

Janel Hau

From: Laura Marra <laura.marra@trustpower.co.nz>
Sent: Monday, 9 June 2014 9:33 a.m.
Subject: V1 pLWRP Further Submission - Trustpower
Attachments: LJM_20140609_further subs cover page.pdf; LJM_20140609_Further Submissions Table.pdf

Categories: Purple Category

Good Morning,

Please find **attached** the further submission of Trustpower on Variation 1 of the Land and Water Regional Plan.

Could you please reply to this email to confirm receipt.

Kind regards

Laura Marra
Environmental Advisor – Policy and Planning

Trustpower

T 021 584 356

E laura.marra@trustpower.co.nz

Trustpower Limited, Private Bag 12023, Tauranga Mail Centre 3143

trustpower.co.nz

The contents of this email and any attachments are confidential and may be privileged. If you are not the intended recipient, you may not use, copy or disclose this email or its attachments. Please notify the sender immediately by e-mail if you have received this e-mail in error and delete both emails from your system. It is your responsibility to check this email and any attachments for viruses or other harmful code before opening or sending on. Trustpower Limited and its subsidiaries (collectively, Trustpower) accepts no responsibility for any such virus or any effects of a virus on your systems or data. Trustpower does not endorse anything in this email that is not related to its official business.

Please think of the environment before printing this email.



FURTHER SUBMISSIONS ON PROPOSED VARIATION ONE TO THE CANTERBURY LAND AND WATER REGIONAL PLAN IN ACCORDANCE WITH CLAUSE EIGHT OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

To: Chief Executive
Canterbury Regional Council
Private Bag 345
Christchurch 8140

Further Submitter: Trustpower Limited
Private Bag 12023
Tauranga
Attention: Laura Marra

Phone: (07) 574 4888 ext 4304
Mobile: 021 584 356
Email: laura.marra@trustpower.co.nz

Trustpower Limited's ("**Trustpower**") further submissions on submissions to Proposed Variation One to the Canterbury Land and Water Regional Plan ("**Variation One**") are set out in the **attached** document.

TrustPower makes its further submissions as a person who has an interest in the plan greater than the interest that the general public has in accordance with Sub-clause (1)(b) of Clause 8 of the First Schedule of the Resource Management Act 1991.

TrustPower would like to be heard in support of its further submission.

If other persons make a similar submission then TrustPower would consider presenting joint evidence at the time of the hearing.

A handwritten signature in blue ink that reads "Laura Marra".

Laura Marra

For, and behalf of, Trustpower Limited

**FURTHER SUBMISSIONS ON PROPOSED VARIATION ONE TO THE CANTERBURY LAND AND WATER REGIONAL PLAN IN ACCORDANCE
WITH CLAUSE EIGHT OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

