

**From:** [Sarah Drummond](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** FW: Plan Change 4  
**Date:** Tuesday, 13 October 2015 8:17:04 a.m.  
**Attachments:** [PlanChange4.pdf](#)

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For Trimming please

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**From:** Matt Hoggard [mailto:matt.hoggard@kaikoura.govt.nz]  
**Sent:** Monday, 12 October 2015 6:28 p.m.  
**To:** Sarah Drummond  
**Subject:** Plan Change 4

Hi Sarah

Apologies for this late submission believe submissions closed at 5pm, assume no problems accepting if so please let me know.

Thanks

Matt Hoggard  
**District Planner**

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Form 5  
Submission on publicly notified proposal for policy statement or plan

*Clause 6 of First Schedule, Resource Management Act 1991*

**To:** Environment Canterbury

Name of submitter: Kaikoura District Council

This is a submission on the following proposed policy statement (*or* on the following proposed plan *or* on a proposed change to the following policy statement *or* plan) (the **proposal**):

Submission on Proposed Plan Change 4 to the Canterbury Land and Water Regional Plan.

**The specific provisions of the proposal that our submission relates to are:**

All aspects of plan change four which relate to the changes proposed for Group and Community Drinking water supplies.

**Our submission is:**

The proposed changes fail to give effect to the Canterbury Regional Policy Statement in particular:

**Policy 5.3.2 – Development conditions (Wider Region)**

To enable development including regionally significant infrastructure which:

(1) ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or

foreclose:

(d) the protection of sources of water for community supplies;

**Policy 7.3.6 – Fresh water quality**

*In relation to water quality:*

(1) to establish and implement minimum water quality standards for surface water and groundwater resources in the region, which are appropriate for each water body considering:

(a) the values associated with maintaining life supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, and natural character of the waterbody;

(b) any current and reasonably foreseeable requirement to use the water for individual, marae or community drinking water or stockwater supplies, customary uses or contact recreation;

(c) the cultural significance of the fresh water body and any conditions or restrictions on the discharge of contaminants that may be necessary or appropriate to protect those values; and

(d) any other current or reasonably foreseeable values or uses;

Policy 5.3.2 refer to “community supplies” as opposed to community drinking water supplies, the later being a technical term. The difference is reinforced by the method which states:

*“The Canterbury Regional Council, Will: (2) Set out objectives, policies and may include methods in regional plans to control the adverse effects of development on water bodies, including their value as sources of **drinking water**.”*

Emphasis added

Policy 7.3.6 directly refers to marae. The current proposal does not provide any specific protection for marae supplies.

Although the Section 32 analysis suggests that issues can be addressed by Rule 5.115, the rule does not address existing and consented supplies. Rule 5.115 applies only where new consent is sought. The Section 32 does not address commercial activities which are located on supplies of less than 25 people and have been established for a number of years.

In discussion with Environment Canterbury the suggestion has been to address the issues in the sub-regional chapter. Although the approach may be possible, a void is created until the sub-regional chapter process is started in 2018. In addition to this Kaikoura District Council is aware of other councils with similar concerns.

Given the current planning framework discussions have occurred with the Kaikoura Zone Committee. The view is that essentially complex systems don't follow rules and a rule framework can lead to perverse outcomes.

The 2km separation distances currently provided in the plan is a good example of this. The 2km is upstream with a 200m buffer any groundwater supplies which meander may only effectively be protected by a little more than 200m.

Permitted activities are necessary for a range of anticipated activities and the large buffer distances makes it difficult for anticipated activities to occur.

Drinking water (regardless of size of the supply) is a target of CWMS. For the Kaikoura Zone of greatest concern are supplies which public have access to and places which provide accommodation, food or beverages. We must provide good safe water. For the Kaikoura Zone this includes coastal camping grounds, accommodation, restaurants and Marae. Rural golf courses Canterbury-wide may also be an issue. All though all supplies which public has access to are tested, a more proactive approach is suggested to complement testing requirements and provide better certainty to users of small supplies.

The suggested proactive approach requires direction in three areas:

1. Creating a collaborative consensus and mindset
2. Providing greater individual responsibility
3. Providing 'backstop' rules

Focusing on the backstop rules and looking at the areas with greatest risk the following sites required greater protection:

1. All premises which require licences or a Food Control Plan under the Food Act 2014
2. All camping grounds registered under the Camping Ground Regulations 1985
3. All properties which provide for accommodation for 5 persons or more
4. All existing Council Water Supplies which may be used for domestic use
5. Marae

Information on the location of such premises can be found with discussion from Ministry of Primary Industry and Territorial Authorities

Some risks will still exist for private dwellings and accommodation providers of fewer than 5 persons however this an area which is best addressed by individual responsibility.

**I seek the following decision from the regional authority:**

1. Ensure;

- a. All premises which require licences or a Food Control Plan under the Food Act 2014.
- b. All camping grounds registered under the Camping Ground Regulations 1985
- c. All properties which provide for accommodation for 5 persons or more.
- d. All existing Council Water Supplies which may be used for domestic use
- e. Marae

Are provided with the same level of protection as community drinking water supplies as outlined within Schedule 1 of the Land and Water Regional Plan.

2. Link the above 5 activities types to Schedule 1 to ensure they have a drinking water protection zone.

3. Provides for actives outlined in rules 5.7 6(g), 5.8 3(g), 5.10 2(b), 5.14 4(b), 5.16 2(b), 5.20 2, 5.22 2(b), 5.22 4(a), 5.24 5(b), 5.27 6(b), 5.29 3(f), 5.31 1A, 5.33 1(c), 5.36 1(c), 5.39 1(b), 5.71 2, 5.75 2(a), 5.77 4(a), 5.82 1(c), 5.85, 5.90 (b), 5.91 4(b), 5.95 2(f), 5.98 8(b), 5.101 2, 5.109 3 and 3A, 5.119 5 and 8, 5.179 2(b), and 5.181 5 be permitted activities within a drinking water protection zone which are created by a-e above where the written approval of the owner/occupier which is responsible for any of the activities a-e above has been obtained and supplied to the Regional Council.

**I wish to be heard in support of my submission.**

- \* If others make a similar submission, I will consider presenting a joint case with them at a hearing. It is intended that, if required, joint evidence will be provided at the time of the hearing.

.....  
Signature of submitter  
(or person authorised to sign  
on behalf of submitter)



Date 12 October 2015

(A signature is not required if you make your submission by electronic means.)

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Contact person: [*name and  
designation, if applicable*] Matt Hoggard, District Planner