

**From:** [Chris Hansen](#)  
**To:** [Mailroom Mailbox](#)  
**Cc:** ["Alex Adams"](#); ["Sarah Watson"](#)  
**Subject:** "PC4 pLWRP Further Submission"  
**Date:** Tuesday, 17 November 2015 1:37:10 p.m.  
**Attachments:** [HWP HDC Plan Further Submission FINAL 17 -11-15.DOC](#)

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Please find attached a further submission on behalf of the Hurunui Water Project to submissions on Plan Change 4 to the Canterbury Land & Water Regional Plan.

Please contact me in the first instance if you have any questions regarding this further submission.

Regards

Chris

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**Further Submission on Proposed Plan Change 4 to the  
Canterbury Land & Water Plan**

(Closing date: Tuesday 17 November 2015)

To: Chief Executive Officer  
Environment Canterbury  
P O Box 345  
Christchurch 8140

Name of Further Submitter: Hurunui Water Project Limited (HWP)

Address for Service: Duncan Cotterill  
P.O. Box 5  
Christchurch  
Attention: Sarah Watson

Phone: (03) 379 2430  
Email: s.watson@duncancotterill.com

A detailed further submission is attached that identifies the name and ID number of the original submitter; the particular points of the submission this further submission relates to; the reason for support/opposition; whether whole or part of the submission is sought to be allowed/disallowed.

HWP has an interest in the proposal that is greater than the interest the general public has.

HWP could not gain an advantage in trade competition through making this submission

HWP **do** wish to be heard in support of our further submission.

If others make a similar submission, HWP **would** be prepared to consider presenting a joint case with them at any hearing.



.....  
*Signature of person authorised to sign on behalf of the Hurunui Water Project.  
17 November 2015*

.....  
Date

Submitter Name/Number	Submitter Point No.	Plan Provision	Support/ Oppose	Reason/Relief
Director-General of Conservation – Submitter No. 53688	PC4 LWRP-591	Rule 5.146A	Oppose	The submitter requests a new condition be added to the rule that reads: “5. <u>The activity occurs between October and March.</u> ” HWP opposes this request as it is unduly restrictive, inappropriate and unnecessary and does not promote the sustainable management of natural and physical resources.
	PC4 LWRP-594 PC4 LWRP-595 PC4 LWRP-596 PC4 LWRP-597	Rules 5.163; 5.164; 5.166; 5.167	Oppose	The submitter requests a new condition for the rules that reads: “ <u>No vegetation shall be disturbed, removed, damaged or destroyed without the prior written permission of the person or agency responsible for the management of the river or lakebed.</u> ” HWP oppose the additional condition sought by the submitter as it is all-inclusive, is inappropriate for a rule in a plan, does not consider whether any adverse effects are less than minor, and does not promote the sustainable management of natural and physical resources.
Ellesmere Sustainable Agriculture Inc. – Submitter No. 52210	PC4 LWRP-32	2.9 Definitions, Translations and Abbreviations – definition of ‘Vegetation Clearance’	Support	The submitter requests the phrase “ <i>established prior to 5 September 2015</i> ” deleted from the definition. HWP supports this request as the definition should not be restricted by a date.
	PC4 LWRP-47 PC4 LWRP-631	Rules 5.123 and 5.128	Oppose	The submitter requests matters of discretion 13 and 11 (respectively) be deleted. HWP opposes this request as the matters of discretion are considered appropriate and necessary and promote the sustainable management of natural and physical resources.
Te Runanga o Ngai Tahu – Submitter No. 65933	PC4 LWRP-304	Rule 5.94A	Oppose	The submitter requests the rule be amended by deleting the phrase: “ <i>to a surface waterbody, or</i> ”. HWP oppose the deletion of this phrase as it there may be times when such a discharge is appropriate and the effects are less than minor. HWP considers the rule should remain as written as sought in its own submission.
Royal Forest & Bird Protection Society of New Zealand Inc. – Submitter No. 52265	PC4 LWRP-115	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Oppose	The submitter requests an amendment to part (a) of the definition of ‘Earthworks’ so that the effects of cultivation on water quality and biodiversity are addressed. HWP opposes the request as there are no words offered up by the submitter, and the amendments are considered unnecessary and inappropriate.

