton High Nitrogen Concentration Area by requiring, ~~before 1 January 2035,~~³⁷⁴ ~~in addition to Policy 14.4.19,~~³⁷⁵ point source discharges of nitrogen from industrial or trade waste disposal activities to reduce nitrogen ~~losses-load~~³⁷⁶ by a minimum of 30% below ~~the rate authorised at 20 July 2019 current consented rates by 1 January 2035,~~³⁷⁷ unless the point source discharge is occurring as part of a farming activity subject to stepped nitrogen loss reductions required by Table 14(zc).³⁷⁸

Temuka Freshwater Management Unit

Over Allocation

14.4.30

Over allocation of the Temuka Freshwater Management Unit is phased out before 1 January 2035, ~~including~~³⁷⁹ by:

- imposing increased minimum flow restrictions at Manse Bridge in accordance with Table 14(i); and
- requiring two stages of reduction in the allocation limit for A and B permits in accordance with Table 14(i) and 14(j); and~~0~~
- further increasing the minimum flow restrictions for the Temuka Freshwater Management Unit at Manse Bridge and imposing, ~~from 1 January 2035,~~ pro-rata partial restrictions on abstractions ~~in accordance with Table 14(l) so as to avoid the breach of any applicable minimum flow;~~ and
- achieving allocation limits of 1.6 m³/s for the A Allocation Block and 0.4 m³/s for the B Allocation Block ~~by 1 January 2035.~~³⁸⁰

~~14.4.31~~

~~If by 1 January 2035 the allocation limits in Table 14(l) have not been achieved, review all surface water and groundwater permits in the Temuka Freshwater Management Unit that have a direct or high stream depletion effect and impose conditions that require a proportional reduction in~~

³⁷³ Fonterra PC7-416.6

³⁷⁴ RMA Schedule 1, Clause 16(2) - Minor amendment

³⁷⁵ Synlait PC7-188.20

³⁷⁶ Fonterra PC7-416.11

³⁷⁷ Synlait PC7-188.20

³⁷⁸ Synlait PC7-188.20

³⁷⁹ Arowhenua and Te Rūnanga PC7-424.207, PC7-424.209, PC7-424.210

³⁸⁰ HortNZ PC7-356, page 2

~~abstractions, commencing at a flow rate that is the sum of the minimum flow and total allocation at 1 January 2035.~~³⁸¹

Transfer of Water Permits

~~14.4.32 Assist in the achievement of the 1.6 m³/s and 0.4 m³/s allocation targets by avoiding the site to site transfer of any surface water permit, or groundwater permit that has a direct, high, or moderate stream depletion effect.~~³⁸²

Cultural Allocation

~~14.4.33 Recognise and provide for the cultural importance of the Temuka Freshwater Management Unit to Ngāi Tahu by reserving an allocation of surface water from the Temuka River for the enhancement of mahinga kai and associated tangata whenua values.~~³⁸³

Opihi Freshwater Management Unit

Surface Water Flows

~~14.4.34 Surface water flows in un-augmented rivers within the Opihi Freshwater Management Unit are improved by ensuring all AA, BA, KIL, AN and BN abstractions comply with the applicable environmental flow and allocation regimes set out in Tables 14(m) to 14(y) by the specified dates.~~³⁸⁴

~~14.4.35 Connectivity is maintained, and ecological health and flow variability in the augmented Opuha and Opihi mainstems is improved by ensuring that:~~

- ~~a. water is released from the Opuha Dam to maintain the health of the downstream waterbodies; and~~
- ~~b. water released from the Opuha Dam is sufficient to ensure compliance with the environmental flow regime requirements for Skiptons Bridge and Saleyards Bridge plus the amount of water abstraction occurring under AA and BA permits downstream of Saleyards Bridge; and~~
- ~~c. when the level of Lake Opuha falls below RL370, water released from the Opuha Dam for augmentation of the Opuha and Opihi mainstems equals inflows into the Lake; and~~
- ~~d. in the period 1 November to 31 March of the following year, flushing flows are released that are effective at reducing the duration and severity of nuisance periphyton blooms, refreshing the river and lagoon and assisting with providing effective fish passage; and~~
- ~~e. a two-tiered minimum flow regime is established for the Opihi River at Saleyards Bridge, with the lower-tier minimum flow only available when:~~
 - ~~1. any two of the following are below levels specified in Table 14(x):~~
 - ~~i. the level of water in Lake Opuha;~~
 - ~~ii. snow pack in the Lake Opuha Catchment; and~~
 - ~~iii. inflows into Lake Opuha; and~~
 - ~~2. the volume of water abstracted downstream of Opuha Dam has reduced by at least 50% below the sum of the AA and BA permits; and~~
- ~~f. AA, BA, Kakahu, AN and BN allocations recognise the different rights attributed to shareholdings in the Opuha Dam operator, which may enable augmentation of flows to off-set abstraction and improve water availability.~~³⁸⁵

~~14.4.35 Connectivity, and flow variability in the augmented Opuha and Opihi mainstems is maintained by ensuring that:~~

- ~~a. adequate water is released from the Opuha Dam for augmentation of the Opuha and Opihi mainstem complies with the environmental flow regime(s) for Saleyards Bridge as set out in Tables 14(v) and 14(w); and~~

³⁸¹ HortNZ PC7-356, page 2

³⁸² Federated Farmers PC7-430.213

³⁸³ Gibson Family Trust PC7-341.11, Federated Farmers PC7-430.214

³⁸⁴ HortNZ PC7-356, page 2

³⁸⁵ Consequential to Forest & Bird PC7-472.178-181

- ~~b. when considering Policy 14.4.35a and provided any variance in flow at Saleyards Bridge is not greater than 500L/s below the minimum flow, determine compliance with the environmental flow and regime based on average flows over a 24 hour period; and~~
- ~~c. any water released from the Opuha Dam for the purpose of improving water availability for holders of AA, BA and/or KIL permits, complies with the environmental flow regime(s) requirements for Saleyards Bridge as set out in Table 14(v) and 14(w) and includes sufficient water to provide for the sum of abstraction occurring under AA and BA permits downstream of Saleyards Bridge; and~~
- ~~d. when the level of Lake Opuha falls below RL370, water released from the Opuha Dam for augmentation of the Opuha and Opihi mainstems equals inflows into the Lake; and~~
- ~~e. in the period 1 November to 31 March of every year, three releases of water for artificial freshes of at least 30 cumecs, or two releases of water where one release is at least 60 cumecs and the other release is at least 30 cumecs, are provided for a duration of not less than two hours, except that during any period when the Level 2 flow regime (as set out in Tables 14(v) and 14(w)) applies and immediately following an artificial fresh, the minimum flow may be reduced to the Level 2 minimum flow set out in Table 14(v) and 14(w) for a period of time sufficient to compensate for the volume of water released for the fresh.³⁸⁶~~

~~14.4.36 In addition to any river specific environmental flow and allocation regime set out in Tables 14(m) to 14(y), differentiate AA, BA, KIL, AN and BN permits by:~~

- ~~a. AA, BA and Kakahu KIL permits being subject to an environmental flow and allocation regime on the Opihi mainstem at Saleyards Bridge which reflects water released from Opuha Dam for the purposes of maintaining environmental flows and provision for the amount of water being abstracted under AA, BA and KIL permits; and~~
- ~~b. requiring, when the level of Lake Opuha falls below RL370, AA and BA permits to be subject to to an environmental flow and allocation regime on the Opihi mainstem at State Highway 1 as set out in Table 14(u) and Table 14(y), determined taking into account the unmodified flow of the Opihi mainstem; and~~
- ~~c. AN permits being subject to an environmental flow and allocation regime on the Opihi mainstem at State Highway 1 as set out in Table 14(u), determined taking into account the unmodified flow of the Opihi mainstem; and~~
- ~~d. BN permits being subject to an environmental flow and allocation regime on the Opihi mainstem at State Highway 1 as set out in Table 14(y) determined taking into account the recorded flow.³⁸⁷~~

~~14.4.37 Establish an alternative minimum flow regime for the Opihi River at Saleyards Bridge, as set out in Tables 14(v) and 14(w), that::~~

- ~~a. may only be implemented through a resource consent; and~~
- ~~b. applies from the start of a calendar month to the start of the next calendar month; and~~
- ~~c. may be entered into when two of the specified Level 1 or Level 2 thresholds from the preceding month in Table 14(x) are met; and~~
- ~~d. takes into consideration the level of water in Lake Opuha, snow pack in the Lake Opuha Catchment, and inflows into Lake Opuha.³⁸⁸~~

~~14.4.38 Where a Level 1 or Level 2 alternative minimum flow regime is entered into, the applicable flows set out in Tables 14(v) and 14(w) shall be met for that month, and the need to continue in the alternative minimum flow regime reassessed at the commencement of the next calendar month.³⁸⁹~~

~~14.4.39 In complying with the environmental flow and allocation regime(s) set out in Tables 14(v) to 14(w) and when transitioning between monthly minimum flow requirements at Saleyards Bridge, releases of water from the Opuha Dam may be progressively increased or decreased over a 48 hour period.~~

³⁸⁶ Forest & Bird PC7-472.178

³⁸⁷ Forest & Bird PC7-472.179

³⁸⁸ Forest & Bird PC7-472.180

³⁸⁹ Forest & Bird PC7-472.181

~~immediately after the commencement of the calendar month.~~³⁹⁰

- 14.4.40 Contribute to the overall management of surface water flows within the Opihi Freshwater Management Unit, by providing for the transfer of AA and BA surface water permits to a principal water supplier where this will result in a single permit authorising the abstraction of all transferred AA and BA abstractions of surface water.

Timaru Freshwater Management Unit

Levels Plain High Nitrogen Concentration Area

- 14.4.41 Assist in achieving water quality targets for the Levels Plain High Nitrogen Concentration Area by requiring, ~~before 1 January 2035,~~³⁹¹ ~~in addition to Policy 14.4.19~~³⁹², point source discharges of nitrogen from industrial or trade waste disposal activities to reduce nitrogen ~~losses~~ ^{load}³⁹³ by a minimum of 30% below ~~the rate authorised at 20 July 2019 current consented rates by 1 January 2035,~~³⁹⁴ ~~unless the point source discharge is occurring as part of a farming activity subject to stepped nitrogen loss reductions required by 14.4.19.~~³⁹⁵
- 14.4.41A Improve the quality and quantity of surface water by encouraging the augmentation of Seadown Drain, provided that:
- (a) adverse effects on cultural values, including those associated with the unnatural mixing of water are remedied or mitigated; and
 - (b) water used to augment the drain is of higher quality, including with respect to natural water colour, suspended sediment material and water clarity, than existing water in the drain; and
 - (c) the water is not subsequently abstracted from the drain; and
 - (d) adverse effects on the availability, quality, and safety of human drinking water are avoided.³⁹⁶

Pareora Freshwater Management Unit

Cumulative Effects of Small Water Takes

- 14.4.42 Assist with addressing over-allocation of the quantity of freshwater in the Pareora Freshwater Management Unit, by avoiding all ~~further new~~³⁹⁷ abstractions of surface water and groundwater, except as provided for by s14(3)(b) of the RMA.

Dams and Damming

- 14.4.43 Damming of surface water in the mainstem of any waterbody in the Pareora Freshwater Management Unit, is avoided, except where the damming was lawfully established prior to 21 July 2012, the water that is dammed is used for community ~~water~~³⁹⁸ supply, and the water permit is affected by the provisions of Sections 124 – 124C of the RMA.

³⁹⁰ Forest & Bird PC7-472.182

³⁹¹ RMA Schedule 1, Clause 16(2) - Minor amendment

³⁹² Synlait PC7-188.21

³⁹³ Fonterra PC7-416.11

³⁹⁴ HortNZ PC7-356, page 2

³⁹⁵ Synlait PC7-188.21

³⁹⁶ Oldfield, M E PC7-134.3, O’Kane, K & K PC7-354.4, Seaforth Farm Ltd PC7-253.25

³⁹⁷ Silver Fern Farms Ltd PC7-468.3

³⁹⁸ Timaru DC PC7-292.88

Augmentation of the South Branch of the Pareora River

14.4.44 Enable the augmentation of the South Branch of the Pareora River by Timaru District Council at a rate of 70 L/s, during the months of October and November each year.

14.5 Rules

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.

Note:

1. ~~For all activities in or near waterways, refer also to the requirements and restrictions under the Canterbury Flood Protection and Drainage Bylaw 2013.~~³⁹⁹
2. In addition to the provisions of this Plan and any relevant district plan, any activity which may modify, damage or destroy pre 1900 archaeological sites is subject to the archaeological authority process under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority is required from Heritage New Zealand to modify, damage or destroy any archaeological site, whether recorded or not in the New Zealand Heritage List/Rāangi Kōrero website.

Take and Use Surface Water

Notes:

1. Rules 14.5.4 to 14.5.6 prevail over Regional Rules 5.123 to 5.125.
2. Regional Rules 5.111, 5.112, ~~5.113, 5.114, 5.114A~~ and 5.115 apply in the Orari-Temuka-Opihi-Pareora sub-region ~~and prevail over Rules 14.5.7, 14.5.8, 14.5.9, 14.5.10 and 14.5.11.~~⁴⁰⁰

~~**14.5.1 The taking and use of surface water for the purposes of mahinga kai enhancement is a restricted discretionary activity provided the following conditions are met:**~~

- ~~1. The application is accompanied by a Cultural Impact Assessment; and~~
- ~~2. The proposed take is from the Temuka Freshwater Management Unit; and~~
- ~~3. The take, in addition to all existing consented takes, does not result in an exceedance of any environmental flow or allocation limit in Table 14(i) and Table 14(l);~~

~~**The exercise of discretion is restricted to the following matters:**~~

- ~~1. The content and quality of the Cultural Impact Assessment; and~~
- ~~2. The effectiveness of the proposal in enhancing mahinga kai outcomes; and~~
- ~~3. Where the take is consumptive, the imposition of pro-rata partial restrictions; and~~
- ~~4. The rate, volume and timing of the take; and~~

³⁹⁹ HortNZ PC7-356, page 2

⁴⁰⁰ RMA Schedule 1, Clause 16(2) – Minor correction

- ~~5. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the allocation status for water quality in the relevant catchment; and~~
- ~~6. Whether the amount of water to be taken and used is reasonable for the proposed use; and~~
- ~~7. The effects the take has on any other authorised take or diversion; and~~
- ~~8. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in (Link, 24975, Schedule 16; and~~
- ~~9. Reductions in the rate of take in times of low flow and restrictions to prevent the flow from reducing to below the minimum flow; and~~
- ~~10. Methods to prevent fish from entering the water intake; and~~
- ~~11. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dry-land habitats.~~⁴⁰¹

~~**14.5.2 The taking and use of surface water for the purposes of mahinga kai enhancement that does not meet condition 1 of Rule 14.5.1 is a non-complying activity.**~~⁴⁰²

~~**14.5.3 The taking and use of surface water for the purposes of mahinga kai enhancement that does not meet the conditions 2 or 3 of Rule 14.5.1 is a prohibited activity.**~~⁴⁰³

14.5.4 The taking and use of surface water is a restricted discretionary activity, provided the following conditions are met:

1. The take, in addition to all existing consented takes, does not result in an exceedance of any minimum flow limit set in Tables 14(h) to 14(za); and
2. The take:
 - a. will replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the take, in addition to all existing consented takes, will not result in an exceedance of any allocation limit, or rate of take, or seasonal or annual volume limit set in Tables 14(h) to 14(za); or
 - b. will not replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, but the take, in addition to all existing consented takes, will not result in an exceedance of any allocation limit, or rate of take, or seasonal or annual volume limit, set in Tables 14(h) to 14(za); and
3. Unless it is associated with the artificial opening of a hāpua, lagoon or coastal lake to the sea, the take is not from a wetland, hāpua or a high naturalness waterbody listed in Section 14.8; except that if the take will replace a lawfully established take affected by the provisions of Section 124-124C of the RMA then this condition does not apply to the Milford Lagoon and Orakipaoa Creek High Naturalness Water Bodies.⁴⁰⁴

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. The actual or potential adverse environmental effects on water quality, including whether the activity, in combination with all other activities, will alter the allocation status for water quality in the relevant catchment; and
3. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
4. For water used for irrigation, the management of water allocation and resulting nutrient discharges on individual farms; and

⁴⁰¹ Federated Farmers PC7-430.227

⁴⁰² Federated Farmers PC7-430.228

⁴⁰³ Federated Farmers PC7-430.229

⁴⁰⁴ Springfield Partnership Ltd PC7-306.3, Orakipaoa Water Users PC7-165.14

5. The potential effects on groundwater recharge where the Groundwater Allocation Zone in Table 14(zb) is fully or over-allocated; and
6. The availability and practicality of using alternative supplies of water; and
7. The effects the take has on any other authorised take or diversion; and
8. The potential to frustrate or prevent the attainment of the regional network for water harvest, storage and distribution, shown on the Regional Concept diagram in Schedule 16; and
9. The reduction in the rate of take in times of low flow and restrictions to prevent the flow from falling below the minimum flow as set out in policies to this Plan; and
10. Methods to prevent fish from entering the water intake; and
11. The provisions of any relevant Water Conservation Order; and
12. The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dry land habitats; and
13. Where the proposed take is the replacement of a lawfully established take affected by the provisions of Section 124-124C of the RMA and is from an over-allocated surface water catchment, the reduction in the rate of take and volume limits to enable a reduction in over-allocation; and
14. Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
15. Any adverse effects of the use of water on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga-;
and
16. The actual or potential adverse environmental effects of the take of water on the extent and values of natural inland wetlands and rivers.⁴⁰⁵

14.5.5 **The taking and use of surface water that does not meet conditions 2a or 3 of Rule 14.5.4 is a non-complying activity.**

14.5.6 **The taking and use of surface water that does not meet one or more of conditions 1 or 2b of Rule 14.5.4 is a prohibited activity.**

Take and Use Groundwater

Notes:

1. Rules 14.5.7 to 14.5.8 apply to groundwater takes that will replace an existing surface water take or groundwater take with a direct, high or moderate stream depletion effect
2. Regional Rules 5.113, 5.114, 5.114A and 5.115 apply in the Orari-Temuka-Opihi-Pareora sub-region.⁴⁰⁶
- ~~2- 3.~~ Rules 14.5.9 to 14.5.11 prevail over Regional Rules 5.128 to 5.130 in the Orari, Temuka, Opihi and Timaru Freshwater Management Units.⁴⁰⁷
4. Regional Rules 5.128 to 5.130 apply in the Pareora Freshwater Management Unit. ~~except in the Pareora Freshwater Management Unit~~⁴⁰⁸

14.5.7 **The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect is a restricted discretionary activity, providing the following conditions are met:**

1. The proposed take, in addition to all existing consented takes will not result in an exceedance of the relevant groundwater T allocation limit in Table 14(zb) and

⁴⁰⁵ WWHT PC7-88.1

⁴⁰⁶ RMA Schedule 1, Clause 16(2) – Minor correction

⁴⁰⁷ HortNZ PC7-356, page 2

⁴⁰⁸ HortNZ PC7-356, page 2

2. The **proposed**⁴⁰⁹ take will not have a direct, high or moderate stream depletion effect; and
3. The point of abstraction will be within the same property as the existing water permit and there is no increase in the proposed rate of take or annual volume; and
4. The bore interference effects are demonstrated to be acceptable determined in accordance with Schedule 12; and
5. The existing surface water or groundwater permit being replaced is for a take from an over-allocated surface water catchment; and
6. The existing surface water or groundwater permit is surrendered.

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
3. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
4. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
5. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
6. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
7. Where the water is being used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
8. Any adverse effects of the use of water on Ngāi Tahu values, or on sites of Ngāi Tahu significance, including wāhi tapu and wāhi taonga.

14.5.7A

The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect that does not comply with condition 4 of Rule 14.5.7 is a non-complying activity.⁴¹⁰

14.5.8

The taking and use of groundwater that will replace an existing surface water or groundwater permit that has a direct, high or moderate stream depletion effect that does not comply with one or more of ~~the~~ conditions 1, 2, 3, 5 or 6 of Rule 14.5.7 is a prohibited activity.

14.5.9

The taking and use of groundwater is a restricted discretionary activity, provided the following conditions are met:

1. For stream depleting groundwater takes with a direct or high stream depletion effect, the take, in addition to all existing consented takes does not result in an exceedance of any minimum flow in Tables 14(h) to (za); and
2. The take:
 - a. will replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the allocation limits in Tables 14(h) to 14(zb); or
 - b. will not replace a lawfully established take affected by the provisions of Section 124-124C of the RMA, and the rate, seasonal or annual volume of the take, in addition to all existing consented takes, does not exceed the allocation limits in Tables 14(h) to 14(zb); and
3. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the bore interference effects on any groundwater abstraction other than an abstraction by or on behalf of the applicant are acceptable, as determined in accordance with Schedule 12.

⁴⁰⁹ OWL PC7-381.64, TCWP PC7-318.69, TCG PC7-319.54, GWS PC7-295.24

⁴¹⁰ Federated Farmers PC7-430.236

The exercise of discretion is restricted to the following matters:

1. The rate, volume and timing of the take; and
2. Whether the amount of water to be taken and used is reasonable for the proposed use. In assessing reasonable use for irrigation purposes, the CRC will consider the matters set out in Schedule 10; and
3. The availability and practicality of using alternative supplies of water; and
4. The maximum rate of take, including the capacity of the bore or bore field to achieve that rate, and the rate required to service any irrigation system; and
5. The actual or potential adverse environmental effects on surface water resources; and
6. Unless the proposed take is the replacement of a lawfully established take affected by the provisions of sections 124-124C of the RMA, the actual or potential adverse environmental effects the take has on any other authorised takes, including bore interference effects as set out in Schedule 12; and
7. For stream depleting groundwater takes, the matters of discretion under Rule 14.5.4⁴¹¹; and
8. Whether salt-water intrusion into the aquifer or landward movement of the salt water/fresh water interface is prevented; and
9. The proximity and actual or potential adverse environmental effects of water use to any significant indigenous biodiversity and adjacent dryland habitats; and
10. The protection of groundwater sources, including the prevention of backflow of water or contaminants; and
11. The reduction in the rate of take and volume limits to enable a reduction in over-allocation; and
12. Where the water is being used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently; and
13. Any adverse effects of the use of water on Ngāi Tahu values, or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga

14.5.4 ~~The temporary or permanent transfer, in whole or in part, of a water permit to take or use surface water or groundwater in the Orari-Catchment, except for Upper Coopers Creek, identified in Map 2 – Orari Catchment, including stream depleting groundwater, is a prohibited activity until allocation limits in Table 15 are met.~~

14.5.10 The taking and using of groundwater that does not comply with one or more of conditions 2a or 3 of Rule 14.5.9 is a non-complying activity.

