

NELSON CITY COUNCIL

Nelson Resource Management Plan

Proposed Plan Change 24
Freshwater

Proposed Plan Amendments

Notification Date

25 September 2010

Submissions Close

5pm Friday 3 December 2010



1.0 Introduction (*not part of the Plan Change*)

1.1 Background and development

Plan Change 24.1 – Freshwater rules FWr.26 to FWr.29 to apply in all zones (rather than the Rural Zone only)

A survey of plan users identified they did not like the increased bulkiness of the Nelson Resource Management Plan created by the freshwater rules being repeated in each zone. To address this issue the rules will be moved into an Appendix, which will apply to all zones.

A plan change is not required to generally move the rules, as this does not change the effect of the rules.

However, a plan change is required to apply the four rules that currently only occur in the Rural Zone to all zones. These are FWr.26 (stock fences), FWr.27 (stock access and crossings), FWr.28 (discharge of stock effluent onto or into land) and FWr.29 (establishment of, and discharges to, effluent disposal fields).

The three rules related to stock management (FWr.26, FWr.27 and FWr.28) will not have significant effect, but the one related to effluent disposal fields (FWr.29) will now be able to be applied in cases where developers choose not to join up to reticulated services, as provided for in Proposed Plan Change 14 and the NCC Land Development Manual 2010. This Plan Change amends FWr.29 to more explicitly apply to all zones, and states that extensions to existing effluent disposal fields (as well as new disposal fields) require resource consent.

Plan Change 24.2 – Update of the water quality classifications in Appendix 28.4

Plan Change 24.2 updates the water quality classifications in Appendix 28.4. The classifications were based on eighteen months of monitoring, up until 2002. After five more years of monitoring, the Council commissioned the Cawthron Institute to review the water quality classifications and set up a more uniform assessment process to ensure consistency of classification over the long term. The Cawthron report recommended 16 changes to the classifications. The basis of the revised classifications are shown in Cawthron Report No. 1349 (September 2007).

1.2 Format of the Plan Change provisions (not part of the plan change)

For the ease of the reader the full text of provisions to be changed have been used in this document.

The reader should be aware that current operative provisions that are not proposed to be changed are unable to be submitted upon.

Within this Plan Change:

- 'Normal' text applies to current operative provisions to remain unchanged.
- 'Underline' text applies to proposed new provisions.
- '~~Strikethrough~~' text applies to operative provisions proposed to be deleted or amended as described.
- '*Italic*' text applies to instructions.

2.0 Plan Change 24: Proposed Amendments to the Nelson Resource Management Plan (Statutory Provisions)

2.1 Plan Change 24.1 – Freshwater rules FWr.26 to FWr.29 to apply in all zones (rather than the Rural Zone only)

[Note: these changes have legal effect from the date of notification]

Add a new Appendix 28.9 Freshwater Rules for All Zones, which includes these rules:

- i) FWr.26 stock fences*
- ii) FWr.27 stock access and crossings*
- iii) FWr.28 discharge of stock effluent onto or into land*
- iv) FWr.29 establishment of, and discharges to, effluent disposal fields*

Delete the following rules from the Rural Zone chapter:

- i) FWr.26 stock fences*
- ii) FWr.27 stock access and crossings*
- iii) FWr.28 discharge of stock effluent onto or into land*
- iv) FWr.29 establishment of, and discharges to, effluent disposal fields*

Amend FWr.29 (establishment of, and discharges to, effluent disposal fields) as follows:

FWr.29.3

Discretionary

In the Rural Zone:

- a) Discharges to new on-site effluent disposal fields for single residential units on lot sizes smaller than 15 ha are a discretionary activity.
- b) New on-site wastewater discharges associated with commercial or industrial activities are a discretionary activity.

The application may be considered without the need to:

- i) be notified, or
- ii) gain written approval of affected parties, or
- iii) serve notice of applications on any person.

Any establishment or extension of, or discharge to, effluent disposal fields that does not meet the conditions for permitted activities is a discretionary activity.

In all zones except the Rural Zone:

Discharges to new on-site effluent disposal fields for residential, commercial or industrial activities of less than 10 lots are a discretionary activity.