	PC4 LWRP-261	Policy 4.85A	Oppose	The submitter requests the deletion of clause (b) from the policy. HWP opposes this request as this clause is supported in its submission, and the clause is considered appropriate and necessary and represents sound resource management principles.
	PC4 LWRP-273	Policy 4.86	Oppose	The submitter requests the character and channel characteristics of rivers including the variable channel characteristics of braided rivers to be preserved rather than maintained. HWP opposes this request as the current policy is considered appropriate and necessary, and promotes the sustainable management of natural and physical resources.
	PC4 LWRP-268	Rules 5.109 and 5.119	Oppose	The submitter requests the rules be amended so that the lower limit of 50mg/m <sup>3</sup> applies to all rivers. HWP opposes this request as the requirement is inappropriate and unnecessary and does not promote the sustainable management of natural and physical resources.
	PC4 LWRP-275	Rule 5.123	Oppose	The submitter requests the amendment proposed by PC4 to be deleted i.e. the introduction of matter of discretion 13. HWP opposes this request as it considers matter of discretion 13 is appropriate and necessary, and promotes the sustainable management of natural and physical resources.
	PC4 LWRP-262 PC4 LWRP-265 PC4 LWRP-266	Rules 5.163; 5.167 and 5.168	Oppose	The submitter seeks condition 9; condition 6; and condition 5 (respectively) to be amended to read: “ <i>From 5 September 2015, <u>no vegetation clearance takes place and within</u> in the bed of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, and the Waitaki rivers <del>the vegetation clearance does not result in a reduction in the area or diversity of existing riverbed vegetation; and</del>”</i> . HWP opposed condition 9 in its submission and sought for it to be deleted, or amended if the condition is retained by Council. HWP oppose the additional wording sought by the submitter in the conditions as it is all-inclusive and removes any discretion Council may have as it does not provide for the consideration of activities whether adverse effects are less than minor.
Transpower New Zealand Limited – Submitter No. 65902	PC4 LWRP-157	2.9 Definitions, Translations and Abbreviations – definition of ‘Vegetation Clearance’	Support	The submitter requests an amendment to b) to read: “ <i>clearance for the establishment or maintenance of utilities or structures <u>including any associated discharge of sediment or sediment-laden water.</u>”</i> This request is supported as it is consistent with HWP’s own submission and the wording proposed in a number of rules PC 4.
Beef +Lamb New Zealand – Submitter No. 52292	PC4 LWRP-193	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Support	The submitter requests the phrase “ <i>established prior to 5 September 2015</i> ” deleted from the definition. HWP supports this request as the definition should not be restricted by a date.

	PC4 LWRP-204 PC4 LWRP-206	Rules 5.123 and 5.128	Support	The submitter requests the following words be added to matter of discretion 13 and 11 (respectively): “ <u>for every individual farm within the irrigation scheme, including demonstrating that the farm is at Good Management Practice</u> ”. HWP supports this request as it considers the additional principles are appropriate and promote the sustainable management of natural and physical resources.
South Canterbury North Otago Branch NZ Deer Farmers Association – Submitter No. 66005	PC4 LWRP-244	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Support	The submitter requests the phrase “ <i>established prior to 5 September 2015</i> ” deleted from the definition. HWP supports this request as the definition should not be restricted by a date.
Waitaki Irrigators Collective Ltd – Submitter No. 65930	PC4 LWRP-253	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Support	The submitter requests the phrase “ <i>established prior to 5 September 2015</i> ” deleted from the definition. HWP supports this request as the definition should not be restricted by a date.
Combined Canterbury Provinces, Federated Farmers of New Zealand – Submitter No. 63238	PC4 LWRP-387	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Support	The submitter requests the amendments to the definition of earthworks to be rejected, including the phrase “ <i>established prior to 5 September 2015</i> ”. HWP supports this request as the definition should not be restricted by a date.
	PC4 LWRP-399	2.9 Definitions, Translations and Abbreviations – definition of ‘Vegetation Clearance’	Support	The submitter requests clause a. to be amended to read: “ <i>a. cultivation for the establishment of or harvesting of crops or pasture on production land established prior to 5 September 2015;</i> ” HWP supports this request as the definition should not be restricted by a date.
	PC4 LWRP-457 PC4 LWRP-458	Rules 5.123 and 5.128	Support	The submitter requests amendments to matters of discretion 13 and 11 (respectively) to read: “ <i>Where the water is to be used for irrigation, the adequacy of a Farm Environment Plan prepared under Schedule 7 to ensure that the water is used efficiently, including efficient operation of the irrigation system, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 to manage the effects arising from the use of the water.</i> ”. HWP supports the request as the amendments add clarity and represents sound resource management principles.
	PC4 LWRP-461	Rule 5.154	Oppose in part	The submitter requests additional wording be added so that Rule 5.154 (a) reads: “ <i>The volume of water impounded above ground level (where depth is measured as the vertical distance between the maximum water height within the dam and the natural ground level immediately adjacent to the dam) is less than 20,000m<sup>3</sup>.</i> ” HWP is unclear why the submitter considers the additional wording is necessary as the rule is directed towards the volume of water being impounded rather than the