14.5.5 ~~The temporary or permanent transfer, in whole or in part, of a water permit to take or use groundwater in the Upper Coopers Creek area, identified in Map 2 – Orari Catchment, including stream depleting groundwater, is a discretionary activity.~~

14.5.11 The taking and using of groundwater that does not comply with one or more of conditions 1 or 2b of Rule 14.5.9 is a prohibited activity.

Transfer of Water Permits

Note: **Rules** 14.5.12 and 14.5.13 prevail over Regional Rules 5.133 and 5.134.⁴¹²

14.5.12 The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of water relates and where the location of the take and use of water does not change) of a water permit to take or use surface water or groundwater, is **to be**

⁴¹¹ TCWP PC7-318.55; GWS PC7-295.21; TCG PC7-319.58; Federated Farmers PC7-430.237; OWL PC7-381.67

⁴¹² RMA Schedule 1, Clause 16(2) – Minor correction

treated as if it is⁴¹³ **a restricted discretionary activity provided the following conditions are met:**

1. Unless the water taken under the water permit is in the AA, BA or Kakahu allocation blocks, the water permit being transferred has been exercised; and
2. The reliability of supply for any other lawfully established water take is not reduced; and
3. Unless the water taken under the water permit is in the AA, BA or Kakahu allocation blocks, any proposed volume to be transferred for irrigation has been calculated in accordance with Method 1 of Schedule 10; and
4. ~~The proposed transfer is not from the Temuka Freshwater Management Unit; and~~⁴¹⁴
5. Unless the transfer is for a community water supply or a stock drinking water supply⁴¹⁵:
 - a. the take will comply with the applicable environmental flow and allocation regimes set out in Tables 14.4(h) to 14.4(zb); and
 - b. if the proposed transfer is located within an over-allocated surface water catchment or Groundwater Allocation Zone, the resource consent application includes a percentage of water to be surrendered, up to a maximum of 75%,⁴¹⁶ that matches the extent to which the surface water catchment or Groundwater Allocation Zone is over-allocated, except where the water taken under the water permit is in the AA, BA or Kakahu allocation blocks, in which case there shall be no surrender requirement⁴¹⁷; and
6. The point of take remains within either the same surface water catchment or Groundwater Allocation Zone; and
7. In the case of groundwater, the application contains evidence that the bore interference effects as set out in Schedule 12 are acceptable; and
8. For stream depleting groundwater takes, the stream depletion effect is no greater in the transferred location than in the original location.

The exercise of discretion is restricted to the following matters:

1. The nature of the transfer, whether short term, long term, partial or full, and the apportioning of the maximum rate and seasonal or annual volume in the case of a partial transfer; and
2. The appropriateness of existing conditions, including conditions on minimum flow, seasonal or annual volume and other restrictions to mitigate effects and the need to update these to reflect the current flow and allocation regime; and
3. The reasonable need for the quantities of water to be transferred, the intended use of the water and the ability of the transferee to abstract and use those quantities; and
4. ~~Any restrictions to be applied to the rate of take in times of low flow; and~~⁴¹⁸
54. Method to prevent fish from entering any water intake; and
65. Where there is a change to the use of the water, or a change in the location the water is used, any adverse effects on Ngāi Tahu values including mahinga kai and the mauri of waterbodies, and the appropriateness of any mitigation measures including a lesser amount of water sought; and
6. ~~The actual or potential adverse environmental effects of the take of water on the extent and values of natural inland wetlands and rivers.~~⁴¹⁹

14.5.12A

The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of water relates and where the location of the take and use of water does not change) of a water permit to take and use surface water or groundwater that does not meet condition 7 of Rule 14.5.12 is to be treated as if it is a non-complying activity.⁴²⁰

⁴¹³ OWL PC7-381.69

⁴¹⁴ TCWP PC7-318.56; GWS PC7-295.22

⁴¹⁵ Beef + Lamb PC7-214.141

⁴¹⁶ M A Orchards et al PC7-488.5

⁴¹⁷ Barwoods Ltd PC7-298.46

⁴¹⁸ OWL PC7-381.75

⁴¹⁹ WWHT PC7-88.1

⁴²⁰ Federated Farmers PC7-430.242

14.5.13 The temporary or permanent transfer, in whole or in part, (other than to the new owner of the site to which the take and use of water relates and where the location of the take and use of water does not change) of a water permit to take and use surface water or groundwater that does not meet one or more of ~~the conditions 1 to 6 or condition 8~~⁴²¹ of Rule 14.5.12 is ~~to be treated as if it is~~⁴²² a prohibited activity.

Individual Farming Activities

Note: ~~Commercial vegetable growing activities within the Orari-Temuka-Opihi-Pareora Sub-region Orari, Temuka, Opihi, Timaru, and Pareora Freshwater Management Units commercial vegetable growing operations~~⁴²³ are regulated by Regional Rules 5.42CA to 5.42CE.

14.5.14 The use of land for a farming activity on a property 10 hectares or less in area is a permitted activity.

14.5.15 Where any property or farming enterprise includes land within ~~a the~~⁴²⁴ High Nitrogen Concentration Area, the nitrogen loss reductions in Table 14(zc) only apply to that part of the property within the High Nitrogen Concentration Area.

14.5.16 Despite Rules 14.5.17 to 14.5.22, the use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER and where the OVERSEER Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. more than one sub-region section of this Plan; or
 - ii. this Plan and nutrient management rules in another regional plan;

is a discretionary activity provided the following conditions are met:

- 1. The nitrogen loss calculation for any part of the property within the Orari-Temuka-Opihi-Pareora sub-region does not exceed the nitrogen baseline; and
- 2. An Accredited Farm Consultant has prepared a Farm Environment Plan and nutrient budgets for the property in accordance with Part A of Schedule 7 and they are submitted with the application for resource consent; and
- 3. The application for resource consent includes a calculation of the Equivalent Baseline GMP Loss Rate and Equivalent Good Management Practice Loss Rate for the farming activity, and the methodology used to derive those numbers.

14.5.16A Despite Rules 14.5.17 to 14.5.22, the use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in

⁴²¹ Consequential to Federated Farmers PC7-430.242

⁴²² OWL PC7-381.77

⁴²³ HortNZ PC7-356, page 2; Consequential to the amendment of definition commercial vegetable growing operation

⁴²⁴ RMA Schedule 1 Clause 16(2) – Improved grammar.

- OVERSEER and where the OVERSEER Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
- i. more than one sub-region section of this Plan; or
 - ii. this Plan and nutrient management rules in another regional plan;
- that does not meet condition 2 of Rule 14.5.16 is a non-complying activity.

14.5.16B

Despite Rules 14.5.17 to 14.5.22, the use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
 - b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER and where the OVERSEER Best Practice Data Input Standard does not recommend an alternative; or
 - c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. more than one sub-region section of this Plan; or
 - ii. this Plan and nutrient management rules in another regional plan;
- that does not meet conditions 1 or 3 of Rule 14.5.16 is a prohibited activity.

14.5.17

The use of land for a farming activity on a property greater than 10 hectares in area is a permitted activity provided the following conditions are met:

1. The property is registered in the Farm Portal by 20 July 2022 and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 36 months thereafter or whenever a material change in the land use associated with the farming activity occurs, or whenever any boundary of the property is changed; and
2. A Management Plan in accordance with Schedule 7A has been prepared and is implemented, and is supplied to the Canterbury Regional Council on request; and
3. Any increase in the area of the property that is irrigated is limited to 10 hectares above that which was irrigated at 20 July 2019 provided that no more than 50 hectares is **authorised to be**⁴²⁵ irrigated in total; and
4. The area of the property used for winter grazing of cattle is less than or equal to:
 - a. 10 hectares for any property less than 100 hectares in area; or
 - b. 10% of the area of the property, for any property between 100 and 1000 hectares in area; or
 - c. 100 hectares, for any property greater than 1000 hectares in area; and
5. For any property that has part of the property located within the Rock Art Management Area, there is no irrigation **or discharge of water or solid or liquid waste**⁴²⁶ on the part of the property within the management area; and
6. For any property that has part of the property located within the Mātaitai **and Waipuna** Protection Zone and that includes or directly adjoins any river or coastal lake, there is no irrigation or winter grazing on any part of the property within the protection zone; and
7. For any property greater than 20 hectares in area that has part of the property located within the High Runoff Risk Phosphorus Zone, the area used for winter grazing of cattle or deer does not exceed 20 hectares **on any part of the property within the High Runoff Risk Phosphorus Zone**⁴²⁷.

⁴²⁵ Ravensdown PC7-114.47

⁴²⁶ Arowhenua and Te Rūnanga PC7-274.72

⁴²⁷ Knocklyn Holdings Limited PC7-173.8, Te Moana Dairy Ltd PC7-174.2, Woodbury Deer Industry Environment Group PC7-271.7

14.5.18

The use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of conditions 5, 6 or 7 of Rule 14.5.17 is a controlled activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Any increase in the irrigated area of the property is limited to 10 hectares above that which was irrigated at 20 July 2019, provided that no more than 50 hectares is authorised to be⁴²⁸ irrigated in total; and
3. The area of the property used for winter grazing of cattle is less than or equal to:
 - a. 10 hectares for any property less than 100 hectares in area; or
 - b. 10% of the area of the property, for any property between 100 and 1000 hectares in area; or
 - c. 100 hectares, for any property greater than 1000 hectares in area.

The CRC reserves control over the following matters:

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The commencement date for the first audit of the Farm Environment Plan; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods to avoid or mitigate adverse effects of the activity on surface water quality, groundwater quality and sources of drinking water; and
5. Methods to avoid or mitigate adverse effects on mahinga kai, wāhi tapu, wāhi taonga, nohoanga, waipuna, or freshwater mātaimai-or-tuhituhi-neherā (rock-art); and⁴²⁹
6. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits.

14.5.19

The use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of conditions 1, 2, 3, ~~or 4~~ or 5⁴³⁰ of Rule 14.5.17 or one or more of conditions 2 or 3 of Rule 14.5.18 is a restricted discretionary, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the property does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 20 July 2019, and the application for resource consent demonstrates that the exceedance was lawful.

The exercise of discretion is restricted to the following matters:

1. The efficacy of the Farm Environment Plan; and
2. The commencement date for the first audit of the Farm Environment Plan; and
3. The content, quality and accuracy of the nutrient budgets provided with the application for resource consent; and
4. The actual or potential effects on surface water quality, groundwater quality and sources of drinking water; and
5. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
6. Methods to avoid or mitigate adverse effects on sites of⁴³¹ any adverse effects on mahinga kai, wāhi tapu, wāhi taonga, waipuna or freshwater mātaimai-or-tuhituhi-neherā; and

⁴²⁸ Ravensdown PC7-114.48

⁴²⁹ Consequential to Arowhenua and Te Rūnanga PC7-424.74

⁴³⁰ Arowhenua and Te Rūnanga PC7-424.74

⁴³¹ HortNZ PC7-356, page 2

6a. Methods to avoid adverse effects on rock art.⁴³²

7. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
8. For properties within a High Nitrogen Concentration Area, the methods and timeline within the Farm Environment Plan for achieving the nitrogen loss reductions set out in Table 14(zc); and
9. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where the Good Management Practice Loss Rate has not been influenced by severe extraordinary events (including but not limited to droughts and floods) and is less than the Baseline GMP Loss Rate; and
10. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits;
11. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council, including via the Farm Portal.

14.5.20 **The use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:**

1. A Farm Environment Plan has been prepared for the farming enterprise in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the farming enterprise does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; and
3. The properties comprising the farming enterprise are in the same surface water catchment.

14.5.21 **The use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 1 of Rule 14.5.18, or condition 1 of Rule 14.5.19, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 1 or 3 of Rule 14.5.20, is a non-complying activity.**

14.5.22 **The use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 2 of Rule 14.5.19, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 of Rule 14.5.20, is a prohibited activity.**

Irrigation Schemes

Notes:

1. Rule 14.5.23 and 14.5.23A prevail over Regional Rule 5.62 and apply to irrigation schemes and principal water suppliers within the Orari-Temuka-Opihi-Pareora Sub-region
2. Within the Orari-Temuka-Opihi-Pareora Sub-region, if the applicant is not an irrigation scheme or a principal water supplier, or the holder of the activity permit will not be an irrigation scheme or a principal water supplier, then the activity is assessed under Rules 14.5.14 to 14.5.22.

14.5.23 **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA, where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier, is a discretionary activity provided the following condition is met:**

1. The staged reductions in nitrogen loss required by Table 14(zc) will be met for any land within a High Nitrogen Concentration Area.

Notification

~~Pursuant to section 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification.~~

~~Note: That limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.~~⁴³³

14.5.23A **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier that does not comply with condition 1 of Rule 14.5.23 is a non-complying activity.**

Incidental Nutrient Discharges

Note: *Rules 14.5.24 and 14.5.24A prevail over Regional Rules 5.63 and 5.64*⁴³⁴

14.5.24 **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following condition is met:**

1. The land use activity associated with the discharge is authorised under Rules 14.5.14 to 14.5.22.

14.5.24A **The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA and does not meet condition1 of Rule 14.5.24 is a non-complying activity.**

Stock Exclusion from Waterbodies

Notes: 1. Regional Rules 5.68, 5.69, 5.70, 5.71 (Stock Exclusion) apply in the Orari-Temuka-Opihi-Pareora sub-region.

2. Rule 14.5.25 applies in addition to Regional Rules 5.68, 5.69, 5.70, 5.71.

3. Rule 14.5.25A applies as an addition to Regional Rule 5.71.⁴³⁵

14.5.25 **Within the Orari-Temuka-Opihi-Pareora sub-region, any reference in Rules 5.68,⁴³⁶ 5.68A, 5.68B, 5.69, 5.70 and 5.71 to the bed of a lake, river or wetland also includes a spring and an artificial watercourse where these discharge to a lake, river or wetland waterbody, but does not include any sub-surface drain or artificial watercourse that does not have surface water in it.**

14.5.25A **Within the Orari-Temuka-Opihi-Pareora sub-region, Rule 5.71 includes the following addition:**

⁴³³ Arowhenua and Te Rūnanga PC7-424.35

⁴³⁴ HortNZ PC7-356, page 2

⁴³⁵ HortNZ PC7-356, page 2 – Numbering for readability

⁴³⁶ CI16(2) RMA or WWHT PC7-88.53

1. Within the Mātaitai and Waipuna Protection Zone as shown on the Planning Maps.

Orari Freshwater Management Unit

Dams and Damming

Note: Consent may be required under the Building Act 2004

- 14.5.426** **The use of land to store water, including any associated impounding of water outside the bed of a river or natural lake in the Orari Freshwater Management Unit Catchment⁴³⁷ is a permitted activity, provided the following conditions are met:**
1. If the volume of water impounded is greater than 5,000 m³, the design and construction of the dam is certified by a Recognised Engineer;
and⁴³⁸
 2. The impounded water is less than 3 m deep; and
 3. The land is not contaminated or potentially contaminated; **and**
 4. The activity does not occur within a Rock Art Management Area.
- 14.5.227** **The damming of water within the bed of the mainstem of the Orari River and within the tributaries below the gorge, at or about map reference BY19:553-335, including the associated constructing, maintaining and operating of structures is a non-complying activity.**
- 14.5.328** **The damming of water within the bed of the mainstem of the Orari River upstream from the mouth of the gorge and within any tributary above the gorge, at or about map reference BY19:553-335, is a prohibited activity.**

Opihi Freshwater Management Unit

The following rules apply in the Opihi Freshwater Management Unit in addition to those set out in Section 5 and Section 14 of this Plan. Rules that are specific to the Opihi Freshwater Management Unit prevail over rules on the same subject matter in Section 5, or rules in other parts of Section 14 of this Plan.

Augmentation of the main stem of the Opuha and Opihi rivers

- 14.5.29** **The discharge of water to water from the Opuha Dam for the purpose of augmenting the Opuha and Opihi Mainstems⁴³⁹ is a discretionary activity provided the following conditions are met:**
1. The discharge complies with the environmental flow and allocation regime(s) set out in Tables 14(v) to 14(w); and
 2. Any water discharged for the purpose of improving water availability for AA, BA and ~~Ki~~ Kakahu permit holders is released in addition to water released for the purposes of meeting the environmental flow at Saleyards Bridge, and includes sufficient water to provide for the sum of abstraction occurring under AA and BA permits and downstream of Saleyards Bridge.; and
 - ~~3. Any existing discharge permit that authorises the discharge of water from the Opuha Dam is surrendered as part of an application for resource~~

⁴³⁷ RMA Schedule 1, Clause 16(2) – Minor correction.

⁴³⁸ RMA Schedule 1, Clause 16(2) – Improved grammar.

⁴³⁹ RMA Schedule 1, Clause 16(2) – Improved grammar.

~~consent lodged under this rule.~~⁴⁴⁰

14.5.30 **The discharge of water from the Opuha Dam for the purpose of augmenting the Opuha and Opihi mainstems that does not comply with one or more of the conditions of Rule 14.5.29 is a ~~non-complying prohibited~~ activity.**⁴⁴¹

Transfer of AA and BA Water Permits to a Principal Water Supplier

14.5.31 **Within the Opihi Freshwater Management Unit the transfer to a Principal Water Supplier of AA, ~~and BA, and Kakahu~~⁴⁴² permits to take and use surface water is a discretionary activity provided the following conditions are met:**

1. The application for resource consent is for the transfer of existing authorised AA, ~~and BA, and Kakahu~~ permits in the Opihi Freshwater Management Unit;
2. There is no net increase by sub catchment in the total instantaneous rate of take beyond what is authorised to be abstracted under transferring AA, ~~and BA, and Kakahu~~ permits, determined as the lesser of current consented instantaneous rates of take or shareholding entitlements with Opuha Water Limited; and
3. The abstractions will not result in an exceedance of the applicable environmental flow and allocation regimes set out in Tables 14(v) and 14(w) of this ~~ePlan~~⁴⁴³;
4. All existing authorised AA, ~~and BA, and Kakahu~~ water permits held by the transferees are surrendered as part of an application for resource consent lodged under this rule.

14.5.32 **Within the Opihi Freshwater Management Unit the transfer to a Principal Water Supplier of AA, ~~and BA, and Kakahu~~ permits to take and use surface water that does not comply with one or more of the conditions of Rule 14.5.31 is a non-complying activity.**

Pareora Freshwater Management Unit

The following rules apply in the Pareora Freshwater Management Unit in addition to those set out in Section 5 and Section 14 of this Plan. Rules specific to the Pareora Freshwater Management Unit prevail over rules on the same subject matter in Section 5 or Section 14 of this Plan.

Small Water Takes

~~Note: Rule 14.5.33 prevails over Rules 5.111 and 5.113 — 5.115 in the Pareora Freshwater Management Unit.~~⁴⁴⁴

14.5.33 **Within the Pareora Freshwater Management Unit Regional Rules 5.111 and 5.113 to 5.115 do not apply.**

Dams and Damming

Note: Rule 5.154 does not apply within the Pareora Freshwater Management Unit. ~~Rule 14.5.34 prevails.~~⁴⁴⁵

⁴⁴⁰ OWL PC7-381.165, AMWG PC7-385.22

⁴⁴¹ Timaru DC PC7-292.115, AMWG PC7-385.15, OWL PC7-381.146

⁴⁴² OWL PC7-381.81

⁴⁴³ RMA Schedule 1, Clause 16(2) – Improved grammar

⁴⁴⁴ RMA Schedule 1, Clause 16(2) – Redundant note as covered by Rule 14.5.33

⁴⁴⁵ HortNZ PC7-356, page 2

14.5.34

The damming of water in the bed of the Pareora River, and the associated take, use and diversion of water and the maintaining and operating of dam structures for the purpose of a lawfully established community water supply scheme is a restricted discretionary activity, provided the following conditions are met:

1. The application for resource consent is to replace an existing lawfully established activity affected by the provisions of Sections 124 – 124C of the RMA; and
2. The rate of take and volume being sought are the same or less than that authorised under the existing resource consent; and
3. A Water Supply Strategy, prepared in accordance with Schedule 25, is submitted with the application for resource consent; and
4. Any passage of fish is not impeded; and
5. The damming of water does not result in a breach of any limit contained within the environmental flow and allocation regime for the Pareora Freshwater Management Unit.

The exercise of discretion is restricted to the following matters:

1. The reasonable need for the quantities of water sought, the intended use of the water and the ability of the applicant to abstract and store those quantities; and
2. The availability and practicality of using alternative supplies of water; and
3. The effects the take has on surface water flows, including floods and freshes; and
4. The effects the take has on any other authorised takes; and
5. The consistency of the proposal with Policy 14.4.43 ~~and the extent of any commitment made by the applicant to adhere to the flow and discharge rates in the policy~~⁴⁴⁶; and
6. The management regime for the community water supply during periods of low flow; and
7. The collection, recording, monitoring and provision of information concerning the exercising of the consent; and
8. Any adverse effects of the use of water on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and
9. ~~The potential adverse effects on significant habitats of indigenous fauna and flora~~⁴⁴⁷; and
10. ~~The actual or potential adverse environmental effects of the damming of water on the extent and values of natural inland wetlands and rivers.~~⁴⁴⁸

14.5.35

The damming of water in the bed of the Pareora River and the associated take, use and diversion of water and the maintaining and operating of dam structures for the purpose of a lawfully established community water supply scheme that does not comply with one or more of the conditions of Rule 14.5.34 is a non-complying activity.