TRUSTPOWER LIMITED

JUNE 2014

SUBMITTER	SUB ID	PROVISION	RELIEF SOUGHT	TPL POSITION	REASONING
Central Plains Water Limited (52239)	V1pLWRP-400	11.4.32	Amend Policy 11.4.32 to include reference to the remediation and mitigation of adverse effects.	Support in part	Trustpower considers it appropriate that Variation One recognise the potential value associated with using water from the Rakaia River for storage. In addition, Trustpower supports the submitter's proposal to include greater reference to the remediation or mitigation of adverse effects in accordance with section 5(2)(c) of the Resource Management Act 1991.
Central Plains Water Limited (52239)	V1pLWRP-345	Section 11 - Selwyn Waihora	Amend Section 11 to include greater recognition of the land use activities in the Selwyn-Waihora Catchment and their importance to social and economic wellbeing.	Support	Trustpower agrees with the submitter that it is appropriate for Variation One to include an accurate description of the activities that occur in the Selwyn-Waihora Catchment and their importance for social and economic wellbeing.
Dairy NZ (52271)	V1pLWRP-1343	Section 11 - Selwyn Waihora	Amend Section 11 to include greater recognition of the land use activities in the Selwyn-Waihora Catchment and their importance to social and economic wellbeing.	Support	Trustpower agrees with the submitter that it is appropriate for Variation One to include an accurate description of the activities that occur in the Selwyn-Waihora Catchment and their importance for social and economic wellbeing.
Director Generation of Conservation (52225)	V1pLWRP-211	11.4.21	Amend Policy 11.4.21 to read as follows: <i>"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 Waikirikiri/Selwyn River and Lowland Streams are improved and the allocation limits <u>and targets</u> in Table 11(e) are met."</i>	Oppose	The allocation figures identified in Table 11(e) are clearly labelled as allocation limits. As such, there is no reason to include reference to 'targets' in Policy 11.4.21 as suggested by the submitter.
Fish and Game Council North Canterbury (52310)	V1pLWRP-707	11.5.33	Amend Rule 11.5.32 condition (5) to read: <i>"The proximity and actual or potential adverse environmental effects of water use on any significant indigenous biodiversity and adjacent dryland habitat; <u>and the protection of trout and salmon habitat</u> ; and....."</i>	Oppose	While it is accepted that section 7 of the Resource Management Act 1991 refers to the protection of the habitat of trout and salmon, the relief proposed by the submitter is out of context with the matters of discretion to be considered when assessing resource consent applications. In this regard, the matters of discretion are focussed on identifying what environmental effects and efficiency matters will be considered – not what level of management is sought for specific values. The relief proposed is more akin to a policy, not a matter of discretion for the consideration of resource consent applications.
Fish and Game Council North Canterbury (52310)	V1pLWRP-686	Table 11(e)	Submitter seeks that the limits in Table 11(e) need further assessment as to their appropriateness in achieving the intent of Policy 11.4.21.	Oppose	While Trustpower agree that there is little information on how the volumes in Table 11(e) have been calculated, it is important that any allocation limits are calculated in a manner that reflects the allocations and consented rights held by water users.