2.2 Plan Change 24.2 - Update of the water quality classifications in Appendix 28.4

[Note: these changes have legal effect from the date of notification]

Amend Ap28.4 as follows:

AP28.4 Classification of Nelson water bodies

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classification (2002) (2007) ¹	Priority for improvement
Poorman Valley Stream	Seaview Road to Christian Academy	Access Conservation Hazard mitigation	<ul style="list-style-type: none"> • Residential Zone • stormwater drainage • lwi values • native fisheries • high amenity and recreation values • sensitivity of Waimea Inlet receiving environment 	D E	First
Brook Stream	Maitai confluence to 328 Brook Street		Lower (measured at Manuka St ford) <ul style="list-style-type: none"> • stormwater drainage • recreation and aesthetics • lwi values • native fisheries 	D /E <u>D</u>	First
	328 Brook St to above Brook Motor Camp	Hazard mitigation Conservation Access	<ul style="list-style-type: none"> • native fishery • old reservoir • lwi values • high recreation and amenity values 	B -A	Second Maintain C quality and upgrade to B where practicable.

¹ The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classification (2002)(2007)	Priority for improvement
Maitai River	The Haven to Jickells Bridge	Conservation Access Hazard mitigation	Lower (Riverside to seaward boundary) <ul style="list-style-type: none"> • stormwater drainage • swimming (health issue) • trout, whitebait and eel fishing • dog swimming • kayaking • whitebait spawning • lwi values • high amenity and recreational value • walkway 	C <u>D</u>	First
	Jickells Bridge to Conservation Zone boundary	Conservation Access Hazard mitigation	Mid-Upper (from Almond Tree ford to Motor camp) <ul style="list-style-type: none"> • swimming • trout and eel fishing • dog-swimming • native fisheries • trout fisheries • walkway • lwi values 	B <u>C</u>	Third Maintain
Groom Creek			<ul style="list-style-type: none"> • native fisheries • lwi values • affects Maitai River quality for swimming (health issue) 	C <u>B</u>	Second
Wakapuaka River	Hira township to Ross Road turnoff	Conservation Access	<ul style="list-style-type: none"> • domestic abstraction • swimming • trout spawning and rearing • native fisheries • lwi values 	B <u>A</u>	Second Maintain
	Ross Road turnoff to last Whanga moa layby	Conservation Access	<ul style="list-style-type: none"> • domestic abstraction • swimming • trout spawning and rearing • native fisheries • lwi values 	B <u>A</u>	Third Maintain

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classification (2002 2007)	Priority for improvement
Lud River	SH6 to Small Holdings Area boundary	Conservation Access Hazard mitigation	Lower <ul style="list-style-type: none"> • domestic abstraction • swimming • trout spawning and rearing • native fisheries • lwi values 	<u>D-C</u>	First
			Upper <ul style="list-style-type: none"> • domestic abstraction • swimming • trout spawning and rearing • native fisheries • lwi values 	<u>D-C</u>	First
Pritchard's Stream			<ul style="list-style-type: none"> • native fishery • lwi values 	<u>B-A</u>	Third Maintain
Whangamoā River	Whangamoā Main Stem inlet to Graham Stream confluence	Conservation Access	Lower <ul style="list-style-type: none"> • native fisheries • trout fishing • drinking water • vehicles crossings • lwi values • sensitive coastal receiving environment 	<u>C-A</u>	Third Upgrade to Class B where practicable
	Whanga-moā Main Stem above Graham Stream		Upper <ul style="list-style-type: none"> • native fisheries • trout spawning • drinking water • vehicle crossings • lwi values 	<u>BA</u>	Third Maintain
Graham Stream	-	-	<ul style="list-style-type: none"> • native fisheries (unknown values) • trout spawning and fishing • drinking water • vehicle crossings • lwi values • sensitive coastal receiving environment 	<u>B-A</u>	Third Maintain
Collins River	-	-	<ul style="list-style-type: none"> • native fisheries • trout spawning and fishing • lwi values 	<u>CB</u>	Third Upgrade to Class B where practicable

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classification (2002) (2007)	Priority for improvement
Dencker Creek			<ul style="list-style-type: none"> • native fisheries • drinking water • vehicle crossings • lwi values 	GA	Third Upgrade to Class B where practicable