⁴⁴⁶ RMA Schedule 1, Clause 16(2) – Minor correction (there are no flow or discharge rates in the referenced policy)

⁴⁴⁷ Forest & Bird PC7-472.195

⁴⁴⁸ WWHT PC7-88.1

14.6 Environmental Flow⁴⁴⁹ Allocation and Water Quality Limits and Targets⁴⁵⁰

14.6.1 Environmental Flow and Allocation Limits

14.6.1 Freshwater Outcomes

Note: ~~Tables 14(a) and Table 14(b) set out the freshwater outcomes for rivers and lakes in the Orari-Temuka-Opihi-Pareora sub-region.~~⁴⁵¹

14.6.2 Groundwater Allocation Limits

14.6.3 Catchment Nutrient Load Limits and Allowances

Table 14(a): Freshwater Outcomes for Orari-Temuka-Opihi-Pareora Rivers to be achieved by 2030

Freshwater Management Unit	River type	Ecological Health Attributes			Macrophyte Attributes		Periphyton Attributes		Siltation Attribute	Human Health for Recreation Attribute				Cultural Attribute		
		QMCI 1 [min score 1]	Dissolved Oxygen [min saturation 1](%)	Temperature [max] (°C)	Emergent macrophytes [max cover of bed] (%)	Total macrophytes [max cover of bed] (%)	Chlorophyll a [mg chl-a/m²]²	Filamentous algae >20mm [max cover of bed] (%)	Fine sediment <2mm diameter [max cover of bed] (%)	Cyanobacteria mat cover [max cover of bed] (%)	Suitability for Recreation Grade (SFRG) ➡	Escherichia coli (E. coli)				
												[median] ➡ (E. coli / 100ml) ➡	[95 th percentile 1 (E.coli / 100ml)]			
Natural State	Rivers are maintained in their natural state															
Orari	Alpine – Upland	6	90	20	No value set		50	10	10	20	Good	≤130	≤540	Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting, and they are safe to eat.		
	Hill-fed Upland														15	
	Hill-fed - Lower	200	30		20	Good to Fair	≤1000									
	Spring-fed Plains							5	70		30		50		No value set	≤1000
Temuka	Alpine - Upland	6	90		No value set		50	10	10		20		Good		≤540	
	Hill-fed Upland															15
	Hill-fed – Lower															
	Spring-fed Plains	5	70		30	50	No value set	≤1000								
	Spring-fed Plains - urban	4.5	30		60	30	No value set	≤1000								
Opihi	Alpine – Upland	6	90		No value set		50	10	10		15		Good		Good	≤540
	Hill-fed Upland															
	Hill-fed Lower															

⁴⁴⁹ OWL PC7-381.148

⁴⁵⁰ OWL PC7-381.148

⁴⁵¹ HortNZ PC7-356, page 2

Table 14(b): Freshwater Outcomes for Orari-Temuka-Opihi-Pareora Lakes to be achieved by 2030

Freshwater Management Unit	Lake type	Lake	Ecological Health Attribute				Eutrophication Attribute			Visual Quality Attribute	Human Health for Recreation				Cultural Attribute
			Dissolved oxygen (<u>min-saturation-minimum concentration</u>) ⁴⁵⁶		Temperature [max] (oC)	Lake SPI ¹ [min grade]	TLI ² Maximum annual average	Chlorophyll a		Colour	Cyanobacteria [mm/L] [max value]	<i>Escherichia coli</i> (<i>E. coli</i>)		SFRG ^{3,4,5}	
			Minimum-Hypolimnion (%) Lake bottom [mg/L]	Minimum-Epilimnion (%) Mid-hypolimnion [mg/L]				Maximum annual average [mg chl-a/m ³] [mg/L] ⁴⁵⁸	Annual maximum [mg/L]			Median [<i>E.coli</i> /100ml] ⁴⁵⁹	95 th percentile [<i>E.coli</i> /100ml]		
Opihi	Natural ⁴⁶⁰ Artificial lakes – on river	Lake Opuha	<u>70</u> <u>5</u>	<u>90</u> <u>6</u>	19	High	4.0	4.0	25	Natural colour not degraded more than five Munsell Units	0.5	≤130 ⁴⁶¹	≤540	Good	Freshwater mahinga kai species sufficiently abundant for customary gathering, water quality is suitable for their safe harvesting, and they are safe to eat.
Timaru	Coastal lake	Waitarakao / Washdyke Lagoon	<u>70</u> <u>6</u>	<u>90</u> <u>n/a</u>	19	Moderate	n/a	5	25		10	≤260	≤1200 ⁴⁶²	No value set	

¹ Lake SPI = Lake Submerged Plant Indicators from Clayton J, Edwards T (2002) LakeSPI: a method for monitoring ecological condition in New Zealand lakes (Technical report Version 1 by NIWA)

² TLI = Trophic Level Index from: Protocol for Monitoring Trophic Levels of New Zealand Lakes and Reservoirs (Report by Lakes Consulting, March 2000).

³ Determined from a minimum of 60 samples collected on a monthly basis over 5 years.

^{4,5} SFRG = Suitability for Recreation Grade from Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas, Ministry for the Environment 2003

⁵ Where continuous measurements of dissolved oxygen are recorded (15 minute intervals or less), the 1-hour average shall be used to assess compliance against the dissolved oxygen outcomes.

⁴⁵⁶ Changes to DO values: OWL PC7-381.88 (and consequential to this submission point)

⁴⁵⁷ CDHB PC7-347.20

⁴⁵⁸ RMA Schedule 1, Clause 16(2) – Minor correction

⁴⁵⁹ Consequential to Forest & Bird PC7-472.18

⁴⁶⁰ RMA Schedule 1, Clause 16(2) – Minor correction

⁴⁶¹ RMA Schedule 1, Clause 16(2) – Minor correction

⁴⁶² Consequential to CDHB PC7-347.4, PC7-347.5

Table 14(c): Water Quality Limits for Orari-Temuka-Opihi-Pareora Rivers

Freshwater Management Unit	River type	Representative river name and measurement location	Dissolved Inorganic Nitrogen (DIN) [annual median] [mg/L]	Dissolved Reactive Phosphorus (DRP) [annual median] [mg/L]	Nitrate-Nitrogen		Ammoniacal Nitrogen ¹	
					Annual median [mg/L]	Annual 95th percentile [mg/L]	Annual median [mg/L]	Annual maximum [mg/L]
Orari	Hill-fed Upland	Orari River at Gorge	0.04	0.001	-	-	0.01	0.01
	Hill-fed - Lower	Orari River at Parke Road	1.62	0.003	1.61	2.8	0.01	0.03
	Hill-fed - Lower	Coopers Creek at SH72	0.91	0.003	0.90	3.0	0.01	0.04
	Spring-fed Plains	McKinnons Stream at Wallaces Bridge	-	0.004	4.9	9.8	0.01	0.19
		Ohapi Creek upstream Orari River Confluence	0.7	0.017	0.68	2.7	0.01	0.19
		Petries Drain at Canal Rd	-	0.003	5.0	6.3	0.01	0.09
		Rhodes Stream at Parke Rd	-	0.003	N/A	N/A	0.01	0.22
		Old Orari Lagoon Outfall at Orari Mouth Reserve	-	0.009	N/A	N/A	0.014	0.05
Temuka	Hill-fed lower	Hae Hae Te Moana Glentohi	0.07	0.003	-	-	0.01	0.03
		Waihi River Waimarie	0.16	0.004	-	-	0.01	0.03
		Temuka River Manse Bridge	1.5	0.008	1.5	2.6	0.01	0.09
	Spring-fed plains	Raukapuka Creek at Coach Road	-	0.005	1.8	3.3	0.01	0.03
		Smithfield Ck at Te Awa Rd	-	0.013	3.8	6.4	0.01	0.49
		Taumataku River at Murray St	-	0.016	1.4	2.4	0.02	0.11
Opihi	Lake-fed	Opuha at Skipton Br.	0.25	0.001	-	-	0.01	0.04
	Hill-fed Lower	Opihi at Rockwood	1.1	0.005	1.1	2.4	0.01	0.04
	Hill-fed Lower	Opihi at Grassy Banks	0.45	0.004	0.45	1.3	0.01	0.02
	Hill-fed Lower	Te Ana Wai River at Tengawai Bridge	0.15	0.007	0.14	1.2	0.01	0.02
	Spring-fed Plains	Orakipaoa Creek at Milford Lagoon Rd	-	0.022	1.4	2.8	0.014	0.47
Timaru	Hill-fed Lower	Washdyke Creek 70 m downstream of railway bridge	-	0.059	4.4	6.1	0.052	0.34
	Hill-fed Lower Urban	Taitarakihi Creek SH1 Bridge	0.37	0.24	-	-	0.26	2.2
		Saltwater Creek SH1 Bridge	0.15	0.19	0.03	1.9	0.08	0.54
	Spring-fed Plains	Seadown Drain above No 1 Drain confluence	-	0.023	6.4	8.8	0.015	0.58
Pareora	Hill-fed Lower	Pareora River at Huts	0.3	0.004	0.29	1.2	0.01	0.06
		Pareora River at SH1	0.2	0.007	0.20	2.0	0.01	0.02

¹Based on pH 8 and temperature 20°C.

- Where a particular river currently meets a higher (better) attribute state than indicated in this table, or where no attribute state is specified, that river shall not deteriorate below its existing attribute state as established in 2018.⁴⁶³

N/A - Target applies instead, refer to water quality targets for this attribute in Table 14(d) below⁴⁶⁴

⁴⁶³ RMA Schedule 1, Clause 16(2) – Minor correction.

⁴⁶⁴ RMA Schedule 1, Clause 16(2) – Minor correction.

Table 14(d): Water Quality Targets for Orari-Temuka-Opihi-Pareora Rivers

Freshwater Management Unit	River type	River name and measurement location	Nitrate-Nitrogen	
			Annual median [mg/L]	95th percentile [mg/L]
Orari	Spring-fed Plains	Rhodes Stream at Parke Road	6.9 (Target to be met by 2040)	9.8 (Target to be met by 2040)
		Old Orari Lagoon outfall		
Timaru	Hill-fed Lower Urban	Ring Drain		

Table 14(e): Water Quality Limits for Orari-Temuka-Orari-Pareora Lakes

Freshwater Management Unit	Lake type	Lake name and measurement location	Total phosphorus	Total Nitrogen	Ammoniacal Nitrogen	
			Annual average	Annual average	Annual median ¹	Annual maximum ¹
			[mg/L]	[mg/L]	[mg/L]	[mg/L]
Opihi	Artificial lakes – on river	Lake Opuha	0.011	N/A	0.03	0.05
Timaru	Coastal lakes	Waitarakao / Washdyke Lagoon	N/A	N/A	1.3-0.24 ⁴⁶⁵	2.2-0.4 ⁴⁶⁶

¹Based on pH 8 and temperature of 20°C

N/A - Target applies instead, refer to water quality targets for this attribute in Table 14(f) below

Table 14(f): Water Quality Targets for Orari-Temuka-Opihi-Pareora Lakes

Freshwater Management Unit	Lake type	Lake name and measurement location	Total Phosphorus	Total Nitrogen
			Annual average ¹ [mg/L]	Annual average [mg/L]
Timaru	Coastal lakes	Waitarakao / Washdyke Lagoon	0.05	0.750
Opihi	Artificial lakes – on river	Lake Opuha	N/A	0.350

¹Based on pH 8 and temperature of 20°C

Table 14(g): Water Quality Limits and Targets for Orari-Temuka-Opihi-Pareora Groundwater

Groundwater Province	Nitrate-Nitrogen concentration (mg/L)			<i>E. coli</i>	Other Contaminants ¹
	Limit	Target	Maximum concentration (mg/l)	95th percentile	Any sample
	Annual average concentration (mg/l)	Annual average concentration (mg/l)			
<u>Fairlie Basin</u>	<u>=</u>	<u>5.65</u>	<u>11.3</u>	<u><1 organism / 100 millilitres</u>	<u>< ½ MAV²</u>
<u>Geraldine</u>	<u>2.8</u>	<u>=</u>			
<u>Opihi</u>	<u>4.7</u>				
<u>Orari</u>	<u>2.7</u>				

⁴⁶⁵ DOC PC7-160.100

⁴⁶⁶ DOC PC7-160.100

Groundwater Province	Nitrate-Nitrogen concentration (mg/L)			<i>E. coli</i>	Other Contaminants ¹
	Limit	Target	Maximum concentration (mg/l)	95th percentile	Any sample
	Annual average concentration (mg/l)	Annual average concentration (mg/l)			
Lower Pareora	2.6				
Rangitata Orton	-	5.65			
South Branch Pareora	5.65	-			
Taiko Stream		-			
Te Ana Wai		-			
Levels Plains		5.65			
Timaru	5.65	-			
Upper Pareora		-			

¹ Other contaminants of health significance as listed in the New Zealand Drinking Water Standards (2008)

² Maximum acceptable value

Where a particular river currently meets a higher (better) attribute state than indicated in this table, or where no attribute state is specified, that river shall not deteriorate below its existing attribute state as established in 2018.⁴⁶⁷

14.6.2 Environmental Flow and Allocation Regimes

The following environmental flow and allocation limits regimes are to be applied when reading policies and rules in Sections 4, 5 and 14.

Orari Freshwater Management Unit

Table 4514(h): Orari River-Freshwater Management Unit Environmental Flow and Allocation Limits Regime⁴⁶⁸

River or stream (see Planning Maps)	Location of recorder site, or site where flow is measured	Topo-50 NZTM Map Reference	Minimum flow for A permits (L/s)			Allocation limit for A permits (L/s)			Minimum flow for B permits (L/s)			Allocation limit for B permits (L/s)		
			Current	3yrs from-Operative Plan Current	2040	Current	3yrs from-Operative Plan Current	2040	Current	3yrs from-Operative Plan Current	2040	Current	3yrs from-Operative Plan Current	2040
Orari	Upstream Ohapi	BZ20:714-005 5100500N 1471400E	Dec-Apr 200 (restrictions commence at 1,724) May-Jul 900 (restrictions commence at 2,424) Aug-Oct 400 (restrictions commence at 1,924) Nov-300 (restrictions 1,824)	500 (stepped restrictions commence at 2,400 for non-water user groups) (Water users groups self- manage above 1,500) 1:1 Flow sharing 500-1,500	900 (stepped restrictions commence at 2,000 for non-water user groups) (Water users groups self- manage above 1,500) 1:1 flow sharing 900-1,500	1,524	1,400 1,069 1147	800	-	3,800	3,800	-	1,400	1,400

⁴⁶⁷ RMA Schedule 1, Clause 16(2) – Minor correction.

⁴⁶⁸ Arowhenua and Te Rūnanga PC7-424.201

Ohapi Creek	Ohapi Creek at Houston's Brown Road	BZ20-711-002 5100192N 1471142E	Oct-Jan 570 (restrictions 1,000) Feb-Sep 730 (restrictions 1,000)	2,055	-	-
Rhodes Creek	Rhodes Stream at Parke Road	BZ20-728-047 5101692N 1472841E	60 (no-partial restrictions)	501	-	-
Coopers Creek	Coopers Creek at SH 72	5124896N 1462096E	50 (Pro Rata restrictions)	<u>331-253</u>	-	-

Temuka Freshwater Management Unit

Table 14(i): Temuka Freshwater Management Unit Environmental Flow and Allocation Regime⁴⁶⁹

Permit	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum Flow (L/s)									Allocation limit (L/s) (Pro Rata partial restrictions)			
			Current						From 1 January 2030			Current	From 1 January 2025	From 1 January 2027	From 1 January 2030
A Permit	Manse Bridge	5099459N 1461823E	Nov - Mar 850	Apr - Sep 1500		Oct 1200		Nov - Feb 1050	Mar & Oct 1200	Apr - Sep 1500	2,350	2,150	1,800	1,600	
B Permit			Nov - Mar 3200	Apr 3850	May - Aug 3850	Sep 3550	Oct 3550	Nov - Feb 2650	Mar & Oct 2800	Apr - Sep 3100	600	600	400	400	

Table 14(i): Temuka Freshwater Management Unit Environmental Flow and Allocation Regime – A Permit

Freshwater Management Unit	Location of recorder site	NZTM Map Reference	Minimum flow for A permits (L/s)	Allocation limit for A permits (L/s)	Cultural Allocation	Partial Restrictions
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⁴⁶⁹ Amendments to Temuka FMU Environmental Flow and Allocation Regime tables - Arowhenua and Te Rūnanga PC7-424.9, 424.201, 424.193, 424.194; Forest & Bird PC7-472.175, 472.176; DOC PC7-160.89; HortNZ PC7-356, page 2 – Merging of tables for clarity/readability

	<u>or site where flow is measured</u>		<u>Current</u>		<u>From 1 January 2025</u>			<u>Current</u>	<u>From 1 January 2025</u>	<u>From 1 January 2027</u>	<u>From 1 January 2030</u>	<u>From 1 January 2030</u>	<u>Current</u>	<u>From 1 January 2025</u>
<u>Temuka</u>	<u>Manse Bridge</u>	<u>5099459N 1461823E</u>	<u>Oct – Mar</u> <u>700</u>	<u>Apr – Sep</u> <u>1000</u>	<u>Nov – Mar</u> <u>850</u>	<u>Apr – Sep</u> <u>1500</u>	<u>Oct</u> <u>1200</u>	<u>2,503</u>	<u>2,350</u>	<u>2,150</u>	<u>1,800</u>	<u>100 L/s</u>	<u>50% stepped reduction in rate of take¹</u>	<u>50% stepped reduction in rate of take²</u> <u>75% stepped reduction in rate of take³</u>

¹A 50% reduction in rate of take applies when the flow at the flow recorder is at or below 1300 L/s

²A 50% reduction in rate of take applies when the flow at the flow recorder is at or below the applicable minimum flow + 625 L/s

³A 75% reduction in rate of take applies when the flow at the flow recorder is at or below the applicable minimum flow + 300 L/s

Table 14(j): Temuka Freshwater Management Unit Environmental Flow and Allocation Regime – B Permit

<u>Freshwater Management Unit</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for B permits (L/s)</u>							<u>Allocation limit for B permits (L/s)</u>			<u>Partial Restrictions</u>
			<u>Current</u>		<u>From 1 January 2025</u>					<u>Current</u>	<u>From 1 January 2025</u>	<u>From 1 January 2030</u>	<u>From 1 January 2025</u>
<u>Temuka</u>	<u>Manse Bridge</u>	<u>5099459N 1461823E</u>	<u>Oct – Mar</u> <u>1600</u>	<u>Apr – Sep</u> <u>1900</u>	<u>Nov – Mar</u> <u>1750</u>	<u>Apr</u> <u>2100</u>	<u>May – Aug</u> <u>2400</u>	<u>Sep</u> <u>2100</u>	<u>Oct</u> <u>1900</u>	<u>784</u>	<u>600</u>	<u>400</u>	<u>50% stepped reduction in rate of take¹</u>

¹A 50% reduction in rate of take applies when the flow at the flow recorder is at or less than the applicable minimum flow + 390 L/s

Table 14(k): Temuka Freshwater Management Unit Environmental Flow and Allocation Regime – C Permit

<u>Freshwater Management Unit</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for C permits (L/s)</u>	<u>Allocation limit for C permits (L/s)</u>	<u>Partial Restrictions</u>
			<u>From 1 January 2022</u>		
<u>Temuka</u>	<u>Manse Bridge</u>	<u>5099459N 1461823E</u>	<u>6,084</u>	<u>1,500</u>	<u>Pro-Rata</u>

Table 14(l): Temuka Freshwater Management Unit Environmental Flow and Allocation Regime – A and B Permit from 1 January 2035

<u>Freshwater Management Unit</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for A permits (L/s)</u>				<u>Allocation limit for A permits (L/s)</u>	<u>Cultural Allocation (L/s)</u>	<u>Partial Restrictions</u>	<u>Minimum flow for B permits (L/s)</u>				<u>Allocation limit for B Permits (L/s)</u>	<u>Partial Restrictions</u>
			<u>Nov – Feb</u> <u>1050</u>	<u>Mar</u> <u>1200</u>	<u>Apr – Sep</u> <u>1500</u>	<u>Oct</u> <u>1200</u>	<u>1,600</u>	<u>100</u>	<u>Pro-Rata</u>	<u>Nov – Feb</u> <u>2650</u>	<u>Mar</u> <u>2800</u>	<u>Apr – Sep</u> <u>3100</u>	<u>Oct</u> <u>2800</u>	<u>400</u>	<u>Pro-Rata</u>

Opihi Freshwater Management Unit

Table 14(m): North Opuha Environmental Flow and Allocation Regime – AA, AN, BA Permit ~~From 1 January 2025~~⁴⁷⁰

River or stream (see Planning Maps)	Location of recorder site, or site where flow is measured	NZTM MAP Reference	Minimum flow for AA, AN and BA Permits (L/s)				Partial Restrictions		Allocation Limits for AA, AN and BA permits (L/s)
			Current		From 1 January 2025		From 1 January 2025		
							Part of a Water User Group	Not Part of a Water User Group	
North Opuha	Clayton Road Bridge	5133978N 1429934E	1 Oct – 14 Apr 850	15 Apr – 30 Sep 1000	1 Oct – 14 Apr 815	15 Apr – 30 Sep 900	Pro Rata	50% stepped reduction in rate of take ¹ 100% stepped reduction in rate of take ²	243
Station Creek	Station Creek Gorge	5132280N 1423600E	As per existing resource consent conditions				Pro Rata		34.6
Deep Creek	Opihi River State Highway 1	5097547N 1461844E	2600						115

¹ For consent holders not part of a Water User Group, a 50% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and the sum total of the AA, AN and BA allocation.

² For consent holders not part of a Water User Group, a 100% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and 50% of the sum total of the AA, AN and BA allocation.