Fish and Game Council North Canterbury (52310)	V1pLWRP-661	New Policy	Amend to include a new policy as follows: <i><u>"Ensure that land use activities and development are managed so that the life supporting capacity and ecosystem function of water is safeguarded; and where appropriate maintain or enhance freshwater values including the trout fishery, trout spawning, recreational, and amenity values; areas of significant indigenous vegetation and significant habitats of indigenous fauna; and the natural character of waterbodies".</u></i>	Oppose	The policies in Variation One need to be considered in conjunction with those in Section 4 of the Proposed Canterbury Land and Water Regional Plan – which already address matters relating to maintaining water values, recreational values, and habitat values. Given the policy proposed by the submitter is not specific to individual catchments within the Selwyn-Waihora Catchment it is considered unnecessary and repetitive of the policies set out in the Proposed Canterbury Land and Water Regional Plan.
Fish and Game Council North Canterbury (52310)	V1pLWRP-674	11.4.21	Retain policy 11.4.21. Submitter seeks that the limits referenced in Table 11(e) need further assessment as to the appropriateness in achieving the intent of this policy	Oppose	While Trustpower agree that there is little information on how the volumes in Table 11(e) have been calculated, it is important that any allocation limits are calculated in a manner that reflects the allocations and consented rights held by water users.
Fonterra Co-operative Group Limited (52333)	V1pLWRP-1213	Section 11 – Selwyn Waihora	Amend Section 11 to include greater recognition of the land use activities in the Selwyn-Waihora Catchment and their importance to social and economic wellbeing.	Support	Trustpower agrees with the submitter that it is appropriate for Variation One to include an accurate description of the activities that occur in the Selwyn-Waihora Catchment and their importance for social and economic wellbeing.
Irrigation New Zealand (52278)	V1pLWRP-1075	11.4.32	Amend the policy so that it does not give Ngāi Tahu unfettered discretion.	Support in part	Trustpower agree that the requirement for mitigation (be it ecological or cultural mitigation) should ultimately rest with the decision-maker on a resource consent application.
Irrigation New Zealand (52278)	V1pLWRP-1095	11.7.2	Delete Table 11(e) to (h), as the science used to derive is not technically robust.	Support in part	Trustpower agree that there is little information on how the volumes in Table 11(e) have been calculated.
Nga Rūnanga and Te Rūnanga O Ngāi Tahu (52233)	V1pLWRP-367	Variation 1	Amend the Variation to include a section which addresses cross-boundary issues, particularly where land use intensification has the ability to hamper the achievement of the catchment's water quality outcomes.	Oppose	While the relief proposed by the submitter may have merit, it is not considered appropriate for such a matter to be addressed via additional provisions drafted via recommendations of the Reporting Officer. In this regard, any identified cross-boundary issues requiring management should be addressed via a separate variation process.
Nga Rūnanga and Te Rūnanga O Ngāi Tahu (52233)	V1pLWRP-365	Variation 1	Include a new objective: <i><u>"To restore the mauri of Te Waihora while maintaining the prosperous land-based economy and thriving communities."</u></i>	Oppose	Variation One is intended to give effect to the objectives and strategic policies of the Proposed Canterbury Land and Water Regional Plan. As such, the inclusion of new objective layers is not considered necessary or appropriate. Furthermore, if Variation One was to include a separate suite of objectives, these would also need to address the important of water and land use activities for social and economic wellbeing in the Selwyn-Waihora Catchment.
Nga Rūnanga and Te Rūnanga O Ngāi Tahu (52233)	V1pLWRP-401	11.4 Policies	Replace Policies 11.4.21 to 11.4.32 with new policies as per the submission of Nga Rūnanga and Te Rūnanga O Ngāi Tahu	Oppose	Trustpower consider that the requirement for mitigation (be it ecological or cultural mitigation) should ultimately rest with the decision-maker on a resource consent application.
North Canterbury Province of Federated Farmers NZ Inc (52318)	V1pLWRP-846	Section 11 - Selwyn Waihora	Include a new objective: <i><u>"To restore the mauri of Te Waihora while maintaining the prosperous land-based economy and thriving communities."</u></i>	Oppose	Variation One is intended to give effect to the objectives and strategic policies of the Proposed Canterbury Land and Water Regional Plan. As such, the inclusion of new objective layers is not considered necessary or appropriate. Furthermore, if Variation One was to include a separate suite of objectives, these would also need to address the important of water and land use activities for social and economic wellbeing in the Selwyn-Waihora Catchment.

Royal New Zealand Forest and Bird Protection Society (52265)	V1pLWRP-1260	11.4 Policies	Amend to include a new Policy to read or words similar: <u>"Manage the water abstraction and discharges of contaminants and irrigation and other activities to ensure significant indigenous vegetation and significant habitats of indigenous fauna are protected and opportunities for enhancement are taken where possible."</u>	Oppose	Variation 1 is intended to give effect to the objectives and strategic policies of the Proposed Canterbury Land and Water Regional Plan. As such, the inclusion of the new policy proposed by the submitter is not considered necessary or appropriate. In addition, it is considered that the objectives and policies of the Proposed Canterbury Land and Water Regional Plan already address the issues intended to be managed by the proposed policy.
Royal New Zealand Forest and Bird Protection Society (52265)	V1pLWRP-1261	11.4 Policies	Amend to include a new Policy to read or words similar: <u>"Recognise the importance of the Selwyn-Te Waihora catchment for its recreational and amenity values and ensure the natural characters of its waterbodies are protected."</u>	Oppose	Variation One is intended to give effect to the objectives and strategic policies of the Proposed Canterbury Land and Water Regional Plan. As such, the inclusion of the new policy proposed by the submitter is not considered necessary or appropriate. In addition, it is considered that the objectives and policies of the Proposed Canterbury Land and Water Regional Plan already address the issues intended to be managed by the proposed policy.