

## Steph Bennett

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**From:** Kathryn Lacey <KLacey@burtonconsultants.co.nz>  
**Sent:** Wednesday, 14 November 2012 3:25 p.m.  
**To:** Mailroom Mailbox  
**Subject:** LWRP Further Submission  
**Attachments:** Further submissions by Transpower on the Proposed Land and Water Regional Plan 14Nov12.pdf; Further Submission by the Oil Companies on the Proposed Land and Water Plan.pdf

**Categories:** Purple Category

EC 309658

EC138336 - EC119274

SUBMITTER ID: ~~F548~~ F599

Hi ,

Please find attached further submissions by Transpower NZ Ltd and the Oil Companies on the Proposed Land and Water Regional Plan. Hard copies will follow in the post.

Kind regards  
Kathryn

*Kathryn Lacey*  
*Planner*

Burton Consultants  
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14 November 2012

Proposed Canterbury Land and Water Regional Plan  
Freepost 1201  
Environment Canterbury  
PO Box 345  
Christchurch 8140

Via email: [mailroom@ecan.govt.nz](mailto:mailroom@ecan.govt.nz)

Dear Sir/Madam

**RE: FURTHER SUBMISSIONS BY THE OIL COMPANIES ON THE PROPOSED  
CANTERBURY LAND AND WATER REGIONAL PLAN**

Please find enclosed, by way of service, further submissions by Z Energy New Zealand Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited ("The Oil Companies") on the Proposed Canterbury Land and Water Regional Plan.

Please do not hesitate to contact me on (09) 917 4302 if you have any queries or require any additional information.

Yours faithfully,

**BURTON PLANNING CONSULTANTS LIMITED**



Kathryn Lacey  
**Planner**

**FOR OFFICE USE ONLY**

## Further Submission on Proposed Canterbury Land and Water Regional Plan

Submitter ID: \_\_\_\_\_

File No: \_\_\_\_\_

**Form 6: Further Submissions in support of, or in opposition to, submission on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 8 of Schedule 1 of the Resource Management Act 1991**

**Return your signed further submission by 5.00pm Wednesday 14 November 2012 to:**

Freeport 1201 Proposed Canterbury Land and Water Regional Plan  
Environment Canterbury  
P O Box 345  
Christchurch 8140

**Full Name:** Burton Planning Consultants Attn: Kathryn Lacey \_\_\_\_\_ **Phone (Hm):** \_\_\_\_\_

**Organisation\*:** Z Energy NZ Ltd, BP NZ Ltd, Mobil NZ Ltd (The Oil Companies) \_\_\_\_\_

**Phone (Wk):** 09 917 4302 \_\_\_\_\_

\* the organisation that this further submission is made on behalf of

**Postal Address:** \_\_\_\_\_ **Phone (Cell):** \_\_\_\_\_

**Postcode:** \_\_\_\_\_

**Email:** klacey@burtonconsultants.co.nz \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Contact name and postal address for service of person making further submission (if different from above):**

Po Box 33817 Takapuna Auckland

**Only certain people can make further submissions. Please tick the option that applies to you:**

- ☐ I am a person representing a relevant aspect of the public interest; or
- ☒ I am a person who has an interest in the proposal that is greater than the interest the general public has (for example, I am affected by the content of a submission); or
- ☐ I am the local authority for the relevant area.

- ☐ I do not wish to be heard in support of my further submission; or
- ☒ I do wish to be heard in support of my further submission; and if so,
- ☒ I would be prepared to consider presenting your further submission in a joint case with others making a similar submission at any hearing

### **Service of your further submission:**

Please note: any person making a further submission must **serve a copy of that submission on the original submitter no later than five working days after the submission has been provided to Environment Canterbury**. If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served with each original submitter.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

**FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED ("THE OIL COMPANIES") ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
1	Chorus New Zealand Limited & Telecom New Zealand Limited 127.6	<p>Amend Policy 4.16, to use consistent terminology by replacing "<u>contaminated sites</u>" with "<u>potentially contaminated land</u>", as follows:</p> <p>"4.16 The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated sites potentially contaminated land is avoided or minimised by ensuring that:</p> <p>(a) Activities are sited, designed and managed to avoid the contamination of groundwater;</p> <p>(b) Existing or closed landfills and <del>contaminated sites</del> potentially contaminated land are managed and monitored to minimise any contamination of groundwater..."</p>	Oppose	The Oil Companies oppose any reference to potentially contaminated land and the implication that all such sites need to be managed and monitored in Policy 4.16. Any references to potentially contaminated land should be deleted in accordance with the relief sought in its own submission.
2	Meadow Mushrooms Limited 128.27	<p>Amend policy to use terminology consistent with the rules of the proposed plan, as follows:</p> <p>"4.16 The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and potentially contaminated sites land is avoided or minimised by ensuring that:</p> <p>(a) Activities are sited, designed and managed to avoid the contamination of groundwater;</p> <p>(b) Existing or closed landfills and <u>potentially contaminated sites</u> land are managed and monitored to minimise any contamination of groundwater; and</p> <p>(c) There is sufficient thickness of undisturbed sediment in the confining layer over the coastal Confined Aquifer system to prevent the entry of contaminants into the aquifer".</p>	Oppose	The Oil Companies oppose any reference to potentially contaminated land and the implication that all such sites need to be managed and monitored in Policy 4.16. Any references to potentially contaminated land should be deleted in accordance with the relief sought in its own submission.

**FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED ("THE OIL COMPANIES") ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
3	Mainpower New Zealand Limited 148.6	<p>Amend policy to use terminology consistent with the rules of the proposed plan, as follows:</p> <p>"4.16 The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and potentially contaminated sites land is avoided or minimised by ensuring that:</p> <p>(a) Activities are sited, designed and managed to avoid the contamination of groundwater;</p> <p>(b) Existing or closed landfills and <u>potentially contaminated land</u> <del>contaminated sites</del> are managed and monitored to minimise any contamination of groundwater; and</p> <p>(c) There is sufficient thickness of undisturbed sediment in the confining layer over the coastal Confined Aquifer system to prevent the entry of contaminants into the aquifer".</p>	Oppose	The Oil Companies oppose any reference to potentially contaminated land and the implication that all such sites need to be managed and monitored in Policy 4.16. Any references to potentially contaminated land should be deleted accordance with the relief sought in its own submission.
4	Department Of Corrections, Wellington 222.6	That Policy 4.23 be retained as notified.	Support	The Oil Companies support the retention of Policy 4.23 without modification as it is consistent with the relief sought in its own submission.
5	Chorus New Zealand Limited & Telecom New Zealand Limited 127.7	<p>Amend Policy 4.23, to be consistent with the rest of the policy framework of the proposed plan which is to avoid adverse effects, as follows:</p> <p>"4.23 Any discharges of hazardous substances from <u>potentially contaminated land</u>, including existing and closed landfills, shall be managed to ensure <del>there are no</del> <u>that adverse effects on people's health or safety, on human or stock drinking water supplies, or on surface water are avoided.</u>"</p>	Oppose	The Oil Companies oppose any reference to "potentially contaminated land" in the policy framework as it is inconsistent with the relief sought in its own submission. The Oil Companies seek that Policy 4.23 be retained without modification. Furthermore, it is not appropriate to have avoidance policy for contaminated land if the land is already contaminated and the discharge has occurred. The issue is what is happening and how this should be managed.

**FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED ("THE OIL COMPANIES") ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
6	Orion New Zealand Ltd 165.8	Amend Policy 4.23 as follows:  "4.23 Any discharges of hazardous substances from <u>potentially contaminated land</u> , including existing and closed landfills, shall be managed to ensure <del>there are no</del> <u>that</u> adverse effects on people's health or safety, on human or stock drinking water supplies, or on surface water are avoided."	Oppose	The Oil Companies oppose any reference to "potentially contaminated land" in the policy frameworks as it is inconsistent with the relief sought in its own submission. The Oil Companies seek that Policy 4.23 be retained without modification.
7	Meadow Mushrooms Limited 128.5	Policy is inconsistent with the general policy framework as most policies seek to avoid adverse effects on the environment rather than ensuring that there are no effects. There are no rules which specifically refer to contaminated land only rules which relate to potentially contaminated land. Amend policy to be consistent with the rest of the policy framework of the proposed plan which is to avoid adverse effects, as follows:  "4.23 Any discharges of hazardous substances from <u>potentially contaminated land</u> , including existing and closed landfills, shall be managed to ensure <del>there are no</del> <u>that</u> adverse effects on people's health or safety, on human or stock drinking water supplies, or on surface water are avoided."	Oppose	The Oil Companies oppose any reference to "potentially contaminated land" in the policy frameworks as it is inconsistent with the relief sought in its own submission. The Oil Companies seek that Policy 4.23 be retained without modification.
8	Mainpower New Zealand Limited 148.6	Amend Policy 4.23, to be consistent with the rest of the policy framework of the proposed plan which is to avoid adverse effects, as follows:  "4.23 Any discharges of hazardous substances from <u>potentially contaminated land</u> , including existing and closed landfills, shall be managed to ensure <del>there are no</del> <u>that</u> adverse effects on people's health or safety, on human or stock drinking water supplies, or on surface water are avoided."	Oppose	The Oil Companies oppose any reference to "potentially contaminated land" in the policy frameworks as it is inconsistent with the relief sought in its own submission. The Oil Companies seek that Policy 4.23 be retained without modification.

**FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED ("THE OIL COMPANIES") ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
9	Chorus New Zealand Limited & Telecom New Zealand Limited <b>127.11</b>	Include the following definition of domestic wastewater in the Definitions section of the proposed plan, from AS/NZS 1547:2012:  <u>"Domestic wastewater - Wastewater originating from activities including water closets, urinals, kitchens, bathrooms (including showers, washbasins, baths, spa baths but not spa pools or hot tubs) and laundries. Such domestic wastewater includes that from facilities serving staff/employees/residents in institutional, commercial and industrial establishment."</u>	Support	The Oil Companies support the definition of "domestic waste water" sought by the submitter as the definition would include the wastewater systems that are located at some of their sites. It is recognised that there may be a need to distinguish between the source of the waste water described in the definition and other trade waste discharges from commercial and industrial premises.
10	Canterbury Regional Council <b>167.24</b>	That Rule 5.7 is amended by:  1. Adding the word "domestic" after "on-site" in the first line; 2. Deleting condition 5 ("Septic Tank Suitability Area") 3. Adding two additional conditions: <u>The discharge shall not contain hazardous substances or hazardous waste;</u> <u>The discharge shall not result in wastewater being visible on the ground surface;</u>	Support/ Oppose	The Oil Companies support the removal of Condition 5 but oppose the inclusion of the word "domestic" unless the definition proposed by Chorus and Telecom (Submission 127.11) is adopted. The additional point relating to hazardous substances is opposed as the wastewater would meet the current definition of hazardous waste and arguably the definition of hazardous substances. Therefore any discharges of wastewater from particular sites would not meet the permitted activity standards of Rule 5.7.
11	Canterbury Regional Council <b>167.25</b>	That Rule 5.9 is amended as follows (additions marked in underline, deletions in strikethrough):  <b>5.9 The discharge of wastewater from a new or upgraded on-site domestic 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:</b> 1. <u>The discharge volume does not exceed 14 m<sup>3</sup> per week 2 m<sup>3</sup> per day;</u>	Oppose	The Oil Companies oppose the inclusion of the additional point 7 in Rule 5.9 as requested by the submitter on the basis that sites that have such facilities would meet the definition of hazardous waste in the plan and therefore couldn't be discharged if condition 7 requested by the submitter is included in Rule 5.9.

**FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED ("THE OIL COMPANIES") ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN**

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
		<p>2. The discharge is within the area marked "Septic-tank On-site Wastewater Suitability -Area A"-on the Planning Maps; and</p> <p>3. The discharge is not onto or into land:</p> <p>(a) where there is an available sewerage network;</p> <p>(b) that is <u>contaminated</u> or is potentially contaminated;</p> <p>(c) listed as an archaeological site;</p> <p>(d) where the discharge would enter any surface water body;</p> <p>(e) within 20 m of any surface water body or the Coastal Marine Area;</p> <p>(f) within 50 m of a bore; or</p> <p>(g) within a group or community drinking water supply protection area as set out in Schedule 1 of this Plan;</p> <p>4. The treatment and disposal system is designed and installed in accordance with Sections 5 and 6 of New Zealand Standard AS/NZS 1547:2012 - On-site domestic wastewater management; and</p> <p>5. The treatment and disposal system is operated and maintained in accordance with the system's design specification for maintenance or, if there is no design specification for maintenance, Section 6.3 of New Zealand Standard AS/NZS 1547:2012 - On-site domestic wastewater management;</p> <p>6. The discharge shall not result in wastewater being visible on the ground surface; and</p> <p>7. The discharge shall not contain hazardous substances or hazardous waste.</p>		
12	Rangitata Diversion Race Management Limited 197.12	<p>Add a new Policy to section 3 as follows:</p> <p><u>"Recognise and provide for the ongoing operation, maintenance, development and upgrading of existing lawfully established and consented infrastructure and</u></p>	Support	The Oil Companies support the new policy as it provides for the ongoing operation, maintenance, development and upgrading of existing infrastructure which is consistent with the intent of the relief sought in the Oil Companies own