Table 14(n): South Opuha Environmental Flow and Allocation Regime – BA Permit ~~From 1 January 2025~~⁴⁷¹

Permit	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow (L/s)									Allocation limit (L/s) Pro Rata partial restrictions
			Current		From 1 January 2025							
BA Permit	Monument Bridge	5126577N 1427436E	1 Sep – 30 Apr 500	1 May – 31 Aug 800	1 Sep – 30 Sep 1,000	1 Oct – 14 Oct 900	15 Oct – 30 Nov 800	1 Dec - 31 Mar 600	1 Apr – 14 Apr 800	15 Apr – 30 Apr 1000	May – Aug 1200	634

This flow and allocation regime includes any takes from other unnamed tributaries to Lake Opuha.

River or stream (including tributaries) (see Planning Maps)	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for BA Permits (L/s)								Allocation Limit (L/s)	Partial Restrictions
			Current	From 1 January 2025							BA	
												From 1 January 2025

⁴⁷⁰ Amendments to the Opihi FMU Environmental Flow and Allocation Regime tables - Arowhenua and Te Rūnanga 424.201, 424.193, 424.194; J Richardson PC7-65.38, PC7-65.43, PC7-65.48; P Driver PC7-22.1; Forest & Bird PC7-179, 180, 181, 182; HortNZ PC7-356, page 2 – Merging of tables for clarity/readability

⁴⁷¹ Amendments to the Opihi FMU Environmental Flow and Allocation Regime tables - Arowhenua and Te Rūnanga 424.201, 424.193, 424.194; J Richardson PC7-65.38, PC7-65.43, PC7-65.48; P Driver PC7-22.1; Forest & Bird PC7-179, 180, 181, 182; HortNZ PC7-356, page 2 – Merging of tables for clarity/readability

<u>South Opuha</u>	<u>Monument Bridge</u>	<u>5126577N 1427436E</u>	<u>1 Sep – 30 Apr</u> 500	<u>1 May – 31 Aug</u> 800	<u>1 Sep – 30 Sep</u> 1,000	<u>1 Oct – 14 Oct</u> 900	<u>15 Oct – 30 Nov</u> 800	<u>Dec</u> 550	<u>Jan – Feb</u> 520	<u>1 Mar – 14 Mar</u> 550	<u>15 Mar – 31 Mar</u> 600	<u>1 Apr – 14 Apr</u> 800	<u>15 Apr – 30 Apr</u> 1000	<u>May – Aug</u> 1200	<u>634.4</u>	<u>Pro-Rata</u>
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Table 14(o): South Opuha Environmental Flow and Allocation Regime – BA Permit From 1 January 2030

<u>River or stream (including tributaries) (see Planning Maps)</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for BA Permits (L/s)</u>							<u>Allocation Limit (L/s)</u>	<u>Partial Restrictions</u>
			<u>From 1 January 2030</u>								<u>From 1 January 2030</u>
<u>South Opuha</u>	<u>Monument Bridge</u>	<u>5126577N 1427436E</u>	<u>1 Sep— 30 Sep</u>	<u>1 Oct— 14 Oct</u>	<u>15 Oct— 30 Nov</u>	<u>1 Dec— 31 Mar</u>	<u>1 Apr— 14 Apr</u>	<u>15 Apr— 30 Apr</u>	<u>May— Aug</u>	<u>634.4</u>	<u>Pro-Rata</u>

Table 14(p): Upper Opihi Environmental Flow and Allocation Regime – AN and BA Permits as Current and From 1 January 2025

Permit	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum Flow for AN and BA Permits (L/s)								Partial Restrictions		Allocation Limits for AN and BA Permits (L/s)
											From 1 January 2025		
			Current				From 1 January 2025				Part of a Water User Group	Not part of a Water User Group	
AN and BA Permits	Rockwood	5107379N 1435642E	Nov 950	Dec-Feb 850	Mar 950	Apr – Sep 1500	Oct 1400	Nov-Mar 1000	Apr-Sep 1500	Oct 1400	Pro Rata	50% stepped reduction in rate of take ¹	474
												100% stepped reduction in rate of take ²	

¹ For consent holders not part of a Water User Group, a 50% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and the sum total of the AN and BA allocation.

² For consent holders not part of a Water User Group, a 100% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and 50% of the sum total of the AN and BA allocation.

<u>River or stream (including tributaries) (see Planning Maps)</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for AN and BA Permits (L/s)</u>		<u>Partial Restrictions</u>		<u>Allocation Limits for AN and BA Permits (L/s)</u>
					<u>From 1 January 2025</u>		
			<u>Current</u>	<u>From 1 January 2025</u>	<u>Part of a Water</u>	<u>Not part of a Water User</u>	

										User Group	Group	
Upper-Opihi	Rockwood	5107379N 1435642E	Nov-Mar 790	Apr-Oct 1280	Nov 950	Dec-Feb 850	Mar 900	Apr-Sep 1500	Oct 1400	Pro-Rata	50% stepped reduction in rate of take ¹ 100% stepped reduction in rate of take ²	474

¹ For consent holders not part of a Water User Group, a 50% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and the sum total of the AN and BA allocation.

² For consent holders not part of a Water User Group, a 100% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and 50% of the sum total of the AN and BA allocation.

Table 14(q): Upper Opihi Environmental Flow and Allocation Regime – AN and BA Permits From 1 January 2030

River or stream (including tributaries) (see Planning Maps)	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for AN and BA Permits (L/s)			Partial Restrictions From 1 January 2030		Allocation Limits for AN and BA Permits (L/s)
			From 1 January (insert notification date 2030)			Part of a Water User Group	Not part of a Water User Group	
Upper-Opihi	Rockwood	5107379N 1435642E	Nov-Mar 1000	Apr-Sep 1500	Oct 1400	Pro-Rata	50% stepped reduction in rate of take ¹ 100% stepped reduction in rate of take ²	474

¹ For consent holders not part of a Water User Group, a 50% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and the sum total of the AN and BA allocation.

² For consent holders not part of a Water User Group, a 100% reduction in rate of take applies when the flow at the flow recorder is less than the applicable minimum flow and 50% of the sum total of the AN and BA allocation.

Table 14(r): Te Ana Wai Environmental Flow and Allocation Regime – AA, AN and BA Permit From 1 January 2025

Permit	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum Flow for AA, AN and BA Permits (L/s) Pro Rata partial restrictions							Allocation Limits for AA, BA, and AN Permits (L/s)
			From 1 January 2025 ⁴⁷²							
AA, AN and BA Permits	Cave	5092922N 1438502E	Oct & Apr 700	1 Nov – 14 Nov 15 Mar - 31 Mar 550	15 Nov – 31 Nov 500	1 Dec – 14 Mar 450	May – Jul 1200	Aug 1100	Sep 900	284

⁴⁷² Amendments to the Opihi FMU Environmental Flow and Allocation Regime tables - Arowhenua and Te Rūnanga 424.201, 424.193, 424.194; J Richardson PC7-65.38, PC7-65.43, PC7-65.48; P Driver PC7-22.1; Forest & Bird PC7-179, 180, 181, 182; McFarlane Agriculture Ltd PC7-278.56; McFlynn Potatoes Ltd PC7-278.65; HortNZ PC7-356, page 2 – Merging of tables for clarity/readability

River or stream (including tributaries) (see Planning Maps)	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for AA, AN and BA Permits (L/s)										Partial Restriction		Allocation Limits for AA, BA, and AN Permits (L/s)
													From 1 January 2025		
			Current			From 1 January 2025							Part of a Water User Group	Not part of a Water User Group	
Te Ana Wai	Cave	5092922N 1438502E	Oct – Apr 400	May – Aug 600	Sep 500	Oct & Apr 700	1 Nov – 14 Nov 15 Mar – 31 Mar 550	15 Nov – 31 Nov 500	1 Dec – 14 Mar 450	May – Jul 1200	Aug 1100	Sep 900	50% stepped reduction in rate of take whenever flows are 100 L/s above the specified minimum flow	50% stepped reduction in rate of take whenever flows are 284 L/s above the specified minimum flow	284.11

Table 14(s): Te Ana Wai Environmental Flow and Allocation Regime – AA, AN and BA Permits From 1 January 2030

River or stream (including tributaries) (see Planning Maps)	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for AA, AN and BA Permits(L/s)								Partial Restriction	Allocation Limit for AA, AN and BA permits (L/s)
			From 1 January 2030									
Te Ana Wai	Cave	5092922N 1438502E	Oct & Apr 700	1 Nov – 14 Nov 15 Mar – 31 Mar 550	15 Nov – 31 Nov 500	1 Dec – 14 Mar 450	May – Jul 1200	Aug 1100	Sep 900	Pro Rata	284.11	

Table 14(t): Milford Lagoon / Clandeboye Drainage Area Environmental Flow and Allocation Regime

Catchment	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for A Permits (L/s)	Partial Restrictions	Partial Restrictions	Allocation Limits (L/s)
			Current			
<u>Milford Lagoon / Clandeboye Drainage Area</u>	<u>Burkes Creek</u>	<u>5097941N 1467094E</u>	<u>160</u>	<u>160</u>	<u>50% stepped reduction in rate of take whenever the flow in Burkes Creek falls below 200 L/s as per existing resource consent conditions Pro Rata</u>	<u>319</u>

Table 14(ua): Allocation Blocks in the Opihi Freshwater Management Unit

River	Allocation Block	Allocation Limit (L/s)
<u>Opihi River and its tributaries</u>	<u>AA + AN</u>	<u>5600</u>
	<u>BA + BN</u>	<u>7014</u>

Table 14(u): Minimum Flow Restrictions in the Opihi Freshwater Management Unit for AN Permits

River	Location of recorder site, or site where flow is measured	NZTM Map Reference	Minimum flow for AN Permits (L/s)		Partial Restrictions	Allocation Limit (L/s)
			Current	Current From 1 January 2022		
Opihi Mainstem	State Highway 1	5097547N 1461844E	2500	2600	Pro Rata	5600

Table 14(v) Minimum Flow Restrictions in the Opihi Freshwater Management Unit for AA and BA Permits⁴⁷³

River	Location of recorder site, or site where flow is measured	NZTM Map Reference	Management Regime	Minimum flow for AA and BA Permits (L/s)								Partial Restrictions
				Current From 1 January 2025								
<u>Opuha River</u>	<u>Skipton Bridge</u> <u>Opuha Dam weir</u>	<u>5107424N</u> <u>1435557E</u>	<u>Full Availability,</u> <u>Level 1 Restriction</u> <u>and Level 2 Restriction</u>	<u>1,500 plus the sum of the AA and BA allocation block for the Opuha River</u>								<u>N/A</u>
<u>Opihi Mainstem</u>	<u>Salesyard Bridge</u>	<u>5098685N</u> <u>1451845E</u>	<u>Full Availability</u> <u>Level 1</u>	<u>Jan - Feb</u> <u>3,500</u> <u>4,500</u>	<u>Mar</u> <u>7,500</u> <u>7,000</u>	<u>Apr</u> <u>8,000</u> <u>7,000</u>	<u>May & Aug</u> <u>4,500</u>	<u>Jun - Jul</u> <u>4,000</u>	<u>Sep & Dec</u> <u>6,000</u>	<u>Oct</u> <u>8,500</u> <u>8,000</u>	<u>Nov</u> <u>7,000</u>	<u>N/A</u>
			<u>Alternative Management Regime</u>									
			<u>Level 2¹ Restriction</u>	<u>Jan - Feb</u> <u>3,400</u> <u>4,000</u>	<u>Mar</u> <u>6,400</u> <u>6,000</u>	<u>Apr</u> <u>8,000</u> <u>6,000</u>	<u>May & Aug</u> <u>4,500</u> <u>4,000</u>	<u>Jun - Jul</u> <u>4,000</u> <u>3,500</u>	<u>Sep & Dec</u> <u>5,300</u> <u>5,000</u>	<u>Oct</u> <u>7,200</u> <u>6,000</u>	<u>Nov</u> <u>6,100</u> <u>6,000</u>	<u>50% reduction in</u> <u>the volume of</u> <u>take over 24</u> <u>hours</u>
			<u>Level 2 Restriction</u>	<u>Jan - Feb</u> <u>3,400</u>	<u>Mar</u> <u>5,400</u>	<u>Apr</u> <u>5,600</u>	<u>May & Aug</u> <u>3,900</u>	<u>Jun - Jul</u> <u>3,600</u>	<u>Sep & Dec</u> <u>4,600</u>	<u>Oct</u> <u>5,900</u>	<u>Nov</u> <u>5,100</u>	<u>75% reduction in</u> <u>the volume of</u> <u>take over 24</u> <u>hours</u>

Table 14(w) Minimum Flow Restrictions in the Opihi Freshwater Management Unit for AA and BA Permits

River	Location of recorder site, or site where flow is measured	NZTM Map Reference	Management Regime	Minimum flows for AA and BA Permits												Partial Restrictions
				From 1 January 2030-2025												
Opuha River	Skipton Bridge	5107424N 1435557E	Full Availability, Level 1 Restriction, and Level 2 Restriction	1,500-plus the sum of the AA and BA allocation block for the Opuha River												N/A
Opihi Mainstem	Saleyards Bridge	5098685N 1451845E	Full Availability Level 1	Jan- 3,800	Feb 3,800	Mar 7,800	Apr 9,000	May- 5,300	Jun- 4,800	Jul- 4,800	Aug- 5,200	Sep- 6,600	Oct- 9,400	Nov- 7,300	Dec- 6,300	N/A

⁴⁷³ Flow regime changes = AWMG PC7-385.17

Alternative Management Regime														
	Level 2-1 Restriction	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	50% reduction in the volume of take over 24 hours
		3,400	3,400	6,400	8,000	4,500	4,000	4,000	4,500	5,300	7,200	6,100	5,300	
	Level 2 Restriction	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	75% reduction in the volume of take over 24 hours
		3,400	3,400	5,400	5,600	3,900	3,600	3,600	3,900	4,600	5,900	5,100	4,600	

Table 14(x): Alternative Management Regime Minimum Flow Thresholds

Alternative Management Regime Minimum Flow Thresholds												
Inflows (L/s)												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Threshold Level 1	2522	2094	2481	1955	4995	2792	3454	3376	3574	5662	6212	6483
Level 2	2430	1497	2473	1889	4995	2686	3433	3358	3421	4956	6111	6483
Snow storage (Mm ³)												
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Threshold Level 1	0	0	0	0	0	0	17	22	20	15	7	1
Level 2	0	0	0	0	0	0	17	21	18	14	6	1
Lake level												
Threshold Level 1	380—385 387.5	380—385 388.3	380—383 386.3	380—385 382.6	380—385 381.1	380—385 383.0	380—385 384.5	380—385 387.5	380—385 387.9	380—385 389.0	380—385 389.3	380—385 388.5
Level 2	<380	<380	<380	<380	<380	<380	<380	<380	<380	<380	<380	<380

Note – Thresholds assessed on the first day of the month.

Table 14(y): Opihi Freshwater Management Unit BN Permit Environmental Flow and Allocation Regimes⁴⁷⁴

River (including tributaries)	Location of recorder site, or site where flow is measured	NZTM Map Reference(s)	Minimum flow for BN Permits (L/s)	Partial Restrictions	Lake Opuha Level ¹	Allocation Limit (L/s)
			From 1 January 2022			BN
South Opuha	Monument Bridge	5126577N 1427436E	All year 3,000	Pro Rata	391.2	800 200
North Opuha	Clayton Road Bridge	5133978N 1429934E	All year 2,300			500 20
Upper Opihi	Rockwood & Opihi State Highway 1	5107379N	Rockwood Opihi state		N/A	800 202

⁴⁷⁴ Arowhenua and Te Rūnanga PC7-424.201

		<u>1435642E</u> <u>5097547N</u> <u>1461844E</u>	<u>4.500</u>	<u>Highway 1</u> <u>12,000</u>			
<u>Te Ana Wai</u>	<u>Cave & Opihi State Highway 1</u>	<u>5092922N</u> <u>1438502E</u> <u>5097547N</u> <u>1461844E</u>	<u>Cave</u> <u>2.500</u>				<u>800 722</u>
<u>Opihi Mainstem</u>	<u>Opihi State Highway 1</u>	<u>5097547N</u> <u>1461844E</u>	<u>12,000</u>				<u>1700</u>

¹ Lake level above which all BN takes may occur.

The flow and allocation regime for North Opuha includes any takes from Station Stream and Deep Creek.

Timaru Freshwater Management Unit

Table 14(z): Timaru Freshwater Management Unit Environmental Flow and Allocation Regimes

<u>Catchment</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow for AN Permits (L/s)</u>		<u>Partial Restrictions</u>	<u>Allocation Limits (L/s)</u>
			<u>Current</u>	<u>1 January 2022</u>		<u>A</u>
<u>Levels and Seadown Plains Area</u>	<u>Seadown Main Drain at Aorangi Road</u>	<u>5089610N</u> <u>1463167E</u>	<u>150</u>	<u>150</u>	<u>As per existing resource consent conditions</u>	<u>687</u>

Pareora Freshwater Management Unit

Table 14(za): Pareora Freshwater Management Unit Environmental Flow and Allocation Regimes⁴⁷⁵

<u>River or stream (see Planning Maps)</u>	<u>Location of recorder site, or site where flow is measured</u>	<u>NZTM Map Reference</u>	<u>Minimum flow and restrictions for A permits (L/s)</u>	<u>Minimum flows for takes to storage from the A Permit Allocation Block(L/s)</u>	<u>Allocation limit for A permits (L/s)</u>	<u>Minimum flow for B permits (L/s)</u>	<u>Allocation limit for B permits (L/s)</u>
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⁴⁷⁵ Forest & Bird PC7-472, paragraph 36

Pareora River (including all tributaries)	The Huts flow recorder	5080683N 1445353E	<u>When Timaru District Council is discharging additional water:</u> Oct – Nov 540 L/s – 50% restriction in maximum rate of take 440 L/s – total cessation of take Dec – Sep 470 500 L/s – 50% restriction in maximum rate of take. 400 L/s – total cessation of take. <u>When Timaru District Council is not discharging additional water:</u> All months 470 500 L/s – 50% restriction in maximum rate of take. 400 L/s – total cessation of take.	1,600 L/s Note: Only that portion of the A Block available above the A Permit minimum flow for takes to storage may be abstracted	198 L/s	5,000 L/s Note: Only that portion of the B Block available above the B Permit minimum flow may be abstracted	2,500 L/s (of which no more than 500 L/s can be allocated upstream of the recorder)
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14.6.3 Groundwater Allocation Zone Limits

The following groundwater allocation limits are to be applied when reading relevant policies and rules in sections 4, 5 and 14.

Table 14(zb): Orari-Temuka-Opihi-Pareora Groundwater Limits

<u>Zone (see Planning Maps)</u>	<u>A Allocation Limit (million m³/yr)</u>	<u>T Allocation Limit (million m³/yr)¹</u>
Rangitata-Orton	42.5	N/A
Fairlie	37.0 4.8	N/A
Levels Plain	32.9	N/A
Orari-Opihi	71.4 64.22	27.3 6.88 ⁴⁷⁶
Pareora	7.19	N/A
Timaru	4.24	N/A
Upper Pareora	1.31	N/A

¹The transfer permit allocation is only available to holders of existing surface water or stream-depleting groundwater permits with a direct, high or moderate stream depletion effect, and only where the existing surface water or stream-depleting groundwater permit is surrendered.

14.6.4 High Nitrogen Concentration Area Staged Reductions

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

High Nitrogen Concentration Area (see Planning Maps)	Farming Type ¹	Cumulative percentage ⁴⁷⁷ reductions in nitrogen loss and dates by which these are to be achieved ²	
		By 1 January 2030 2028 ⁴⁷⁸	By 1 January 2035
Rangitata - Orton	Dairy	10%	20%
	All other	5%	10%
Fairlie Basin	Dairy	10%	=
	All other	5%	=
Levels Plains	Dairy	10%	20%
	All other	5%	10%

¹ 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.

² 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.

14.7 Flow Sensitive Catchments

The following are to be applied when reading relevant policies and rules in Sections 4 and 5.

Major Catchment (see Planning Maps)	Sub-catchment	Sensitive part of Catchment	Monitoring site – lower boundary of catchment
Orari	Orari river	Upper Catchment	Orari Gorge
Opihi	Opuha River	Gooseberry Stream	Inflow site to Lake Opuha
	Opihi River	Halls Creek	State Highway 8
	Kakahu River	Catchment upstream from Hall Road	Hall Road
	Temuka River	Hae Hae Te Moana River	Confluence with Kakahu River
	Tengawai Te Ana Wai River	Whole catchment	Picnic Grounds recorder site
Pareora	Pareora River	Opawa River	Te Ngawai Ana Wai confluence
		Catchment upstream from Pareora Huts	Pareora at Huts recorder site
		Taiko Stream	Confluence with Pareora River
	Lyalldale Stream	Whole Catchment	State Highway 1

14.8 High Naturalness Water Bodies

The following are to be applied when reading relevant policies and rules in Sections 4 and 5

Main River/Lake (see Planning Maps)	Location and Topo-50- NZTM Map Reference	Outstanding and significant characteristics
Orari River and tributaries	From the mouth of the gorge (at or about BY19:553-335 5133500N 1455300E) to the headwaters.	High degree of naturalness.

