

Proposed Marlborough Environment Plan

Minute of the Hearing Panel

Minute 30

1. The Section 42A report writer for Topic 9: Natural Hazards recommended that the following permitted activity rule and standards be added to the rules that apply to the Drainage Channel Network set out in the General Rules.

2.12.12. Sediment removal and associated discharge

2.14.11 Sediment removal and associated discharge

2.14.11.1 The removal must be necessary for maintaining the drainage carrying capacity of the drainage channel, or for the stability of the banks of the channel banks.

2.14.11.2 •Excavators must operate from the bank of the drainage channel where possible.

2.14.11.3 The removal must not be carried out in water greater than 2m average depth.

2.14.11.4 The sediment removed must be retained on adjacent drainage channel banks for a period not less than 12 hours to provide opportunity for fish and animals to re-enter the drainage channel.

2.14.11.5 The removal must not be carried out in a tidal reach between 1 February and 30 April in any year.

2.14.11.6 The removal must not limit fish passage.

2.14.11.7 Any discharge of sediment into water associated with the removal must not, after reasonable mixing, cause a change in colour of the receiving water of more than 5 Munsell units or a decrease in clarity of more than 20% for more than 8 hours in any 24 hour period and more than 40 hours in total in any calendar month.

2. This recommendation was in response to a submission made by the Marlborough District Council requesting that the removal of sediment from the Drainage Channel Network be enabled.
3. The MEP Hearing Panel (the Panel) noted that the rule would allow for sediment to be removed from any “drain” included in the Drainage Channel Network (as identified in the relevant overlay map in Volume 4 of the Proposed Marlborough Environment Plan).

4. The Panel recognises that for many drains, sediment removal is probably necessary to maintain channel efficiency and therefore the drainage function.
5. However, the Panel also notes that the Drainage Channel Network might also consist of rivers, some of which may support instream ecological values. Spring Creek is probably a notable example.
6. The Panel would like to be informed as to whether there are rivers that form part of the Drainage Channel Network within which the removal of sediment, in accordance with the recommended rule and standards, would have the potential to cause a significant adverse effect on instream ecology? If the answer to that question is yes, then the Panel requests that these rivers be specifically identified.
7. The Panel notes that one of the recommended standards restricts sediment removal when the depth of water is greater than 2 metres. This may provide appropriate protection for rivers, so the standard should be taken into account when answering the two questions above.
8. The Panel would appreciate a response to this minute no later than Friday, 29 June, 2018.

Dated 6 June 2018

A handwritten signature in black ink, appearing to read 'T Hook', with a small dot at the end.

Councillor Trevor Hook

Chair of the MEP Hearing Panel