

Draft Water Races Bylaw 2025 – Summary of feedback

To support hearings 13 August 2025

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1.1 Summary of feedback received

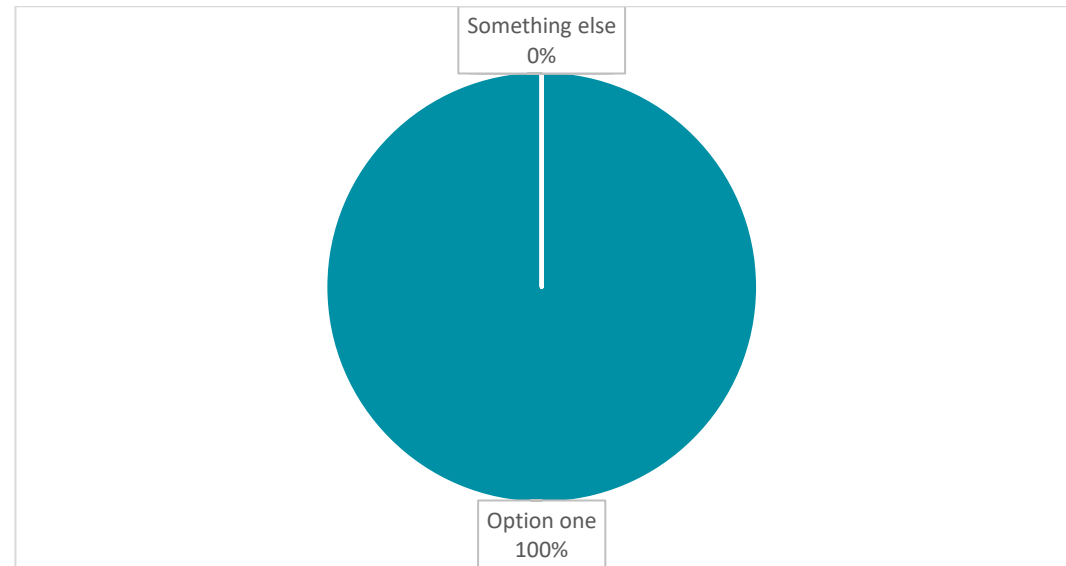
Public consultation on the Draft Water Races Bylaw was undertaken from Friday 30 May to Sunday 29 June 2025.

- A total of 2 submissions were received.
- All submissions were received on time.
- No submitters indicated they wanted to be heard on their submission.

1.2 Preferred Option

Based on the question “What is your preferred option?”

Options	Number of people
Option one – 95% status quo (Council’s preferred option)	2
Option two – maintain 100% status quo	0
Option three – do nothing	0
Something else	0
Total	2



1.3 Reasons for preferred option one, two or three

Based on the question “If you chose option one, two or three, why did you prefer this Option?”

Submitter name	Page	Summary	Staff comments
Option one			
Keith Gunn	4	Small improvement on option two.	Noted.
Stephen MacLachlan	2	We believe that there will be retention of some of the races, and that ongoing ADC management will still be required into the future.	<p>The water race bylaw is focussed on management of the network as water races for as long as Council is involved in the stockwater activity.</p> <p>As part of Council’s exit from the stockwater activity, there may be races identified for retention for other purposes e.g. drainage or ecological.</p> <p>It is envisaged under these circumstances, the identified races / drains / water-ways could require an alternative bylaw or other management framework for their operation.</p>

1.4 Aspects of the Bylaw that submitters agreed with

Based on the question “What aspects of the proposed bylaw do you agree with and why? (Please specify the topic and/or clause numbers)”

Submitter name	Page	Summary	Staff comments
Stephen MacLachlan	2	2 b. provide for the cultural and ecological values of identified parts of the network...and any components of the bylaw which support this clause going forward beyond 2027.	Refer previous comment.

1.5 Aspects of the bylaw that submitters disagreed with

Based on the question “What aspects of the proposed bylaw do you disagree with and why? (Please specify the topic and/or clause numbers)”

Submitter name	Page	Summary	Staff comments
Stephen MacLachlan		<ul style="list-style-type: none"> Disagree with blanket exclusion of 6 m unplanted zone detailed in 10.1.15.2 (d) and Schedule 3 Figure 1. We are submitting that the proposed bylaw amendments provide for an owner to use an alternative method of race cleaning (usually for small areas) where a 6 metre clearway is not maintained e.g. use of a suction hose/truck. This is a method which is verified as achievable by contractors. The outcome achieved is the same and is consistent with Clause 7.2 (Owner/Occupiers Responsibility). 	<p>There is considered to be sufficient provision under the bylaw to provide relief from these requirements in “10.1.15.3 As otherwise approved by Council.”.</p> <p>This flexibility may be appropriate for local races, however access for main races would need to be retained in line with the proposed bylaw, noting that Council pays for main race maintenance and the clear zone is essential to facilitate the work in the most cost-effective way.</p>

1.6 General Comments

Based on the question “Do you have any other comments, ideas or feedback?”

Submitter name	Page	Summary	Staff comments
Stephen MacLachlan		<ul style="list-style-type: none"> For context, this feedback relates specifically to the water course passing through a residential zoned property. On residential properties the damage resulting from digger operations can (and has previously been) significant, including deep wheel ruts and spilled material. In short, properties zoned residential are not compatible with digger and truck operations. The proposed bylaw change reinforcing the 6 metre clearway will deter property owners from carrying out balanced riparian planting. Upholding the ecological values by enhancing the riparian habitat is a key component of the bylaw, and Community Outcomes. The bylaw changes in relation to the 6 metre clearway could result in the costly removal of enhancing features e.g. plants providing shading and structures, and combined with the uncertainty of race continuity, will discourage further investment of both effort and funds. We are submitting that the proposed bylaw amendments provide for an owner to use an alternative method of race cleaning (usually for small areas) where a 6 metre clearway is not maintained e.g. use of a suction hose/truck. This is a method which is verified as achievable by contractors. The outcome achieved is the same and is consistent with Clause 7.2 (Owner/Occupiers Responsibility). If existing/remaining races are going to be re-branded as non-stock water 'blue/green' corridors and community assets, then systematically damaging the race and any riparian planting with a digger is not consistent with ecological policy and values. 	<p>Water rangers will work with landowners where race maintenance is identified necessary and agree how that work will be completed.</p> <p>Ranger staff will be looking for an outcome that maintains flows to downstream stockwater customers. Using a sucker truck is probably a less environmentally friendly method of race cleaning. Any invertebrate sucked into the tank has no means of escape. Digger operations clear the race debris onto the banks offering aquatic life some chance of making their way back into the water. Staff are seeking feedback from AEC on this issue.</p> <p>If the water race is identified for retention for ecological reasons, then focus of management changes to maintaining ecological outcomes. As stated in previous comments, it is anticipated that that management would be</p>

Submitter name	Page	Summary	Staff comments
			carried out under a different framework that may include a new bylaw.