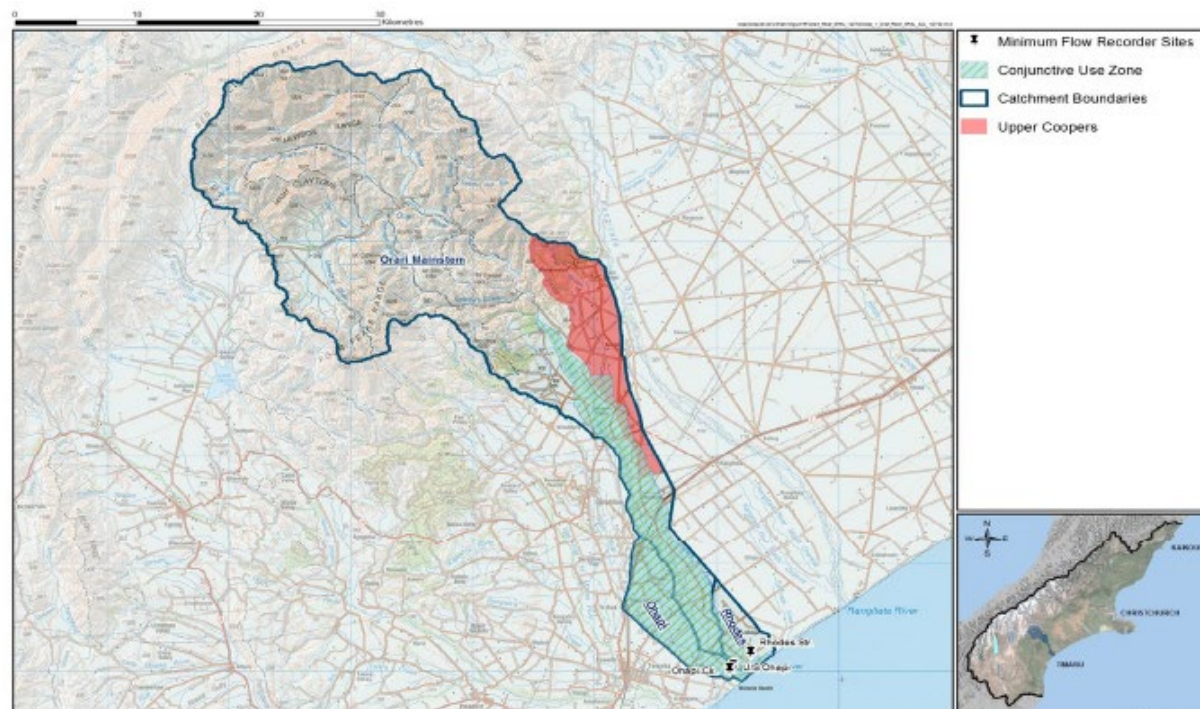
⁴⁷⁷ RMA Schedule 1, Clause 16(2) - Minor amendment

⁴⁷⁸ Arowhenua and Te Rūnanga PC7-424.35; J Richardson PC7-65.49; Forest & Bird PC7-472.164

		• High visual amenity value - very high scenic and recreational values, and very high water clarity.
<u>Milford Lagoon and Orakipoa Creek</u>	From the mouth of the lagoon (at or about 5095987N 1468610E) to the confluence of Burkes Creek and Orakipaoa Creek Orakipoa Creek at Orakipoa Island Road (at or about 5097932N 1467093E 5098461N 1465918E) ⁴⁷⁹	• <u>High cultural significance to papatipu rūnanga</u> • <u>High ecological and biodiversity values</u>

PC7 Instruction Note: Delete Map 1 Orari Catchment and Map 2 Orari Catchment.

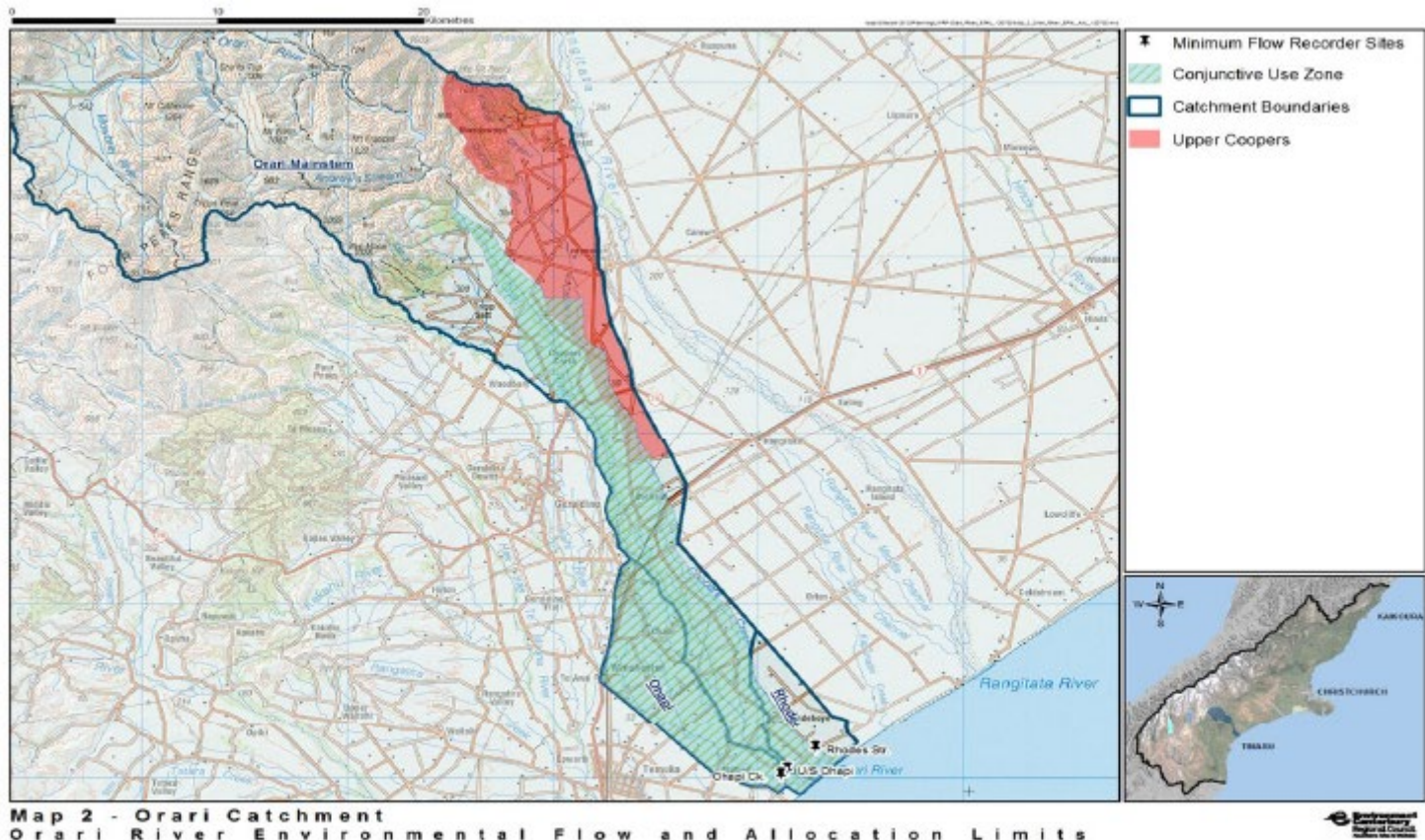
~~Map 1 Orari Catchment~~



Map 1 - Orari Catchment
Orari River Environmental Flow and Allocation Limits



Map 2 Orari Catchment



Section 15A South Canterbury Coastal Streams

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15A.5 Rules

Nutrient management, sediment and microbial contaminants

Topic		Region-wide Rules	New rules that are additions to Region-wide Rules	South Coastal Canterbury Rules that prevail over Region-wide rules	New Rules
Nutrient Management	Red, Orange, Green Zones	5.41 <u>5.42</u> - 5.59	-	15A.5.1 - 15A.5.16	-
	Irrigation Scheme	5.60 <u>5.41</u> - <u>and</u> 5.62	-	15A.5.17 - 15A.5.19	-
	Incidental Discharges	5.63 - 5.64	-	15A.5.20 - 15A.5.21	-
Stock Exclusion		5.68 - 5.71	15A.5.26	-	-
Sewerage Systems		5.84	-	15A.5.22	15A.5.23
Industrial and Trade Waste		5.92	-	15A.5.24	15A.5.25
Restoration - Wainono and General		-	-	-	15A.5.27 -15A.5.30
Augmentation		-	-	-	15A.5.31 -15A.5.32
Take and Use of Surface Water		5.123 - 5.127	-	15A.5.34 - 15A.5.36	15A.5.33, 15A.5.41 -15A.5.45
Take and Use of Groundwater		5.128 - 5.132	-	15A.5.37 - 15A.5.38	15A.5.39 -15A.5.40
Transfer of Water Permits		5.133 - 5.134	-	15A.5.46 - 15A.5.48	-
Damming		5.154 - 5.158	-	-	15A.5.49 -15A.5.50

Notes:

1. Rules 15A.5.1 to 15A.5.16 and 15A.5.20 to 15A.5.21 prevail over Region-wide Rules 5.41 to 5.59.
2. Commercial vegetable growing ~~operations~~ activities are regulated by Rules 5.42CA to 5.42CE.⁴⁸⁰

Irrigation Schemes

Note: Rules 15A.5.17 to 15A.5.19 prevail over Region-wide Rules ~~5.60~~5.41 ~~to~~ and 5.62.

Wainono Restoration Project

Note: For all activities in or near waterways, refer also to the requirements and restrictions under the Canterbury Flood Protection and Drainage Bylaw 2013.

15A.5.27 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:

⁴⁸⁰ Consequential to the amendment of definition commercial vegetable growing operation

1. The activity is undertaken at a distance greater than 10m from any dam, weir, bridge, or network utility pole, pylon, drainage network scheme or flood protection vegetation, or 150m from any water level recorder, or 50m from any defence against water, flood protection works; unless 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 100g/m³; 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~~ Canterbury Regional Pest Management Plan; and
6. No vegetation used for flood control or bank stabilisation is disturbed, removed, damaged or destroyed except by or on behalf of, or there is written evidence that permission has been obtained from, the person or agency responsible for maintaining that vegetation for flood control purposes; and
7. The activity is undertaken between 1 November and 31 March inclusive.

Section 15B Waitaki

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15B.5 Rules

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Nutrient management, sediment and microbial contaminants

*Note: Commercial vegetable growing ~~operations activities~~ are regulated by Rules 5.42CA to 5.42CE.*⁴⁸¹

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Irrigation Schemes

Notes:

1. *Regional Rules ~~5.60 and 5.61~~ 5.41 ~~apply applies~~ to irrigation schemes and principal water suppliers within the Waitaki.*
2. *Rules 15B.5.42 and 15B.5.43 prevail over Regional Rule 5.62 and applies to irrigation schemes and principal water suppliers within the Waitaki.*
3. *Within the Waitaki, if the applicant is not an irrigation scheme or a principal water supplier, or the holder of the discharge permit will not be an irrigation scheme or a principal water supplier, then the discharge is assessed under Rules 15B.5.8 to 15B.5.41.*

⁴⁸¹ Consequential to the amendment of definition commercial vegetable growing operation

Schedules

Number	Title
Schedule 1	Community Drinking-water Protection Zone
Schedule 2	Fish Screen Standards and Guidelines
Schedule 3	Hazardous Industries and Activities
Schedule 4	Hazardous Substances
Schedule 5	Mixing Zones and Receiving Water Standards
Schedule 6	Areas on Rivers or Lakes Commonly used for Freshwater Bathing
Schedule 7	Farm Environment Plan
Schedule 7A	Management Plan for Farming Activities
Schedule 8	Region-wide Water Quality Limits
Schedule 9	Assessment of Stream Depletion Effect
Schedule 10	Reasonable Use Test
Schedule 11	Aquifer Testing
Schedule 12	Well Interference Effects
Schedule 13	Requirements for Implementation of Water Allocation Regimes
Schedule 14	Excavation of Bed Material (10 m ³)
Schedule 15	Excavation of Bed Material (20 m ³)
Schedule 16	Regional Concept Plan
Schedule 17	Salmon Spawning Sites
Schedule 18	Rūnanga Takiwā in the Canterbury Region
Schedule 19	Ngāi Tahu Statutory Acknowledgement Areas
Schedule 20	Tōpuni Areas and Descriptions
Schedule 21	Sites over which Nohoanga Entitlements are to be Granted in the Canterbury region
Schedule 22	Taonga Species List
Schedule 23	Customary Fisheries Species List
Schedule 24	Farm Practices
Schedule 24a	Farm Practices
Schedule 24b	Good Farm Practices
Schedule 24c	Valley Floor Area River Bank Erosion Plan
Schedule 25	Water Supply Strategy
Schedule 26	Aquaculture Environment Plan

Schedule 27	Nitrogen Load Conversion Method
Schedule 28	Good Management Practice Modelling Rules
Schedule 29	Methodology for Updated Flexibility Caps
Schedule 30	Methodology for Updating Maximum Caps
Schedule 31	Methodology for Recalculating Catchment Load Limits
Schedule 32	Managed Aquifer Recharge Plan

Schedule 6 Areas on rivers or lakes commonly used for freshwater bathing

Area	River or lake site	Map reference of site (NZTM2000)	The distance upstream from the site where stock are excluded from the river or lake. (metres)
North Canterbury	<u>Irongate Stream at SH1</u>	<u>1663752 mE, 5319096 mN</u>	-
	<u>Hapuku River at intake</u>	<u>1657275 mE, 5315825 mN</u>	-
	<u>Upper Kowhai River at Kowhai Ford Rd</u>	<u>1651030 mE, 5307003 mN</u>	-
	<u>Lower Kowhai River at SH1</u>	<u>1652069 mE, 5303873 mN</u>	-
	<u>Lyell Creek Lagoon</u>	<u>1656307 mE, 5305144 mN</u>	-
	<u>Charwell River at Inland Kaikoura Rd</u>	<u>1629886 mE, 5303395 mN</u>	-
	<u>Kahutara River at SH1 Lagoon</u>	<u>1648429 mE, 5301784 mN</u>	-
	<u>Oaro River at Oaro</u>	<u>1641492 mE, 5293039 mN</u>	-
	<u>Lewis River at Boyle Lodge</u>	<u>1548908 mE, 5292625 mN</u>	-
	<u>Hanmer River below Hanmer Springs Road bridge</u>	<u>1582580 mE, 5286064 mN</u>	-
	<u>Mason River adjacent to campground</u>	<u>1603183 mE, 5278005 mN</u>	-
	<u>Waiau River upstream of Hanmer River confluence</u>	<u>1582093, mE 5285779 mN</u>	-
	<u>Waiau River at Waiau</u>	<u>1602857 mE 5277566 mN</u>	-
	Hurunui River - <u>at</u> SH1	N33:179-121 <u>1608328 mE, 5250305 mN</u>	4,000
	Hurunui River - <u>at</u> SH7	N33:909-150 <u>1580947 mE, 5253515 mN</u>	4,000
	<u>Hurunui River adjacent to bach settlement</u>	<u>1622468 mE, 5249063 mN</u>	-
	Waipara River - <u>at</u> Boys Brigade Camp	N34:901-929 <u>1579297 mE, 5231467 mN</u>	4,000
	<u>Cave Stream at campground</u>	<u>1496843 mE, 5221602 mN</u>	-
	<u>Cave Stream at Cave</u>	<u>1497861 mE, 5216766 mN</u>	-
	Ashley Gorge Picnic Ground	L34:473-752 <u>1537355 mE, 5213581 mN</u>	4,000
	<u>Ashley River above Rangiora-Loburn bridge</u>	<u>1564891 mE, 5207477 mN</u>	-
	<u>Ashley River at SH1</u>	<u>1574717 mE, 5208250 mN</u>	-
	<u>Lake Lyndon</u>	<u>1494546 mE, 5204791 mN</u>	-
	<u>Pegasus Lake at Motu Quay Jetty</u>	<u>1575339 mE, 5204681 mN</u>	-

Area	River or lake site	Map reference of site (NZTM2000)	The distance upstream from the site where stock are excluded from the river or lake. (metres)
	<u>Cam River at Bramleys Road</u>	<u>1570570 mE, 5200985 mN</u>	-
	<u>Kaiapoi River at Kaiapoi township</u>	<u>1572328 mE, 5196530 mN</u>	-
	<u>"Three Streams" confluence of Cust Main Drain, Kaiapoi River/Silverstream and Mill Creek</u> ⁴⁸²	<u>1570391 mE, 5197602 mN</u> ⁴⁸³	
	<u>Kaiapoi River/Silverstream at Butchers Road Foot Bridge</u> ⁴⁸⁴	<u>1570116 mE, 5196664 mN</u> ⁴⁸⁵	
	<u>Cust Main Drain at Plaskett Road</u> ⁴⁸⁶	<u>1564583 mE, 5200617 mN</u> ⁴⁸⁷	
	<u>Cust Main Drain at Threlkelds Road</u> ⁴⁸⁸	<u>1568191 mE, 5198987 mN</u> ⁴⁸⁹	
	<u>Waimakariri River at Gorge bridge</u>	<u>1523049 mE, 5198806 mN</u>	-
	<u>Waimakariri River at Thompsons Road (the Willows)</u>	<u>1545508 mE, 5187383 mN</u>	-
	<u>Waimakariri River at Rock Spur</u>	<u>1566811 mE, 5191046 mN</u>	-
	<u>Waimakariri River between SH1 and old bridge</u>	<u>1571600 mE, 5193123 mN</u>	-
	<u>Otukaikino Creek at swimming hole</u>	<u>1571299 mE, 5192832 mN</u>	-
	<u>Lake Rotokohatu</u>	<u>1565481 mE, 5187454 mN</u>	-
	<u>Selwyn River at Whitecliffs</u>	<u>1510439 mE, 5187341 mN</u>	-
	<u>Selwyn River - at Glentunnel</u>	<u>L35:242-463</u> <u>1513817 mE, 5184593 mN</u>	4,000
	<u>Selwyn River - at Chamberlains Ford</u>	<u>M36:596-242</u> <u>1549418 mE, 5162592 mN</u>	4,000
	<u>Selwyn River - at Coes Ford</u>	<u>M36:627-234</u> <u>1552802 mE, 5161726 mN</u>	4,000
	<u>Selwyn River - at Upper Huts</u>	<u>M36:648-215</u> <u>1554816 mE, 5159753 mN</u>	4,000
	<u>Lake Ellesmere/Te Waihora at Lakeside</u>	<u>1549447 mE, 5150492 mN</u>	-
	<u>Rakaia River at Gorge</u>	<u>1491485 mE, 5180812 mN</u>	-

⁴⁸² Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸³ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁴ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁵ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁶ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁷ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁸ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

⁴⁸⁹ Te Ngāi Tūāhuriri Runanga PC7-399.2; PC7-399.90-92

Area	River or lake site	Map reference of site (NZTM2000)	The distance upstream from the site where stock are excluded from the river or lake. (metres)
	<u>Rakaia River at north end of Lagoon</u>	<u>1539017 mE, 5140150 mN</u>	-
Mid Canterbury	Lake Clearwater <u>west of huts</u>	J36:525-315 <u>1442211 mE, 5169870 mN</u>	1,000
	Lake Camp <u>main swimming beach</u>	J36:526-310 <u>1442451 mE, 5169380 mN</u>	2,000
	Ashburton River/Hakatere - <u>at SH1</u>	K37:087-990 <u>1498726 mE, 5137403 mN</u>	1,000
	<u>Lake Hood at Bayliss Beach</u>	<u>1501838 mE, 5131539 mN</u>	-
	<u>Lake Hood at main swimming beach</u>	<u>1500748 mE, 5130716 mN</u>	-
	<u>Rangitata River at Peel Forest campground</u>	<u>1461180 mE, 5138854 mN</u>	-
South Canterbury	<u>Orari River at Orari Gorge</u>	J37:653-951 <u>1454820 mE, 5134629 mN</u>	1,000
	<u>Orari River at St Andrews Stream confluence</u> ⁴⁹⁰	<u>1454016 mE, 5135121 mN</u> ⁴⁹¹	
	<u>Lake Opuha at Ewatts Corner boat ramp</u>	<u>1428803 mE, 5128410 mN</u>	-
	<u>Lake Opuha at Recreation Reserve</u>	<u>1429002 mE, 5125325 mN</u>	-
	<u>Waihi River at Waihi Gorge</u>	<u>1452115 mE, 5126224 mN</u>	-
	<u>Waihi River at Wilson St footbridge</u>	<u>1459501 mE, 5116535 mN</u>	-
	<u>Hae Hae Te Moana River at Gorge</u>	<u>1446617 mE, 5121702 mN</u>	-
	<u>Temuka River at SH1 Bridge</u>	<u>1462349 mE, 5098501 mN</u>	-
	<u>Opihi River at Allandale Bridge</u>	<u>1426634 mE, 5115129 mN</u>	-
	<u>Opihi River at Raincliff Scout Camp</u>	<u>1439324 mE, 5106886 mN</u>	-
	<u>Opihi River at Saleyards Bridge</u>	<u>1451720 mE, 5098611 mN</u>	-
	<u>Opihi River at SH1 Bridge</u>	<u>1461885 mE, 5097452 mN</u>	-
	<u>Opihi River at Waipopo huts</u>	<u>1466368 mE, 5096791 mN</u>	-
	<u>Te Ana Wai River at Belmont Bridge</u>	<u>1436879 mE, 5092043 mN</u>	-
	<u>Pareora River at Lindisfarne</u>	<u>1428733 mE, 5088661 mN</u>	-
	<u>Pareora River - at Evans Crossing</u>	J39:540-437 <u>1444034 mE, 5082031 mN</u>	1,000
	<u>Pareora River - at Brasells Bridge</u>	J39:618-371	1,000

