

**SUBMISSION ON PROPOSED PLAN CHANGE 4 TO THE PROPOSED  
CANTERBURY LAND AND WATER REGIONAL PLAN UNDER CLAUSE SIX  
OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

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Mackenzie District Council (the Council) makes the general and specific submissions on the Proposed Plan Change 4 to the Proposed Canterbury Land and Water Regional Plan (PC4) set out in the **attached** document.

The Council confirms its submission does not relate to trade competition or the effects of trade competition.

The Council would like to be heard in support of its submission

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



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**Jane Whyte**

**For and on behalf of  
Wayne Barnett  
Chief Executive Officer**  
For and behalf of Mackenzie District Council

Dated this 12<sup>th</sup> day of October 2015

## **OUTLINE OF SUBMISSION**

### **PART ONE: OVERVIEW AND BACKGROUND (REASONS FOR SUBMISSION)**

This section of the submission provides the background and overriding reasons for the submissions that are lodged on PC4. These reasons inform all of the outcomes sought in the specific submissions.

#### **OVERVIEW OF MACKENZIE DISTRICT COUNCIL'S INTEREST**

1. The Council is a territorial local authority and undertakes a range of community, asset management and environmental functions affected by PC4. The Council undertakes its activities and functions in accordance with the Local Government Act. It also has and performs a range of functions and has duties under other legislation, including the Resource Management Act 1991.
2. The purpose of local government under the Local Government Act 2002 is :
  - 10 Purpose of local government
  - (1) *The purpose of local government is—*
    - (a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*
    - (b) *to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.*
  - (2) *In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—*
    - (a) *efficient; and*
    - (b) *effective; and*
    - (c) *appropriate to present and anticipated future circumstances.*
3. The Council has developed this submission in a manner consistent with its functions and responsibilities.
4. The Council operates a number of assets affected by PC4. This includes utility services including water, wastewater and stormwater systems. The particular concern with respect to PC4 relates to the provisions as they affect community drinking water supplies.

### **PART TWO: SUBMISSIONS PROPOSED PLAN CHANGE 4**

#### **1 Community Drinking Water Supplies – All Provisions**

*(Whole Document)*

1. The provision of Community Drinking Water Supplies is a key and core function of territorial authorities, including the Mackenzie District Council.

2. The Mackenzie District Council took an active role ensuring that the provisions applying to or affected by Community Water Supplies and Community Drinking Water supplies were appropriate in the Canterbury Regional Policy Statement, the Natural Resources Regional Plan and the Proposed Land and Water Regional Plan.
3. This active role involved lodging submissions, further submissions, preparing and presenting evidence to the hearings panels. The Council also provided comment on draft Plan Change 4. It is therefore disappointing that the Council is, due to Plan Change 4, having to address these important matters again as the provisions relating to Community Drinking Water Supplies are proposed to be changed in a matter inappropriate for the Mackenzie District.
4. The key concern is that the change to the definition of Community Drinking Water Supply to remove reference to any group drinking water supplies and deleting the definition of Group Drinking water supplies means that current protections provided to drinking water supplies that service communities of less than 25 people would be removed.
5. Priority is provided for Community Drinking Water Supplies in terms of allocation, but also with respect to when restrictions apply as well as protecting these water supplies from other discharges. The change as suggested will not provide for a number of community supplies within the Mackenzie District. In particular there are three supplies that will be adversely affected by the change in the provisions being Kimbell Rural supply, Burkes Pass and the Pukaki Airport.
6. This change is not supported and it will not give effect to Policies 7.3.4, 7.3.6 and 18.3.1 of the RPS. This is also not reflective of the priority provided for water in the Canterbury Water Management Strategy and the Regional Policy Statement. The changes are not supported.
7. The Council seeks the following **relief**:
  - a) Delete all changes to group drinking water supplies or community drinking water supplies within PC4, including but not limited to:
    - Definition of Community drinking-water supply
    - Definition of Group drinking-water supply
    - Definition of Community water supply
    - Policy 4.5
    - Policies 4.23, 4.23A and 4.23B
    - Rule 5.7 5.(f)
    - Rule 5.8 3.(7)
    - Rule 5.9 – Matters of discretion 3.
    - Rule 5.71 2.
    - Rule 5.75.2
    - Rule 5.74 4.(a)
    - 5.81 1.(c)
    - Rule 5.91 4 (b)
    - Rule 5.95 6.
    - Rule 5.109
    - Rule 5.115

- Rule 5.119
- Rule 5.146A
- Schedule 1
- Schedule 5

OR As an alternative and less preferred relief:

- b) Amend the definition of Community drinking-water supply to read:

Community drinking-water supply:

*means a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than ~~50~~ 25 people with drinking-water for not less than 60 days each calendar year, or is a drinking water supply operated by a local authority irrespective of the number of people it serves.*

OR As an alternative and less preferred relief:

- c) Amend the definition of Community drinking-water supply to read:

Community drinking-water supply:

*means a drinking-water supply that is recorded in the drinking-water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956 that provides no fewer than ~~50~~ 25 people with drinking-water for not less than 60 days each calendar year, or is a drinking water supply specified in schedule X.*

- d) Add a new Schedule X as follows:

Schedule X – Community Drinking Water Supply Schedule

1. Kimbell Rural supply
2. Burkes Pass
3. Pukaki Airport

- e) In addition to the above, the following relief is also sought:

- i. Any additional or alternative relief that achieves the same or similar outcome;
- ii. Consequential or ancillary changes to the above.