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#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
		<u>abstraction, while ensuring that any adverse effects on this infrastructure is avoided, remedied or mitigated to the extent needed to accord with the purposes of the Resource Management Act 1991."</u>		submission.
13	Meadow Mushrooms Limited 128.8	Amend condition 6(b) of Rule 5.7 as follows:  " <u>(b) that is potentially contaminated, except where a discharge permit and/or land use consent for storage of hazardous substances exists which demonstrates that hazardous substances are managed so that the land will not become contaminated.</u> "	Oppose	Condition 6(b) should be deleted from Rule 5.7 in its entirety in accordance with the relief sought in the Oil Companies own submission.
14	Mainpower New Zealand Limited 148.1	Amend condition 6(b) of Rule 5.7 as follows:  " <u>(b) that is potentially contaminated, except where a discharge permit and/or land use consent for storage of hazardous substances exists which demonstrates that hazardous substances are managed so that the land will not become contaminated.</u>	Oppose	Condition 6(b) should be deleted from Rule 5.7 in its entirety in accordance with the relief sought in the Oil Companies own submission.
15	Canterbury Regional Council 167.69	That the first part of Rules 5.166 is amended as follows (additions marked in underline, deletions in strikethrough): The use of land for the decommissioning of a container located <u>on</u> , in or under land that is or has been used to store a hazardous substance...	Support	The Oil Companies support the changes to Rule 5.166 in so far as it as it would mean that the rule would apply to aboveground petroleum storage tanks. However it is not appropriate to duplicate regulation requirements and to invoke the reference to the NES in schedule 4 as a regional requirement when the particular target of the regulations is for underground fuel systems.
16	Canterbury Regional Council 167.7	That the first part of Rule 5.167 is amended as follows (additions marked in underline, deletions in strikethrough): The use of land for the decommissioning of a container located <u>on</u> , in or under land that is or has been used to store a hazardous substance...	Support	The Oil Companies support the changes to Rule 5.167 as it would mean that the rule would apply to aboveground petroleum storage tanks.

**From:** [Kathryn Lacey](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** LWRP Further Submission  
**Date:** Wednesday, 19 December 2012 2:50:59 p.m.  
**Attachments:** [Further Submission by the Oil Companies on the Proposed Land and Water Plan - 19Dec12.pdf](#)

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**EC298981**

**Submitter ID: F607**

Hi ,

Please find attached further submissions by the Oil Companies on the Proposed Land and Water Regional Plan. Hard copies will follow in the post.

Kind regards  
Kathryn

*Kathryn Lacey*  
*Planner*

Burton Consultants  
Level 1 2-8 Northcroft Street  
PO Box 33-817  
Takapuna, AUCKLAND  
Ph +64 9 917-4302 (DDI) or +64 9 917-4300 Fax +64 9 917-4311



*planning & resource management consultants*

Level 1, 2-8 Northcroft St. PO Box 33-817, Takapuna, Auckland 0740, New Zealand  
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File: 12j048  
DDI: (09) 917 4302  
Fax: (09) 917 4311  
Email: [klacey@burtonconsultants.co.nz](mailto:klacey@burtonconsultants.co.nz)

19 December 2012

Proposed Canterbury Land and Water Regional Plan  
Freepost 1201  
Environment Canterbury  
PO Box 345  
Christchurch 8140

Via email: [mailroom@ecan.govt.nz](mailto:mailroom@ecan.govt.nz)

Dear Sir/Madam

**RE: FURTHER SUBMISSIONS BY THE OIL COMPANIES ON THE PROPOSED  
CANTERBURY LAND AND WATER REGIONAL PLAN**

Please find enclosed further submissions by Z Energy New Zealand Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited ("The Oil Companies") on the Proposed Canterbury Land and Water Regional Plan.