⁴⁹⁰ Orari River Protection Group PC7-551.10

⁴⁹¹ Orari River Protection Group PC7-551.10

Area	River or lake site	Map reference of site (NZTM2000)	The distance upstream from the site where stock are excluded from the river or lake. (metres)
		<u>1451835 mE, 5075469 mN</u>	
	Pareora River - Pareora at Huts	J39:552-422 <u>1445304 mE, 5080569 mN</u>	1,000
	<u>Otaio River at Otaio Gorge</u>	J39:454-296 <u>1435458 mE, 5067966 mN</u>	1,000
	Waihao River at Black Hole	J40:479-995 <u>1438445 mE, 5037832 mN</u>	1,000
	Waihao River at Gum Tree Road (Dons Hole)	<u>1443824 mE, 5038032 mN</u>	-
	Waihao - River at Bradshaws Pools	J40:643-015 <u>1454090 mE, 5040400 mN</u>	1,000
Waitaki catchment	<u>Lake Alexandrina at bottom huts</u>	<u>1395022 mE, 5128346 mN</u>	-
	<u>Lake Tekapo at Camp Beach</u>	<u>1396597 mE, 5125237 mN</u>	-
	<u>Lake Tekapo at Lillybank Road Beach</u>	<u>1399399 mE, 5124575 mN</u>	-
	<u>Lake Wardell</u>	<u>1370054 mE, 5102273 mN</u>	-
	<u>Lake Poaka</u>	<u>1368259 mE, 5101180 mN</u>	-
	Loch Cameron ⁴⁹²	1364728 mE, 5099491 mN	-
	<u>Twizel River at picnic area</u>	<u>1368788 mE, 5096088 mN</u>	-
	Lake Ruataniwha – <u>at</u> Camping Ground	H38:743-552 <u>1366191 mE, 5093619 mN</u>	1,000
	<u>Lake Middleton</u>	<u>1348609 mE, 5092818 mN</u>	-
	Pond at Old Iron Bridge Road ⁴⁹³	1367794 mE, 5092249 mN	-
	<u>Upper Ohau River</u>	<u>1356756 mE, 5091947 mN</u>	-
	<u>Wairepo Arm</u>	<u>1366720 mE, 5090733 mN</u>	-
	<u>Kellands Pond</u>	<u>1365981 mE, 5090705 mN</u>	-
	<u>Omarama Stream at Omarama</u>	<u>1358382 mE, 5069524 mN</u>	-
	Hakataramea River at the hotel <u>SH8 bridge</u>	I40:112-061 <u>1401259 mE, 5044411 mN</u>	1,000
	Lake Benmore – <u>at</u> Ohau C <u>camping ground</u>	H38:772-543 <u>1376350 mE, 5085541 mN</u>	1,000

⁴⁹² Meridian PC7-346.20

⁴⁹³ Meridian PC7-346.21

Area	River or lake site	Map reference of site (NZTM2000)	The distance upstream from the site where stock are excluded from the river or lake. (metres)
	Lake Benmore – <u>at</u> Haldon	H39:888 475 <u>1378843 mE, 5085854 mN</u>	4,000
	Lake Benmore – <u>at</u> Falstone	H39:870 419 <u>1377045 mE, 5080251 mN</u>	4,000
	Lake Benmore – <u>at</u> Glenburn	H39:759 276 <u>1365949 mE, 5065940 mN</u>	4,000
	<u>Lake Benmore at Pumpkin Bay</u>	<u>1367185 mE, 5064766 mN</u>	-
	Lake Benmore – <u>at</u> Sailors Cutting	H39:788 250 <u>1368493 mE, 5063512 mN</u>	4,000
	Lake Aviemore – <u>at</u> Loch Laird	H39:862 228 <u>1376237 mE, 5060738 mN</u>	4,000
	Lake Aviemore – <u>at</u> Te Akatarawa <u>Camp</u>	I40:933 187 <u>1384179 mE, 5057651 mN</u>	4,000
	Lake Aviemore – <u>at</u> Waitangi	I40:959 192 <u>1385954 mE, 5057611 mN</u>	4,000
	<u>Lake Waitaki at Fishermans Bend</u>	<u>1390823 mE, 5050698 mN</u>	-

Schedule 7 Farm Environment Plan

Definitions

In Schedule 7 the following definitions apply:

Management Area – means the areas of farm management practice as set out below:

- a. Nutrients
- b. Irrigation
- c. Cultivation and soil structure
- d. Animal Effluent and Solid Animal Waste
- e. Waterbodies (riparian areas, drains, rivers, lakes, wetlands, springs)
- f. Point sources – offal pits, farm rubbish pits, silage pits
- g. Water use (excluding water associated with irrigation) – stock water and wash-down water

Objective – means the overarching outcome sought in relation to each **Management Area**

Target – means a measureable, auditable statement that contributes to achievement of the **Objective** in each **Management Area**.

Part A – Farm Environment Plans

A Farm Environment Plan can be based on either of:

1. The material set out in Part B below;

OR

2. Industry prepared Farm Environment Plan templates and guidance material that:
 - a. Include the following minimum components:
 - i. The matters set out in 1, 2, 3, 4B and 5 of Part B below;
 - ii. Contains a methodology that will enable development of a plan that will identify actual and potential environmental effects and risks specific to the property or land area, addresses those effects and risks and has a high likelihood of appropriately avoiding, remedying or mitigating those effects;
 - iii. Performance measures that are capable of being audited as set out in Part C below; and
 - iv. matters or requirements set out in Part B of Schedule 7 that have been added as a result of a sub-region planning process; and
 - b. Has been approved as meeting the criteria in (a) and being acceptable to the Canterbury Regional Council by the Chief Executive of the Canterbury Regional Council.

Part B – Farm Environment Plan Default Content

The plan requirements will apply to:

- a. a plan prepared for an individual property or farm enterprise; or
- b. a plan prepared for an individual property which is part of a collective of properties, including an irrigation scheme, principal water supplier, or an Industry Certification Scheme; or
- c. a plan prepared for a commercial vegetable growing ~~activity-operation~~.⁴⁹⁴

The plan shall contain as a minimum:

1. Property, ~~or~~ farm enterprise, or commercial vegetable growing activity⁴⁹⁵ details
 - a. Physical address
 - b. Description of the ownership and name of a contact person
 - c. Legal description of the land and farm identifier
2. A map(s) or aerial photograph at a scale that clearly shows:
 - a. The boundaries of the property or land areas comprising the farming enterprise or commercial vegetable growing activity, operation⁴⁹⁶
 - b. The boundaries of the main land management units on the property or within the farming enterprise or commercial vegetable growing activity, operation⁴⁹⁷
 - c. The location of permanent or intermittent rivers, streams, lakes, drains, ponds ~~or~~ wetlands or springs.
 - d. The location of riparian vegetation and fences adjacent to water bodies.
 - e. The location on all waterways where stock access or crossing occurs.
 - f. The location of any areas within or adjoining the property or land area that are identified in a District Plan as “significant indigenous biodiversity”.
 - g. The location of any critical source areas for phosphorus or sediment loss for any part of the property or land area including any land within the High Runoff Risk Phosphorus Zone.
 - h. The location of flood protection or erosion control assets, including flood protection vegetation.
 - i. Public access routes or access routes used to maintain the rivers, streams, or drains.
3. A list of all Canterbury Regional Council resource consents held for the property, ~~or~~ farming enterprise, or commercial vegetable growing activity operation⁴⁹⁸
- 4A. An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed, including irrigation, application of nutrients, effluent application, stock exclusion from waterways, offal pits and farm rubbish pits.
- 4B. a. nutrient budgets which show the nitrogen baseline and nitrogen loss calculation for the property, ~~or~~ farming enterprise or, if relevant, commercial vegetable growing activity; and⁴⁹⁹

⁴⁹⁴ Consequential to the amendment of definition commercial vegetable growing operation

⁴⁹⁵ Consequential to the amendment of definition commercial vegetable growing operation

⁴⁹⁶ Consequential to the amendment of definition commercial vegetable growing operation

⁴⁹⁷ Consequential to the amendment of definition commercial vegetable growing operation

⁴⁹⁸ Consequential to the amendment of definition commercial vegetable growing operation

⁴⁹⁹ Consequential to the amendment of definition commercial vegetable growing operation

- b. a report from the Farm Portal which shows for any property, or farming enterprise or, if relevant, commercial vegetable growing activity operation⁵⁰⁰ the Baseline GMP Loss Rate and Good Management Practice Loss Rate or in those circumstances provided for in this Plan, the Equivalent Baseline GMP Loss Rate and Equivalent Good Management Practice Loss Rate.⁵⁰¹
5. A description of how each of the following objectives and targets for each Management Area, where relevant, will be met and the specific actions that will be implemented to attain the targets.

5A Management Area: Nutrients

Objectives:

1. Use nutrients efficiently and minimise nutrient losses to water.
2. Nutrient losses do not exceed consented nitrogen loss limits.

Targets:

1. Nitrogen losses from farming activities are at or below the applicable⁵⁰²
 - a. Baseline GMP Loss Rate or Good Management Practice Loss Rate (whichever is the lesser) or
 - b. consented nitrogen loss limits.
2. Available nitrogen loss mitigation measures (excluding those associated with irrigation, fertiliser or effluent management) are implemented.
3. Phosphorus and sediment losses from farming activities are minimised.
4. Manage the amount, timing and application of fertiliser inputs to match the predicted plant requirements and minimise nutrient losses.
5. Store and load fertiliser to minimise the risk of spillage, leaching and loss into water bodies.

5B Management Area: Irrigation

Objective:

The amount and timing of irrigation is managed to meet plant demands, minimise risk of leaching and runoff and ensure efficient water use.

Targets:

1. New irrigation systems are designed and installed in accordance with industry codes of practice and standards.
2. The performance of irrigation systems is assessed annually and irrigation systems are maintained and operated to apply irrigation water at their optimal efficiency.
3. The timing and depth of irrigation water applied takes account of crop requirements and is justified through soil moisture monitoring or soil water budgets and climatic information.
4. Staff are trained in the operation, maintenance and use of irrigation systems.

⁵⁰⁰ Balle Bros Group PC7-185.7; Eyreton Produce Limited PC7-23.3; Consequential to the amendment of definition commercial vegetable growing operation

⁵⁰¹ The s42A report version of 4B(b) inadvertently repeated and omitted existing wording, and has now been corrected.

⁵⁰² Balle Bros Group PC7-185.7; Eyreton Produce Limited PC7-23.3

5C Management Area: Cultivation and Soil structure

Objective:

The physical and biological condition of soils is maintained or improved in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.

Targets:

1. Farming activities are managed so as to not exacerbate erosion.
2. Farming practices are implemented that optimise infiltration of water into the soil profile and minimise run-off of water, sediment loss and erosion.

5D Management Area: Animal Effluent and Solid Animal Waste

Objective:

Animal effluent and solid animal waste is managed to minimise nutrient leaching and run-off.

Targets:

1. Effluent systems meet industry Codes of Practice or an equivalent standard.
2. The timing and rate of application of effluent and solid animal waste to land is managed so as to minimise the risk of contamination of groundwater or surface water bodies.
3. Sufficient and suitable storage is available to enable animal effluent and wash-down water to be stored when soil conditions are unsuitable for application.
4. Staff are trained in the operation, maintenance and use of effluent storage and application systems.

5E Management Area: Waterbodies (wetlands, riparian areas, drains, rivers, lakes, springs)

Objective:

Wetlands, riparian areas, springs⁵⁰³ and the margins of surface waterbodies are managed to avoid damage to the bed and margins of the water body, and to avoid the direct input of nutrients, sediment, and microbial pathogens.

Targets:

1. Stock are excluded from waterbodies in accordance with regional council rules or any granted resource consent.
2. Vegetated riparian margins of sufficient width are maintained to minimise nutrient, sediment and microbial pathogen losses to waterbodies.
3. Farm tracks, gateways, water troughs, self-feeding areas, stock camps wallows and other farming activities that are potential sources of sediment, nutrient and microbial loss are located so as to minimise the risks to surface water quality.
4. Mahinga kai values are protected as a result of measures taken to protect and enhance water quality and stream health.

5F Management Area: Point Sources (offal pits, farm rubbish pits, silage pits)

⁵⁰³ Ngā Rūnanga PC7-424.41

Objective:

The number and location of pits are managed to minimise risks to health and water quality.

Target:

1. All on-farm silage, offal pit and rubbish dump discharges are managed to avoid direct discharges of contaminants to groundwater or surface water.

5G Management Area: Water-use (excluding irrigation water)

Objective:

To use water efficiently ensuring that actual use of water is monitored and efficient.

Target:

1. Actual water use is efficient for the end use.

The plan shall include for each objective in 5 above;

- a. detail commensurate with the scale of the environmental effects and risks;
 - b. a description of the actions and Good Management Practices (and a timeframe within which those actions will be completed) that will be implemented to achieve the objectives and targets.
 - c. records required to be kept for measuring performance and attainment of the targets and objectives.
6. Nutrient budgets, prepared by a suitably qualified person, using the OVERSEER® nutrient budget model, or equivalent model approved by the Chief Executive of Environment Canterbury, for each of the identified land management units and the overall farm or farm enterprise.

7. Selwyn Te Waihora – Additional Requirements

Within the Selwyn Te Waihora sub-region the following additional requirements for farm environment plans apply:

1. Include a map(s) or aerial photograph at a scale that clearly shows the location of any known mahinga kai, wahi tapu or Wāhi taonga within any property or farming enterprise located in the Cultural Landscape/Values Management Area.
2. Include a description of how the following objective will be met:

Nutrient management: To maximise nutrient use efficiency while minimising nutrient losses to water by:

- a. minimising the loss of phosphorus and sediment within the Phosphorus Sediment Risk Area as shown in the planning maps; and
- b. achieving good management practice in respect of nutrient losses; and
- c. managing the discharge from drains within the Lake area of the Cultural Landscape/Values Management Area; and
- d. further reducing the nitrogen loss calculation from 2022 where a property or farming enterprise's nitrogen loss calculation is greater than 15 kg of nitrogen per hectare per annum.

8. Hinds

Within the Hinds/Hekeao Plains include a description of how the following objectives will be met:

Nutrient management: To maximise nutrient use efficiency while minimising nutrient losses to water by:

- a. Achieve from 2017 the loss rates that could reasonably be expected from implementing good management practices
- b. In the Upper and Lower Hinds/Hekeao Plains Area further reduce the nitrogen loss rate in accordance with Policies 13.4.13 and 13.4.15.
- c. Irrigation management: To operate irrigation systems efficiently and ensuring that the actual use of water is monitored and is efficient.
- d. Soils management: To maintain or improve the physical and biological condition of soils in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.
- e. Collected animal effluent management: To manage the risks associated with the operation of effluent systems to ensure effluent systems are compliant 365 days of the year.
- f. Livestock management: To manage wetlands and water bodies so that stock are excluded as far as practicable from water, to avoid damage to the bed and margins of a waterbody, and to avoid the direct input of nutrients, sediment, and microbial pathogens.
- g. Offal pits: To manage the numbers and locations of pits to minimise risks to health and water quality.

9. Waitaki – Additional Requirements

Within the Waitaki, Part A of Schedule 7 includes the following:

Note: A farm plan developed under this schedule may also contain information about the management of any other environmental effect and can be used to assist in demonstrating compliance with other regulatory requirements in any other Regional Plan or the District Plan.

Within the Waitaki, Part B includes the following:

Management Area: Mahinga kai

Objective:

To protect mahinga kai values.

Target:

Mahinga kai values of surface waterbodies on the property are recognised by achieving other objectives and targets in the Farm Environment Plan, and in addition by:

- a. maintaining existing indigenous vegetation in accordance with relevant regional council and district council vegetation clearance rules or any granted resource consent;
- b. identifying opportunities to undertake additional plantings of indigenous vegetation, and carrying out and managing any additional plantings in accordance with regional council guidelines for riparian planting;
- c. undertaking farming activities in a manner that minimises adverse effects on existing indigenous vegetation and on any additional plantings of indigenous riparian vegetation; and
- d. managing pest plants in accordance with regional council rules.

Management Area: In-stream Biodiversity Values

Objective:

To protect and enhance in-stream biodiversity values.

Targets:

1. On the map or aerial photograph of waterbodies required under Part A of this Schedule, specify the location of any spring heads, wetlands and spring-fed streams on the property or within the farming enterprise to recognise their high instream biodiversity values.
2. Prioritise achievement of the targets for Management Area: Waterbody Management for any spring heads, wetlands and spring-fed streams so as to protect and enhance the instream biodiversity values.

10. Waimakariri - Additional Requirements

Within the Waimakariri Sub-region, the following additional requirements for⁵⁰⁴ farm environment plans apply:

*Note: Management Area 5A: Nutrients, Objective 2, Target 1 does not apply to properties that comply with the irrigation and winter grazing thresholds in Rule 8.5.25.*⁵⁰⁵

1. The information required under Part B 2(c) includes the location of any artificial watercourses.

2. **Management Area 5A: Nutrients** includes the following additional objectives⁵⁰⁶ and targets⁵⁰⁷:

Objectives:

1. Staged reductions in nitrogen loss for land within the Nitrate Priority Area to meet nitrate-nitrogen limits for surface water, groundwater and drinking water sources in Section 8.

Targets:

1. Where required, by 1 January 2030, further reductions in the nitrogen loss rate for properties within the Nitrate Priority Area as required by Table 8-9.
2. ~~Within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone, any property greater than 5 ha in area that includes or directly adjoins a river or coastal lake, and with winter grazing or irrigation on the property, is to prepare, implement, and have audited a Farm Environment Plan in accordance with this Schedule. However, Management Area 5A: Nutrients, Objective 2, Target 1 does not apply to properties that comply with the irrigation and winter grazing thresholds in Rule 8.5.25.~~⁵⁰⁸

11. Orari-Temuka-Opihi-Pareora – Additional Requirements

Within the Orari-Temuka-Opihi-Pareora Sub-region, ~~Part B of Schedule 7 also includes~~ the following additional requirements for farm environment plans apply⁵⁰⁹.

*Note: Management Area 5A: Nutrients, Objective 2, Target 1 does not apply to properties that comply with the irrigation and winter grazing thresholds in Rule 14.5.17.*⁵¹⁰

⁵⁰⁴ RMA Schedule 1, Clause 16(2) - Minor amendment

⁵⁰⁵ RMA Schedule 1, Clause 16(2) - Minor amendment

⁵⁰⁶ RMA Schedule 1, Clause 16(2) - Minor amendment

⁵⁰⁷ Consequential to RMA Schedule 1, Clause 16(2) - Minor amendment

⁵⁰⁸ RMA Schedule 1, Clause 16(2) - Minor amendment

⁵⁰⁹ HortNZ PC7-356, page 2

⁵¹⁰ RMA Schedule 1, Clause 16 Minor amendment

1. The information required under Part B 2(c) includes the location of any artificial watercourses.

2. **Management Area 5A: Nutrients** includes the following additional objective and targets⁵¹¹:

Objectives:

1. Staged reductions beyond Baseline GMP Loss Rates, or lawful nitrogen loss rates, within the Rangitata Orton, Fairlie Basin, and Levels Plains High Nitrogen Concentration Areas to meet nitrate-nitrogen limits for surface and groundwater within Section 14.

Targets:

1. Where required, by 1 January 2030, further reductions in nitrogen losses beyond Baseline GMP Loss Rates, or lawful nitrogen loss rates for properties within the Rangitata Orton, Fairlie Basin and Levels Plains High Nitrogen Concentration Zones as required by Table 14(zc). ~~However, Management Area 5A:- Nutrients, Objective 2, Target 1 does not apply to properties that comply with the irrigation and winter grazing thresholds in Rule 14.5.17.~~⁵¹²

3. **Management Area: Mahinga kai**

Objective:

1. To protect mahinga kai values.

Target:

Mahinga kai values of surface waterbodies on the property are recognised by achieving other objectives and targets in the Farm Environment Plan, and in addition by:

- a. maintaining existing indigenous vegetation in accordance with relevant regional council and district council vegetation clearance rules or any granted resource consent;
- b. identifying opportunities to undertake additional plantings of indigenous vegetation, and carrying out and managing any additional plantings in accordance with regional council guidelines for riparian planting;
- c. undertaking farming activities in a manner that minimises adverse effects on existing indigenous vegetation and on any additional plantings of indigenous riparian vegetation; and
- d. managing pest plants in accordance with regional council rules.

4. **Management Area: In-stream Biodiversity Values**

Objective:

1. To protect and enhance in-stream biodiversity values.

Targets:

1. On the map or aerial photograph of waterbodies required under Part A of this Schedule, specify the location of any springs, wetlands and spring-fed streams on the property or within the farming enterprise to recognise their high instream biodiversity values.

⁵¹¹ RMA Schedule 1, Clause 16(2) - Minor amendment

⁵¹² RMA Schedule 1, Clause 16(2) - Minor amendment

2. Prioritise achievement of the targets for Management Area: Waterbody Management for any springs, wetlands and spring-fed streams so as to protect and enhance the instream biodiversity values.

5. Management Area: ~~Tuhituhi-neherā (Rock Art sites)~~

Objective: To protect ~~tuhituhi-neherā (rock art)~~ sites and the historic, ecological and Ngāi Tahu values associated with these sites and their surroundings

Targets:

1. For any property that has all or part of the property within the Rock Art Management Area, irrigation is managed to avoid any adverse effects on ~~tuhituhi-neherā (rock art)~~ sites and the historical, ecological and Ngāi Tahu values associated with these sites and their surroundings; and
2. Stock are excluded from any ~~tuhituhi-neherā (rock art)~~ site so as to avoid damage to the art work and surrounding area;
3. Manage farming practices to protect ~~tuhituhi-neherā (rock art)~~ sites by avoiding adverse effects that may modify, damage or destroy these sites and the values associated with these sites.⁵¹³

6. Management Area: Mātaitai and waipuna (Mātaitai and Waipuna Protection Zone)

Objective: To protect mātaitai and waipuna sites and the historic, ecological and Ngāi Tahu values associated with these sites and their surroundings.

Target:

1. For any property that has all or part of the property within the Mātaitai and Waipuna Protection Zone, farming practices are managed to avoid any adverse effects on mātaitai and waipuna sites, and the historic, ecological and Ngāi Tahu values associated with these sites and their surroundings.⁵¹⁴

Part C – Farm Environment Plan Audit Requirements

The Farm Environment Plan must be audited by a Certified Farm Environment Plan Auditor who is independent of the farm being audited (i.e. is not a professional adviser for the property) and has not been involved in the preparation of the Farm Environment Plan.

The farming activity occurring on the property will be audited against the following minimum criteria:

1. An assessment of the performance against the objectives, targets, and timeframes in the Farm Environment Plan;
2. An assessment of the robustness of the nutrient budget/s;
3. An assessment of the efficiency of water use (if irrigated).

The Environment Canterbury Certified Farm Environment Plan Auditor Manual sets out the standards and methods to be used by a Certified Farm Environment Plan Auditor to demonstrate proficiency and competency in the auditing of Farm Environment Plans.