				dam structure. HWP supports Rule 5.154(a) as written.
Horticulture New Zealand – Submitter No. 57998	PC4 LWRP-467	2.9 Definitions, Translations and Abbreviations – definition of ‘Earthworks’	Support	The submitter requests the amendments to the definition of earthworks to be rejected, including the phrase “ <i>established prior to 5 September 2015</i> ”. HWP supports this request as the definition should not be restricted by a date.
	PC4 LWRP-573	2.9 Definitions, Translations and Abbreviations – definition of ‘Vegetation Clearance’	Support	The submitter requests the amendments to the definition of vegetation clearance to be rejected, including the phrase “ <i>established prior to 5 September 2015</i> ”. HWP supports this request as the definition should not be restricted by a date.
	PC4 LWRP-473 PC4 LWRP-474	Rules 5.123 and 5.128	Support	The submitter requests amendments to matters of discretion 13 and 11 (respectively) to read: “ <i>Where the water is to be used for irrigation, the preparation and implementation of a Farm Environment Plan in accordance with Schedule 7 that demonstrates that the water is being used efficiently to manage the effects arising from the use of the water.</i> ” These amendments achieve a similar intent to the Federated Farmers amendments supported above. HWP supports the request as the amendments add clarity and represents sound resource management principles.
Whitewater NZ (Inc) and others – Submitter No. 65190	PC4 LWRP-169	Section 4 Policies	Oppose	The submitter requests the addition of a new policy (to support Policy 4.86) that would protect key recreation sites through avoiding activities that would damage these sites. HWP opposes this request as no words are provided, and the proposed policy is all inclusive and will have significant effects on proposed activities. It is considered the new policy is unnecessary and inappropriate, and does not represent sound resource management principles.
	PC4 LWRP-165	Policy 4.85A	Oppose	The submitter requests the preservation of key recreation sites to be added to the policy. HWP opposes this request as it considers the amendments are inappropriate for a policy that focusses on Section 6 (RMA) matters.
	PC4 LWRP-166	Policy 4.86	Oppose	The submitter requests the key recreation sites to be added to the policy. HWP opposes this request as it considers the amendments are inappropriate for a policy that focusses on Section 6 (RMA) matters.

	PC4 LWRP-180	Rule 5.155	Oppose	The submitter requests condition 2 to be amended to read: “2. Any new dam is not located in a river listed as a high naturalness river in Section 6 to 15, <u>in any freshwater bathing sites listed in Schedule 6, in any key river recreation sites listed in Schedule 24, or in the mainstem of any river; and</u> ”. HWP opposes this amendment and considers it is inappropriate and unnecessary and supports the Rule as written.
	PC4 LWRP-182 PC4 LWRP-183	Rules 5.167 and 5.168	Oppose	The submitter requests the following wording to be added to condition 4 in each rule: “ <u>in any freshwater bathing sites listed in Schedule 6, in any key river recreation sites listed in Schedule 24,</u> ”. HWP opposes this amendment and considers this is inappropriate and unnecessary and supports the Rule as written.
	PC4 LWRP-184	Rule 5.169	Oppose	The submitter requests the following wording to be added to condition 4: “ <u>areas of key or significant recreation values</u> ”. HWP opposes this amendment and considers this is inappropriate and unnecessary and supports the Rule as written.
Oil Companies Z Energy, Mobil and BP – Submitter No. 65931	PC4 LWRP-416	Policy 4.18	Support	The submitter requests the policy be retained. HWP supports this request as the policy is appropriate and necessary, and represents sound resource management principles.
	PC4 LWRP-425 PC4 LWRP-426 PC4 LWRP-427	Rules 5.94A-C	Oppose	The submitter requests the rules be deleted. HWP opposes the request as it is contrary to its own submission that supports the rules. The rules are considered to be appropriate and necessary and promote the sustainable management of natural and physical resources.
Fonterra Limited – Submitter No. 65892	PC4 LWRP-445	Policy 4.18	Support	The submitter requests the policy be retained. HWP supports this request as the policy is appropriate and necessary, and represents sound resource management principles.
Mackenzie District Council – Submitter No. 53929	PC4 LWRP-348	Rule 5.146A	Oppose	The submitter requests the new rule proposed by PC4 to be deleted. HWP opposes this request as it considers the proposed new rule is appropriate and necessary, and promotes the sustainable management of natural and physical resources.
J Demeter – Submitter No. 52312	PC4 LWRP-392 PC4 LWRP-393 PC4 LWRP-394 PC4 LWRP-395	Rules 5.163; 5.167; 5.168; and 5.170	Oppose	The submitter requests a new condition to be added to the rules that reads: “ <u>Vegetation is not removed from any areas of significant indigenous vegetation.</u> ” HWP opposes the additional condition sought by the submitter as it is all-inclusive and removes any discretion Council may have as it does not provide for the consideration of activities whether adverse effects are less than minor.