Please do not hesitate to contact me on (09) 917 4302 if you have any queries or require any additional information.

Yours faithfully,

**BURTON PLANNING CONSULTANTS LIMITED**

A handwritten signature in blue ink, appearing to be "KL" or "K. Lacey", written over a horizontal line.

Kathryn Lacey  
**Planner**

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## Further Submission on Proposed Canterbury Land and Water Regional Plan

Submitter ID:

File No: PLAN/LWRP/DRFT/6SU/5

**Form 6: Further Submissions in support of, or in opposition to, submission on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 8 of Schedule 1 of the Resource Management Act 1991**

**Return your signed further submission by 5.00pm Thursday 20 December 2012 to:**

Freepost 1201 Proposed Canterbury Land and Water Regional Plan  
Environment Canterbury  
P O Box 345  
Christchurch 8140

Full Name: \_\_\_\_\_ Phone (Hm): \_\_\_\_\_  
Organisation\*: The Gil Companies Phone (Wk): 09 917 4302  
\* the organisation that this further submission is made on behalf of  
Postal Address: Cl Burton Consultants Phone (Cell): \_\_\_\_\_  
Po Box 33817, Takapuna, Auckland Postcode: 0740  
Email: \_\_\_\_\_ Fax: 09 917 4311  
Contact name and postal address for service of person making further submission (if different from above):  
as above.

**Only certain people can make further submissions. Please tick the option that applies to you:**

- ☐ I am a person representing a relevant aspect of the public interest; or  
☒ I am a person who has an interest in the proposal that is greater than the interest the general public has (for example, I am affected by the content of a submission); or  
☐ I am the local authority for the relevant area.

- ☐ I do not wish to be heard in support of my further submission; or  
☒ I do wish to be heard in support of my further submission; and if so,  
☐ I would be prepared to consider presenting your further submission in a joint case with others making a similar submission at any hearing

**Service of your further submission:**

Please note: any person making a further submission must **serve a copy of that submission on the original submitter no later than five working days after the submission has been provided to Environment Canterbury**. If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served with each original submitter.

Signature: [Signature] Date: 19/12/12

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

FURTHER SUBMISSIONS BY Z ENERGY LIMITED, BP OIL NEW ZEALAND LIMITED AND MOBIL OIL NEW ZEALAND LIMITED (“THE OIL COMPANIES”) ON THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN

#	Submission	Relief Sought By Submitter	Position	Reasons for Support/Opposition
263.1	Transpower New Zealand Limited	<p>Amend Policy 4.23 as follows:</p> <p><i>"Any discharges of hazardous substances from contaminated land, including existing and closed landfills, shall be managed to ensure there are no adverse effects <u>beyond the site boundary</u> on people's health or safety, on human or stock drinking water supplies, or on surface water.</i></p>	Support in Part/Oppose in Part.	<p>The Oil Companies support the intent of the submission on Policy 4.23 in so far as it seeks to ensure that Policy 4.23 complements Policy 17.3.3 of the Proposed RPS. Policy 17.3.3 focuses on the avoidance of significant adverse effects. The Oil Companies oppose the inclusion of "beyond the site boundary" into Policy 4.23. The concern is that its inclusion changes the nature and focus of the policy by defining a compliance point for a "no adverse effect" threshold. This is a much lower threshold than that contained in the RPS. It also changes the management emphasis from a focus on receptor/pathway management and relevant and appropriate controls that may be put in place to achieve that, to a focus on compliance with an effects threshold at what may be an arbitrary (in environmental terms) legal boundary. While a site boundary control may be an appropriate trigger for compliance in a rule framework, in order to ascertain whether further investigations/actions are required in relation to receptor/pathway (or behavioural) controls (e.g. via resource consent), it is not considered appropriate to be in Policy 4.23. If reference to the boundary were to remain it would at least have to be prefaced by reference to "significant adverse effects" in order to more fully complement the Proposed RPS policy. Preferably it should be deleted.</p>