⁵¹³ Arowhenua and Te Rūnanga PC7-424.124

⁵¹⁴ Arowhenua and Te Rūnanga PC7-424.127

Schedule 7A Management Plan for Farming Activities

Part A – Management Plans

A Management Plan can be either:

1. A Plan prepared in accordance with the requirements of Part B below; or
2. A Plan prepared in accordance with an industry prepared Farm Environment Plan template that has been certified by the Chief Executive of Environment Canterbury as providing at least an equivalent amount of information and practice guidance contained in Part B below.

Part B – Management Plan Default Content

The Management Plan shall contain as a minimum:

1. Property details
 - a. Physical address
 - b. Description of the ownership and name of a contact person
 - c. Legal description of the land and farm identifier
2. A map(s) or aerial photograph at a scale that clearly shows:
 - a. The boundaries of the property.
 - b. The boundaries of the main land management units on the property.
 - c. The location of permanent or intermittent rivers, streams, lakes, drains, ponds ~~or~~ wetlands or springs.
 - d. The location of riparian vegetation and fences adjacent to water bodies.
 - e. The location on all waterways where stock access or crossing occurs.
 - f. The location of any areas within or adjoining the property that are identified in a District Plan as “significant indigenous biodiversity”.
 - g. The location of any critical source areas for phosphorus loss including any part of the property within the High Runoff Risk Phosphorus Zone.
3. A description of:
 - a. the on-farm actions that have been undertaken in the previous 01 July to 30 June period to implement the applicable practices described in the table below; and
 - b. the on-farm actions that will be undertaken over the next 01 July to 30 June period to implement the applicable practices described below.
4. A copy of the Farm Environment Plan or Management Plan shall be retained by the landowner and updated at least once every 12 months as necessary, and provided to the Canterbury Regional Council on request.

Practice	On-farm actions undertaken in the previous 12 months	On-farm actions to be undertaken in the next 12 months
Water, effluent and fertiliser is applied at a rate that does not exceed the water holding capacity of the soil or the agronomic requirements of the crop.		
Irrigation systems, effluent application systems, fertigation systems and fertiliser or organic manure systems are assessed annually and maintained and operated to apply irrigation water, waste or nutrients efficiently		
Silage pits, refuse pits and offal pits are sited, designed and managed to avoid the discharge of leachate into surface waterbodies		
Effluent systems meet industry Codes of Practice or an equivalent standard.		
Fertiliser is stored a minimum of 20 metres from surface waterbodies		
Non irrigation water use is monitored and efficient.		
Stock are excluded from waterbodies in accordance with regional council rules or any granted resource consent.		
Vegetated buffer strips of at least 5 metres in width are maintained between areas of winter grazing and any river, lake, drain, or wetland or spring. ⁵¹⁵		
Vegetated riparian margins of sufficient width are maintained to minimise nutrient, sediment and microbial pathogen losses to waterbodies.		

Waimakariri Sub-region (Section 8) - Additional Requirements

Within the Waimakariri, Part B of Schedule 7A also includes the following:

1. The information required under 2(c) includes the location of any artificial watercourses.

Orari-Temuka-Opihi-Pareora – Additional Requirements

Within the Orari-Temuka-Opihi-Pareora sub-region, Part B of Schedule 7A also includes the following:

1. The information required under 2(c) includes the location of any artificial watercourses.

⁵¹⁵ Arowhenua and Te Rūnanga (PC7-424.200), North Canterbury Fish and Game (PC7-95.51)

2. The table of Practices includes an additional row that states 'Mahinga kai values are protected as a result of measures taken to protect and enhance water quality and stream health'

Schedule 8 Region-wide Water Quality Limits

Rivers

River type	Parameter	Measurement	Limit
Spring-fed plains Spring-fed plains-urban	Nitrate toxicity	annual- median	3.8 mgN/L

Management unit	Dissolved oxygen concentration (mg/L) <u>[below point source discharges]</u> ⁵¹⁶		Ammonia nitrogen concentration (mg/L)		Nitrate nitrogen concentration (mg/L)	
	7-day mean minimum (Summer period: 1 November to 30 April)	1-day minimum (Summer period: 1 November to 30 April)	Maximum annual median ³	Annual maximum ³	Annual median	95 th percentile (mg/L) ⁵¹⁷
Natural State						
Alpine upland	8.0	7.5	0.03	0.05	To meet Table 1a outcomes for periphyton, macrophytes and cyanobacteria ¹	
Alpine lower	8.0	7.5	0.03	0.05		
Hill-fed upland	8.0	7.5	0.03	0.05		
Hill-fed lower	7.0	5.0	0.03	0.05		
Hill-fed lower - urban	7.0	5.0	0.24	0.4		
Lake fed	8.0	7.5	0.03	0.05		
Banks Peninsula	8.0	7.5	0.03	0.05		
Spring-fed upland	8.0	7.5	0.03	0.05		
Spring-fed lower basin	7.0	5.0	0.03	0.05		
Spring-fed plains	7.0	5.0	0.24	0.4	3.8 ²	5.6 ²
Spring-fed plains - urban	7.0	5.0	0.24	0.4	3.8 ²	5.6 ²

¹ Nitrogen concentrations in these rivers shall be managed to ensure the periphyton, macrophyte and cyanobacteria outcomes in Table 1a can be met.

² Where a particular river currently meets a higher (better) attribute state than indicated in this table, that river shall not deteriorate below its existing attribute state as established in 2018.

⁵¹⁶ DairyNZ PC7-357.46

⁵¹⁷ RMA Schedule 1, Clause 16(2) – Minor amendment to delete the repetition of the nitrate nitrogen concentration units (mg/L) in the table

3 Based on pH of 8 and temperature of 20 degrees C.⁵¹⁸

⁵¹⁸ HortNZ PC7-356, page 2

Lakes

<u>Lake types</u> ⁵¹⁹	<u>TLI Score</u> (less than or equal to)	<u>Trophic State</u>	<u>Lake types</u> ⁵²⁰	<u>TP¹ Total phosphorus concentration (mg/L)</u>	<u>TN¹ Total nitrogen concentration (mg/L)</u>	<u>Chl A¹ (µg/L)</u>	<u>Ammonia toxicity concentration (mg/L)</u>	
				Maximum annual average	Maximum annual average		<u>Maximum annual median¹</u>	<u>Annual maximum¹</u>
<u>Large High Country</u>	≤2	Oligotrophic	Large High Country	0.004	0.073	0.82	<u>0.03</u>	<u>0.05</u>
<u>Small/medium high country lakes</u>	≤3	Mesotrophic	Small/medium high country lakes	0.009	0.160	2	<u>0.03</u>	<u>0.05</u>
<u>On-river artificial lakes</u>			On-river artificial lakes					
<u>Other artificial lakes</u>	≤4	Eutrophic	Other artificial lakes	0.020	0.340	5	<u>1.3</u>	<u>2.2</u>
			Coopers Lagoon/Muriwai ⁵²¹					
<u>All other coastal lakes</u>	6 ≤5	Supertrophic	All other coastal lakes	0.096 <u>0.050</u>	1.560 <u>0.800</u>	30	<u>1.3</u>	<u>2.2</u>

¹ as a maximum annual average

¹ Based on pH of 8 and temperature of 20 C.

Groundwater

Contaminant	Measurement	Limit
Nitrate-N	Maximum concentration	<11.3 mg/L
Nitrate-N	Annual average concentration	<5.65 mg/L
<i>E.coli</i>	95% of samples	<1 organism/100 millilitres
Other contaminants ²¹	any sample	<50% MAV ³²

²¹ Other contaminants of health significance as listed in NZ Drinking-water Standards.

⁵¹⁹ RMA Schedule 1, Clause 16(2) – Minor amendment – reorder ‘lake types’ column.

⁵²⁰ RMA Schedule 1, Clause 16(2) – Minor amendment – reorder ‘lake types’ column.

⁵²¹ RMA Schedule 1, Clause 16(2) – Minor amendment - text colour changed to black as notified.

32 Maximum acceptable value (as listed in 21 above)

Schedule 9 Assessment of Stream Depletion Effect

The degree of stream depletion effect shall be determined as follows:

A **direct degree of stream depletion effect** is where the modelled effect of seven days of steady continuous groundwater abstraction on the surface waterbody is equal to or greater than 90% of that abstraction rate.

A **high degree of stream depletion effect** is where the modelled effect of seven days of steady continuous groundwater abstraction on the surface waterbody is less than 90% of that abstraction rate but the effect of 150 days of steady continuous groundwater abstraction is greater than or equal to 60% of that abstraction rate.

A **moderate degree of stream depletion effect** is where the effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 60% but greater than or equal to 40% of that abstraction rate, or the effect of 150 days of continuous steady groundwater abstraction on the surface waterbody is less than 40% of that abstraction rate but pumping the proposed annual volume over 150 days at a continuous steady rate exceeds 5 L/s unless a greater or lesser rate is specified for the catchment in Sections 6 to 15.

A **low degree of stream depletion effect** is where the effect of 150 days of steady continuous groundwater abstraction on the surface waterbody is less than 40% of that abstraction rate and the effect of pumping the proposed annual volume over 150 days at a continuous steady rate is less than 5 L/s unless a greater or lesser rate is specified for the catchment in Sections 6 to 15.

Borefields

Where there is more than one bore on a property abstracting water that is hydraulically connected to a stream, the stream depletion effect for each bore shall be determined independently, and where the bores have the same stream depletion effect, the stream depletion effect of the bores shall be determined in combination as a borefield. The combined stream depletion effect shall be determined evaluating the maximum possible stream depletion effect that may develop as a result of operating under the proposed consent conditions.

Inclusion in surface and groundwater allocations

Table S9.1: Stream depletion effect to be included in the surface and groundwater allocations

Notes:

- ~~1. This effect will be included in the surface water allocation irrespective of the rate of take~~
- ~~2. This effect will be included in the surface water allocation if the stream depletion effect exceeds the stream depletion effect cut-off in Sections 6 to 15, or where none has been set in Sections 6 to 15, 5 L/s⁵²²~~

Stream depletion effect	Amount to be included in the surface water allocation limit	Amount allocated from the groundwater zone ³	Pumping schedule	Subject to surface water minimum flow restrictions
Direct	Maximum daily rate of take ¹ (the rate at which water can be continuously taken to abstract the maximum daily volume that is to be taken), and 100% of the annual volume	None	Not applicable	Yes
High	The stream depletion effect ¹ estimated using the <i>pumping</i>	25% of the annual	150 days continuous steady	Yes if above stream

⁵²² RMA Schedule 1, Clause 16(2) - Minor amendment to delete duplicated text

Stream depletion effect	Amount to be included in the surface water allocation limit	Amount allocated from the groundwater zone ³	Pumping schedule	Subject to surface water minimum flow restrictions
	<i>schedule</i> ; and 75% of the annual volume	volume	pumping required to deliver the annual volume	depletion effect cut-off.
Moderate	The stream depletion effect ² estimated using the <i>pumping schedule</i> ; and 50% of the annual volume	50% of the annual volume	150 days continuous steady pumping required to deliver the annual volume	No
Low	None	100% of the annual volume	Not applicable	No

Notes:

1. This effect will be included in the surface water allocation irrespective of the rate of take
2. This effect will be included in the surface water allocation if the stream depletion effect exceeds the stream depletion effect cut-off in Sections 6 to 15, or where none has been set in Sections 6 to 15, 5 L/s
3. A reduction in the annual volume allocated from the groundwater block will only be applied where site-specific stream depletion assessments have been carried out.
4. This effect will not be included in the surface water allocation if Sections 6 to 15 specify that stream depleting groundwater takes are not to be included in the surface water allocation, and 100% of the annual volume will be allocated from the groundwater zone.⁵²³

Schedule 13 Requirements for implementation of water allocation regimes

Surface water allocation regimes

1. The amount of water allocated within an allocation limit is the sum of:
 - a. the maximum rate of abstraction of each surface water take and
 - b. the stream depletion effect of each groundwater take that is calculated in accordance with Schedule 9;

Note: (1)(a) does not apply to non-consumptive take of water required for the effective operation of a fish screen where the water is used to facilitate the return of fish back to the river.

2. The amount of water allocated is to be assessed on a monthly basis for the period in each year (period of abstraction) that each take requires the water, on the following basis:
 - a. the period of abstraction authorised as a condition of each permit, if such a condition exists;
 - b. where the water permit is to take water for irrigation use and no storage is authorised by the water permit, the calculated period of abstraction is the months of September to May inclusive; or
 - c. 12 months of the year in all other cases;
3. Where a surface waterbody is dammed and/or water is stored, the allocation limit for each class of permit may also be set to include an annual volume. Where the annual volume is used, the allocation shall be determined in the same way as set out for groundwater allocation zones in Schedule 13 below.

Groundwater allocation regimes

1. The amount of water allocated within a groundwater allocation limit is the sum of each seasonal or annual volume of each groundwater take, less any contribution from surface water calculated in accordance with Schedule 9;
2. The seasonal or annual volume allocated is to be determined as either:
 - a. that specified as part of a water permit; or
 - b. when not specified as part of a water permit, the annual volume shall be determined as follows:
 - i. where the water permit is to take water for irrigation use, either the annual volume calculated using Schedule 10, or the annual volume calculated using the average daily rate of take derived from the water permit x 212 (days), whichever is the lesser;
 - ii. where the water permit is to take water for group drinking-water supply use or community drinking-water supply use, as the maximum daily volume multiplied by 150; and
 - iii. where the water permit is to take water for industrial or commercial use and:
 1. the activity occurs continually throughout the whole year, as the maximum weekly volume multiplied by 52; or

2. the activity is carried out on a seasonal basis, as the maximum weekly volume multiplied by the number of weeks of the season for which the activity is typically carried out; and
- iv. for other uses not specified above, or where there is a combination of uses listed in (i), (ii) or (iii) above, on a case by case basis; and
- c. in any case, the maximum instantaneous rate of take consented from a bore should not exceed the rate that is physically capable of being yielded from the bore.

Note: A reduction in the annual volume allocated from the groundwater block will only be applied where site-specific stream depletion assessments have been carried out.

Schedule 14 Excavation of bed material (10 m³)

1. Kekerengu River from 500 m upstream, (at or about P30:9286:1433) to 1 kilometre downstream of the Benmore Stream confluence (at or about P30:9275:1286).
2. Hapūku River from Grange Road crossing (at or about O31:6705:7821) downstream to the Coastal Marine Area (at or about P31:7102:7543).
3. Puhi Puhi Stream from Jordons Stream confluence (at or about P31:7230:8487) to Hapūka River confluence (at or about O31:6915:7728).
4. Waimangarara River– from 250 m upstream of Postmans Road crossing (at or about O31:6489:7274), to 250 m downstream of Postmans Road crossing (at or about O31:6494:7222).
5. Luke Creek from 250 m upstream of Postmans Road crossing (at or about O31:6321:7245), to 250 m downstream of Postmans Road crossing (at or about O31:6340:7198).
6. Kowhai River (Kaikoura) from the confluence with Floodgate Creek downstream (at or about O31:5938:7002) to the Coastal Marine Area (at or about O31:6213:6526).
7. Kahutara River from 1 kilometre upstream of the Inland Kaikoura Road Bridge (at or about O31:4950:7042), downstream to the Coastal Marine Area (at or about O31:5845:6346).
8. Oaro River from 1 kilometre upstream of the State Highway One Bridge (at or about O32:5031:5415), downstream to the Coastal Marine Area (at or about O32:5168:5473).
9. Charwell River from 1 kilometre upstream of the Inland Kaikoura Road Bridge (at or about O31:3938:6596), to 1 kilometre downstream of the Inland Kaikoura Road Bridge (at or about O31:4007:6423).
10. Linton Stream from 1 kilometre upstream of the Inland Kaikoura Road Bridge (at or about O31:4950:7041), to 1 kilometre downstream of the Inland Kaikoura Road Bridge (at or about O31:5083:6914).
11. Cribb Creek from 1 kilometre upstream of the Inland Kaikoura Road Bridge (at or about O31:5152:6980), to 1 kilometre downstream of the Inland Kaikoura Road Bridge (at or about O31:5244:6815).
12. Stanton River from the Leader - Waiau Road Bridge (at or about N32:2370:4285) downstream to the confluence with the Waiau River (at or about N32:2110:3842).
13. Mason River from the Inland Kaikoura Road Bridge (at or about N32:2371:5575) downstream to the confluence with the Waiau River (at or about N32:1283:3937).
14. Lottery River from the Sherwood Road crossing (where the road reverts to a walking track) (at or about N32:1574:5224) to the confluence with the Mason River (at or about N32:1780:4286).
15. Chatterton River from the Rogerson River confluence (at or about N32:9455:5487) downstream to confluence with the Percival River (at or about N32:9407:5050).
16. Percival River from the Switchback Stream confluence (at or about N32:9773:5290) downstream to the confluence with the Waiau River (at or about N32:9204:4772).
17. Hanmer River from immediately downstream of The Hossack homestead (at or about N32:0629:5178), downstream to the confluence with the Waiau River (at or about N32:9216:4750).
18. Pahau River from the Top Ford Road/Top Pahau Road crossing (at or about N33:9218:2703), downstream to the confluence with the Hurunui River (at or about N33:0204:1919).
19. Leamington Stream from Leamington Road crossing (at or about N33:2297:2380) downstream to the confluence with the Waiau River (at or about O32:3277:3128).
20. Lyndon Stream from the Lyndon Road Bridge (at or about N32:0802:4269) downstream to the confluence with the Home Stream (at or about N32:0953:4132).
21. Home Stream from the confluence with Lyndon Stream (at or about N32:0953:4132), to the confluence of the Waiau River (at or about N32:1043:4094).
22. Waikari River from McRaes Road crossing (at or about M33:8899:0679), downstream to the confluence with the Hurunui River (at or about N33:1422:1379).

23. Kowai River (North Branch) (Leithfield) from Douglas Road Bridge (at or about M34:8424:8662), downstream to the Coastal Marine Area (at or about N34:9079:7875).
24. Kowai River (South Branch) from Marshmans Road crossing (at or about M34:8269:7942), downstream to the confluence with North Branch of the Kowai River (at or about M34:8935:7961).
25. Karetu River from 1 kilometre upstream of the Loburn – White Rock Road Bridge (at or about M34:6504:8097), downstream to the confluence with the Grey River (at or about M34:6631:7831).
26. Grey River from the West Branch confluence (at or about M34:6849:8195) downstream to the confluence with the Okuku River (at or about M34:6598:7781).
27. Makerikeri River from the Carrs Road Bridge (at or about M34:7130:7643), downstream to the confluence with the Ashley River/Rakahuri (at or about M35:7415:6966).
28. Okuku River from 2 kilometres upstream of Okuku Pass Road (at or about M34:5551:9601) to 500 m downstream of Okuku Pass Road (at or about M34:5726:9455).
29. Okuku River from the confluence with Kowhai Stream (at or about M34:6245:8208), downstream to the confluence with the Ashley River/Rakahuri (at or about M34:6669:7152).
30. Hororata River from State Highway 72 Bridge (at or about L35:1329:4268) downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3615:3312).
31. Hawkins River from Bangor Road Bridge (at or about L35:3400:4665), downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3974:3264).
32. Waiāniwaniwa River from the State Highway 72 Bridge (at or about L35:2938:4724), downstream to the confluence with the Selwyn River/Waikirikiri (at or about L36:3569:3406).
33. Taylors Stream from State Highway 72 Bridge (at or about K36:8762:3106), downstream to the confluence with the Bowyers Stream (at or about K36:9148:1886).
34. Bowyers Stream from State Highway 72 Bridge (at or about K36:8474:2363), downstream to the confluence with south branch of the Ashburton River/Hakatere (at or about K36:9214:1766).
35. Hinds River/Hekeao (North Branch) from the Lower Downs Rd Bridge (at or about K36:7999:1688), downstream to the confluence with the south branch of the Hinds River/Hekeao (at or about K37:8369:0960).
36. Hinds River/Hekeao (South Branch) from the Lower Downs Rd Bridge (at or about K36:7835:1140), downstream to the confluence with the north branch of the Hinds River/Hekeao (at or about K37:8369:0960).
37. Hinds River/Hekeao (Main Stream) from the confluence of the north and south branches (at or about K37:8369:0960), downstream to the Coastal Marine Area (at or about K38:0254:7641).
38. Waihi River from the Burdons Road Bridge (at or about J37:6706:8561), downstream to the confluence with the Temuka River (at or about K38:7141:6345).
39. Te Moana River from Sheep Dip Road bridges (at or about J37:5852:8340), downstream to the confluence with the Temuka River (at or about K38:7141:6345).
40. Temuka River, from the confluence of the Waihi - Te Moana Rivers (at or about K38:7141:6345), downstream to the confluence with the Opihi River (at or about K38:7529:5908).
41. Kowhai Stream (Peel Forest) from 250 m upstream of Blandsford Ford (at or about J37:6796:9923), downstream to the confluence with Coopers Creek (at or about K37:7046:9278).
42. Scotsburn Stream from 250 m upstream of Horsfall Road Bridge (at or about J37:6813:9654), downstream to the confluence with Coopers Creek (at or about K37:7062:9205).
43. Coopers Creek from confluence of Scotsburn and Kowhai streams, (at or about K37:7063:9205) downstream to the confluence with Orari River (at or about K38:7914:6537).
44. Sweetwater Creek from Burdon Road Bridge, (at or about J37:6732:8667) downstream to the confluence with Orari River (at or about K37:7103:8353).

45. Barkers Creek from McKeown Road Bridge (at or about J37:6497:8231), downstream to the confluence with the Waihi River (at or about J37:6905:8058).
Kakahu River from State Highway 79 Bridge (at or about J38:6427:7500), downstream to the confluence with the Hae Hae Te Moana River (at or about J38:6870:6706).
46. Waimate Creek from Mill Road Bridge (at or about J40:5332:0705), downstream to Hannaton Road Bridge (at or about J40:6239:0620).
47. Hook River from Hunter Road Bridge (at or about J40:5314:1520) to Hook Swamp (at or about J40:6353:1193).
48. Elephant Hill Stream from Elephant Hill Road Bridge (at or about J40:3930:9725), to 100 m downstream to the Tawai – Ikawai Road crossing (at or about J40:4087:9106).
49. Maerewhenua River from Pukeraro Road crossing (at or about I41:1974:8199) to the confluence with the Waitaki River (at or about I40:2812:9241).
50. Otekaieke River from 1 kilometre upstream of State Highway 83 (at or about I40:9442), downstream to the confluence with the Waitaki River (at or about I40:1847:9620).
51. Otiake River from 1 kilometre upstream of State Highway 83 (at or about I40:1425:9797), downstream to the confluence with the Waitaki River (at or about I40:1532:9884).
52. Kurow River from 500 m upstream of State Highway 83 (at or about I40:1067:0275), downstream to the confluence with the Waitaki River (at or about I40:1151:0366).
53. Otematata River from 500 m above State Highway 83 (at or about H40:8782:1823), downstream to the confluence with Lake Aviemore (at or about H40:8816:1921).
54. Coopers Creek from below the Woodside Road Bridge (at or about NZTM2000 1526887 mE, 5207490 mN), downstream to the confluence with the Eyre River (at or about NZTM2000 1531568 mE, 5205487 mN)
55. Eyre River from the Whites Stream confluence (at or about NZTM2000 1522070 mE, 5205940 mN), downstream to the confluence with the Waimakariri River (at or about NZTM2000 1562654 mE, 5190968 mN)

Schedule 17 Salmon Spawning Sites

Schedule 17 Salmon Spawning Sites are identified in the table below and on the Planning Maps.

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
Waiau	Henry River	Approximately 2 km above Anne River	BT23:588-115 1558765 mE, 5311575 mN	St James walkway bridge	BT23:629-114 1562940 mE, 5311470 mN
	Waiau River - headwaters	Approximately 15.3 km upstream Waiau River from confluence with Ada River	BT24:720-284 1572175 mE, 5328155 mN	Confluence of Ada River with Waiau River	BT24:677-145 1567700 mE, 5314500 mN
	Matagouri Point Stream	Approximately 2.7 1 km upstream Matagouri Stream from confluence with Waiau River at 790 m contour	(790 m) 1569750 mE, 5319260 mN	Confluence of Matagouri Stream with Waiau River	BT24:690-194 1569000 mE, 5319400 mN
	Hope River	Headwaters of Kiwi Stream	1536960 mE, 5275325 mN	Confluence of Boyle River and Hope River	1551745 mE, 5283405 mN
Hurunui	Hurunui North Branch	Camp Stream confluence	1515700 mE, 5271500 mN	Lake Sumner	1531400 mE, 5272400 mN
	Landslip Stream	620 m contour	620 m contour	Confluence of Landslip Stream with North Branch Hurunui River (just below Matagouri Point)	1521930 mE, 5272855 mN
	Hurunui South Branch	Stream confluence at 780 m contour	BU22:194-658 1519320 mE, 5265645 mN	North Esk River confluence	BV22:374-597 1537500 mE, 5259770 mN
	Homestead Creek	700 m contour	BU22:315-634 1531500 mE, 5263100 mN	Confluence of Homestead Creek with the Hurunui South Branch	BV22:348-611 1534835 mE, 5261015 mN
Waimakariri	Kaipoi River/Silverstream	Approximately 600 m upstream of Heywards Road	1565800 mE, 5192800 mN	Three river confluence with Ohoka Stream and Cust Main Drain	1570400 mE, 5197600 mN
	Winding Creek	Lake Pearson outflow	1501275 mE, 5224955 mN	Former hut site near confluence with unna med stream	1504620 mE, 5220655 mN
	Poulter River	Near confluence with Minchin Stream	1502400 mE, 5255000 mN	Confluence with Poulter River East Branch	1509800 mE, 5244800 mN
	Poulter Spring Creek 1	Approximately 600 m contour	1507800 mE, 5250000 mN	Confluence with Poulter River	1508600 mE, 5248300 mN
	Poulter Spring	Upstream of 600 m	600 m contour	Confluence with Poulter	1508100 mE, 5250500 mN

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
	<u>Creek 2 and 3</u>	<u>contour</u>		<u>River</u>	
	<u>Thompson Stream</u>	<u>Top of first braided section, approximately 600 m downstream of Morrison Stream</u>	<u>1507700 mE, 5257500 mN</u>	<u>Confluence with Poulter River</u>	<u>1505900 mE, 5255100 mN</u>
	<u>Cass Hill Stream (Bullock Creek)</u>	<u>500 m contour</u>	<u>1502450 mE, 5235465 mN</u>	<u>Confluence with Waimakariri River</u>	<u>1506800 mE, 5230900 mN</u>
	<u>One Tree Swamp</u>	<u>540 m contour</u>	<u>540 m contour</u>	<u>Confluence with Waimakariri River</u>	<u>1496800 mE, 5238300 mN</u>
	<u>Cora-Lynn Stream</u>	<u>580 m contour</u>	<u>580 m contour</u>	<u>Confluence with Waimakariri River</u>	<u>1494000 mE, 5235900 mN</u>
	<u>Pūkio Stream</u>	<u>Bottom of gorge at approximately 830 m contour</u>	<u>1519785 mE, 5247970 mN</u>	<u>Confluence with Camp Stream</u>	<u>1521485 mE, 5243440 mN</u>
	<u>Cox River/Poulter River East Branch</u>	<u>Approximately 500 m downstream of Ellis Stream confluence</u>	<u>515900 mE, 5260095 mN</u>	<u>Confluence with Waimakariri River</u>	<u>1509800 mE, 5244800 mN</u>
	<u>Otukaikino Creek and tributaries</u>	<u>Issacs Hatchery</u>	<u>1562410 mE, 5186951 mN</u>	<u>Confluence with Waimakariri River</u>	<u>1571295 mE, 5192889 mN</u>
<u>Heathcote/Opawaho</u>	<u>Heathcote River - mid reaches</u>	<u>Cracroft</u>	<u>1568715 mE, 5174875 mN</u>	<u>Colombo Street</u>	<u>1570700 mE, 5176800 mN</u>
Rakaia	Glenariffe Stream	Top of Glenariffe Stream (approx. 4.8 km from confluence with Double Hill Stream)	BW19:628-044	Confluence of Glenariffe Stream with Rakaia	BW20:681-034
	<u>Glenariffe Stream</u>	<u>Top of Glenariffe Stream (approximately 3.5 km from confluence with Double Hill Stream)</u>	<u>1463140 mE, 5203025 mN</u>	<u>Double Hill Stream</u>	<u>1466015 mE, 5202745 mN</u>
	<u>Double Hill Stream</u>	<u>Approximately 3.6 km upstream Double Hill Stream from Double Hill Run Road Bridge of confluence with Glenariffe Stream</u>	(450 m) <u>480 m contour</u>	<u>Confluence of Double Hill Stream with Rakaia River</u>	BW20:682-033 <u>1468230 mE, 5203440 mN</u>
	<u>Rakaia Spring 1</u>	<u>Approximately 440 m contour</u>	<u>440 m contour</u>	<u>Confluence with Rakaia River</u>	<u>1467729 mE, 5203960 mN</u>
	<u>Manuka Point Stream</u>	<u>540 m contour</u>	(540 m) <u>contour</u>	<u>Confluence of Manuka Point Stream and Rakaia River</u>	BW19:579-064 <u>1457900 mE, 5206400 mN</u>

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
	Hydra W Waters, Titan Stream, Chimera Stream	480 m contour	(480 m) contour	Confluence of Titan Stream with Rakaia River	BW49:674-068 1467100 mE, 5206800 mN
	Montrose Creek	Approximately 300 m contour	1487000 mE, 5185400 mN	Confluence of Montrose Creek with Rakaia River	1487640 mE, 5184615 mN
	Ryton River	Approximately 11 km upstream Ryton River from entrance to Lake Coleridge	BW20:834-085	Entrance of Ryton River into Lake Coleridge	BW20:805-062
	Ryton River	Approximately 1.8 km upstream of confluence with Monckburn	1484430 mE, 5212865 mN	Entrance of Ryton River into Lake Coleridge	1480285 mE, 5206150 mN
	Goat Hill	500 m contour	(500 m) contour	Confluence with Wilberforce River	BW20:685-126 1468710 mE, 5212450 mN
	Hennah Stream	Exit of Hennah Stream from Lake Evelyn	BW20:813-097 1481300 mE, 5209700 mN	Confluence of Hennah Stream with Ryton River	BW20:818-076 1481765 mE, 5207515 mN
	Mellish Stream	4WD track 1.5 km upstream	BX19:564-844 1456565 mE, 5184410 mN	Inlet of Mellish Stream to Harrisons Bight, Lake Heron	BX19:556-854 1455630 mE, 5185360 mN
Ashburton	Spring Creek	Walkhams Road	1491600 mE, 5147800 mN	Confluence with South Branch Ashburton River	1489400 mE, 5150800 mN
	Bowyers Stream	The Mill Creek confluence	1474100 mE, 5165800 mN	Confluence with South Branch Ashburton River	1482100 mE, 5156100 mN
	Maori Lakes outflow	Maori Lakes Outlet	1453040 mE, 5173610 mN	Confluence with South Branch Ashburton River	1452600 mE, 5171400 mN
Rangitata	Deep Stream Complex - Mesopotamia	Approximately 500 m downstream Scour Stream from Rangitata Gorge Road crossing to the 470 m contour	(470 m) contour	Confluence of Scour Stream with Rangitata River	BX18:364-625 1436400 mE, 5162500 mN
	Deep Creek Complex – Mt Potts	Approximately 2.3 km south west of Rabbit Hill to the 500 m contour 2 km northwest of Mount Sunday	(530 m) 540 m contour	Confluence of Deep Creek complex with Rangitata River (approximately 3 km west of Potts Road Bridge over Potts River)	BX18:314-723 1431535 mE, 5172040 mN
	Brabazon Fan	Unnamed tributaries of the Rangitata River to the 500 m contour	(500 m) contour	Confluence with the Rangitata River	BX18:312-696 1431200 mE, 5169600 mN
	Black Mountain Stream	Unnamed tributaries of the Rangitata River to the 580 m contour	(580 m) contour	Confluence with the Rangitata River	BX18:248-763 1425110 mE, 5175955 mN

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
	Ealing Springs	Unnamed tributaries of the Rangitata River to the 140 m contour	B Y20:704-232-1470350 mE, <u>5123515 mN</u>	Confluence with the Rangitata River	B Y20:724-215-1472400 mE, <u>5121500 mN</u>
	McKinnons Creek	Unnamed tributary of the Rangitata River known as McKinnons Creek to the 40 m contour	(40 m) <u>contour</u>	Confluence with the Rangitata River	B Z20:793-086-1479300 mE, <u>5108600 mN</u>
Opihi	Opihi River	Fairlie at SH79 Bridge	B Z18:266-152-1426640 mE, <u>5115150 mN</u>	Temuka River <u>confluence</u>	B Z19:652-975-1465360 mE, <u>5097340 mN</u>
	Temuka River	Ford at Oxford Crossing Road	B Z19:614-018-1461400 mE, <u>5101800 mN</u>	Confluence of Temuka River with Opihi River (Approximately 3.5 km downstream of SH1 Bridge over Opihi River)	B Z19:652-975-1465360 mE, <u>5097340 mN</u>
	Waihi River	Beeby Road ford	B Z19:613-093-	Oxford Crossing Road	B Z19:614-018-
	<u>Waihi River</u>	<u>Beeby Road ford</u>	<u>1461390 mE, 5109335 mN</u>	<u>Confluence with Temuka River</u>	<u>1461435 mE, 5101520 mN</u>
	Opuha River Gorge	Approximately 1.5 km below dam	B Y18:312-242-1431615 mE, <u>5124305 mN</u>	Skipton (SH79 Bridge over Opuha River)	B Z18:382-173-1438210 mE, <u>5117235 mN</u>
	Tongawai Te Ana Wai River	Albury	B Z18:306-006-1430680 mE, <u>5100545 mN</u>	Confluence of Tongawai Te Ana Wai River with Opihi River (Approximately 800-m upstream of Waitohi Pleasant Point Road over Opihi River)	B Z19:510-990-1451400 mE, <u>5098670 mN</u>
Orari	Orari River - Lower Section	Orari River at Badham Bridge	B Z19:677-063-1467700 mE, <u>5106300 mN</u>	Orari River mouth	B Z20:728-001-1472920 mE, <u>5100010 mN</u>
	Ohapi Creek	Ohapi South, Middle and North Branches at Guild Rd/20 m contour	B Z19:662-028- B Z19:663-029- B Z19:677-044	Confluence with the mouth of the Orari River	B Z20:724-000
	<u>Ohapi Creek North Branch</u>	<u>Branch Headwaters</u>	<u>1464100 mE, 5111300 mN</u>	<u>Milford Clandeboye Road</u>	<u>1468100 mE, 5100900 mN</u>
	<u>Ohapi Creek South Branch</u>	<u>Branch Headwaters</u>	<u>1463590 mE, 5108030 mN</u>	<u>Milford Clandeboye Road</u>	<u>1468100 mE, 5100900 mN</u>
	<u>Ohapi Creek Middle Branch</u>	<u>Branch Headwaters</u>	<u>1464100 mE, 5109745 mN</u>	<u>Milford Clandeboye Road</u>	<u>1468100 mE, 5100900 mN</u>
Waitaki	Lower Waitaki River	Waitaki Dam	CA 17:962-486-1396200 mE, <u>5048600 mN</u>	SH1 Bridge	CB 19:500-232-1450000 mE, <u>5023200 mN</u>

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
	Hakataramea River	Cattle Creek confluence	CA17:156-690- 1415600 mE, 5069000 mN	Confluence of Hakataramea River with Waitaki River	CB17:008-439- 1400800 mE, 5043900 mN
	Larch Stream	540 m contour	(540 m) contour	Hopkins confluence	BZ15:481-084- 1348100 mE, 5108400 mN
	Stockyard Creek	555 m contour	(555 m) contour	Hopkins confluence	BZ15:498-135- 1349800 mE, 5113500 mN
	Ohau tributary 1	Just below 560 m contour	BZ16:755-870-	Lake Benmore	BZ16:763-861-
	Ohau tributary 1 (Mint Stream)	Below Old Iron Bridge Road	1368060 mE 5092470 mN	Ohau River confluence	1370680 mE, 5091040 mN
	Ohau tributary 2	Ponds beside Ohau C	BZ15:682-926-	Ohau confluence-	BZ15:705-912-
	Ohau tributary 2 (Ohau C Stream)	Ponds beside Ohau Canal	1375500 mE, 5087000 mN	Lake Benmore	1376440 mE, 5086050 mN
	Lower Ohau River	Below Ruataniwha Dam	1368000 1368095 mE, 5092100 5092016 mN ⁵²⁴	Lake Benmore	1376900 mE, 5086000 mN
	Upper Ohau River	Below Lake Ohau Weir ⁵²⁵	1355800 1356198 mE, 5092000 5091984 mN ⁵²⁶	Lake Ruataniwha Upper Ohau River ⁵²⁷	1363255 1362678 mE, 5093635 5093654 mN ⁵²⁸
	Falstone Creek	Falstone Road	1376600 mE, 5080100 mN	Lake Benmore	1376900 mE, 5080250 mN
	Otematata River	Clear Stream confluence	1375300 mE, 5048700 mN	Confluence with Lake Aviemore	1378200 mE, 5057600 mN
	Twizel River	Pukaki Canal	1368760 mE, 5100752 mN	Confluence with Lower Ohau	1375640 mE, 5087420 mN
	Fraser Stream	Wetland	1363100 mE, 5099200 mN	Confluence with Twizel River	1368600 mE, 5096400 mN
	Grays River	Mackenzie River Confluence	1400320 mE, 5104430 mN	Confluence with Tekapo River	1387480 mE, 5096900 mN
	Mary Burn	Confluence downstream of wetland	1384155 mE, 5112070 mN	Confluence with Tekapo River	1385800 mE, 5096000 mN
	Shepherds Creek	400 m contour	400 m contour	Confluence with Lake Benmore	1376910 mE, 5074050 mN
	Glentanner	540 m contour	1369000 mE, 5135800 mN	Confluence with Lake	1369665 mE,

⁵²⁴ Meridian PC7-346.23, PC7-346.24, PC7-346.27, PC7-346.28, PC7-346.29

⁵²⁵ Meridian PC7-346.23, PC7-346.24, PC7-346.27, PC7-346.28, PC7-346.29

⁵²⁶ Meridian PC7-346.23, PC7-346.24, PC7-346.27, PC7-346.28, PC7-346.29

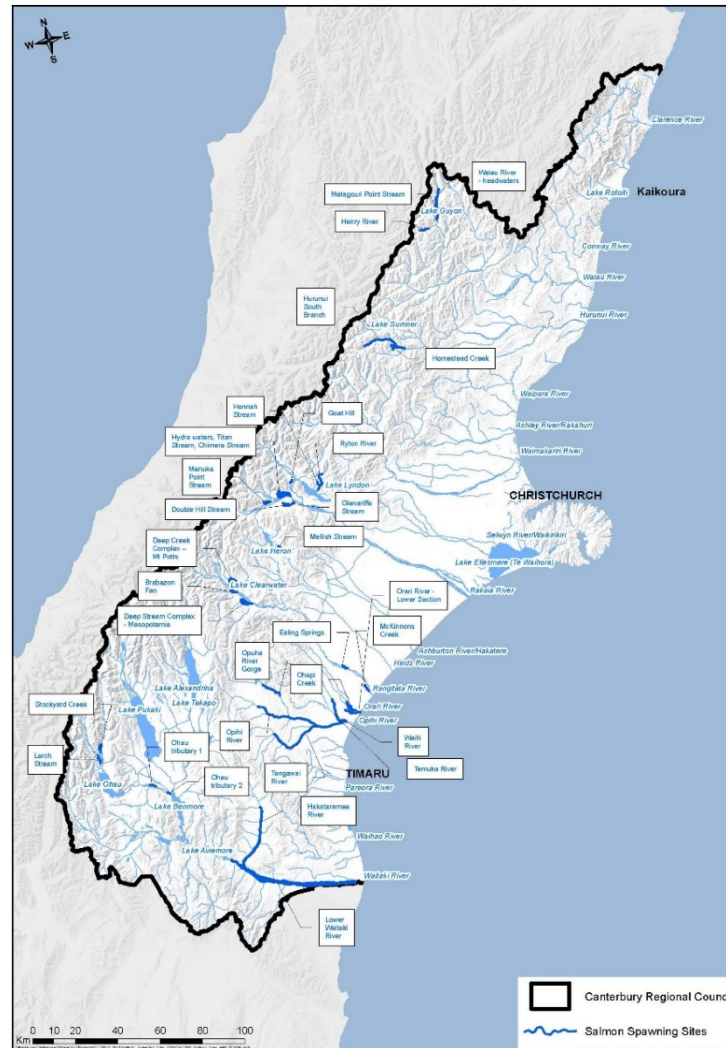
⁵²⁷ Meridian PC7-346.23, PC7-346.24, PC7-346.27, PC7-346.28, PC7-346.29

⁵²⁸ Meridian PC7-346.23, PC7-346.24, PC7-346.27, PC7-346.28, PC7-346.29

River Catchment	River, stream or reach name	Upstream Location Description	Upstream Grid Map Reference (NZTM2000 or Topo50 contour line)	Downstream Location Description	Downstream Grid Map Reference (NZTM2000 or Topo50 contour line)
	<u>Stream</u>			<u>Pukaki</u>	<u>5134430 mN</u>

Salmon Spawning Site

[Plan Change 7 proposes to delete the Salmon Spawning Site map as these sites are shown on Volume 2 of the LWRP (the Planning Maps)]



Schedule 32 Managed Aquifer Recharge Plan

A Managed Aquifer Recharge Plan is a document required to accompany an application for resource consent for managed aquifer recharge. It must contain the following information in sufficient detail to enable the consent authority to be reasonably informed as to the nature and extent of the activity.

The Managed Aquifer Recharge Plan shall contain as a minimum:

1. The physical address and legal description of the land that all components of the managed aquifer recharge system will be located on, the name and contact details of the land owner(s), and the contact details of the manager of the managed aquifer recharge system; and
2. A description of the site and surrounds at the time of consent application including:
 - a. The highest groundwater level and hydraulic gradient; and ⁵²⁹
 - b. A map(s) and/or aerial photograph at a scale that clearly shows the location and separation distance (as measured from the point of discharge) to the following features:
 - i. adjoining neighbouring property boundaries;
 - ii. neighbouring dwellings;
 - iii. human and animal drinking water sources;
 - iv. rivers, streams, lakes, ponds, wetlands, springs and permanent or intermittent drains;
 - v. areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
 - c. Any sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga; and ⁵³⁰
3. A description of the proposed managed aquifer recharge system including:
 - a. the location of the proposed surface water source and any relevant surface water abstraction point(s); and
 - b. the maximum rate and annual volume of the proposed surface water take, and any flow and allocation limits for the surface water body; and
 - c. the design and maintenance details of any existing or proposed fish screen at the surface water intake (or upstream of the intake), and the proposed methods to ensure the safe passage of fish; and
 - d. the water conveyance method and the proximity of the proposed discharge point to the surface water intake structure; and
 - e. the proposed method(s) for removing and/or treating contaminants prior to discharge; and
 - f. the design, construction and maintenance details of the proposed recharge structure at the discharge point; and
 - g. the expected peak recharge rate and annual volume at the point of discharge; and
4. A description of the objectives sought for the proposed managed aquifer recharge system and the anticipated timeframes for achievement of those objectives, including but not limited to:
 - a. a description of the quality and quantity of the receiving groundwater at the proposed discharge point; and
 - b. the groundwater quality and quantity objectives beyond the proposed discharge point, including at distances beyond 1km from the discharge point; and
 - c. water quality and quantity objectives for any hydraulically connected surface water bodies; and
5. An assessment of the actual and potential adverse environmental effects associated with the construction and operation of the managed aquifer recharge system, and a description of the proposed monitoring to avoid, mitigate or minimise these risks; and

⁵²⁹ Forest and Bird PC7-472.197

⁵³⁰ RMA Schedule 1, Clause 16(2) – minor correction

6. A description of the content and frequency of reporting associated with the operation of the managed aquifer recharge system.