

From: [Richard Turner](#)
To: [Mailroom Mailbox](#)
Subject: PC4 pLWRP Further Submission
Date: Tuesday, 17 November 2015 2:36:55 p.m.
Attachments: [Further Submissions FINAL 16 November 2015.pdf](#)

Good afternoon

Please find attached Trustpower's further submissions on Plan Change 4 to the Canterbury Land and Water Regional Plan.

Regards

Richard Turner

Lead Environmental Advisor – Regulatory (Seconded)

Trustpower

T 0274 038 784

E richard.turner@trustpower.co.nz

Trustpower Limited, Private Bag 12023, Tauranga Mail Centre 3143

trustpower.co.nz

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FORM 6

FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSIONS ON PUBLICLY NOTIFIED POLICY STATEMENT, PLAN, CHANGE OR VARIATION

To: Canterbury Regional Council
PO Box 345
CHRISTCHURCH 8140

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

Name: Trustpower Limited (“Trustpower”)

Address: Trustpower Limited
Private Bag 12023
Tauranga Mail Centre
TAURANGA 3143

1. These further submissions by Trustpower are in support of, or in opposition to, submissions on Proposed Plan Change 4 to the Canterbury Land and Water Regional Plan.
2. Trustpower makes the following further submissions pursuant to Clause 8 of the First Schedule to the Resource Management Act 1991.
3. Trustpower will not gain an advantage in trade competition through these further submissions.
4. Trustpower’s further submissions on Proposed Plan Change 4 to the Canterbury Land and Water Regional Plan are attached as **Appendix A**.
5. Trustpower does wish to be heard in relation to these further submissions.
6. If others make a similar submission Trustpower will consider presenting a joint case with them at a hearing.

Signature:



Date:

16 November 2015

Address for service:

Trustpower Limited
Private Bag 12023
Tauranga Mail Centre
TAURANGA 3143

Telephone:

027 403 8784

Email:

richard.turner@trustpower.co.nz

APPENDIX A

Table 1 – Trustpower’s Further Submissions

SUBMITTER	PROVISION	SUB. ID	TRUSTPOWER POSITION	REASONING
Royal New Zealand Forest and Bird Protection Society	2.9 Definitions, Translations and Abbreviations	PC4 LWRP-272	Oppose	The proposed definition of “ <i>high naturalness waterbodies</i> ” in the notified version of Plan Change 4 is considered appropriate as it links to catchment specific assessments of the natural values of waterbodies.
Rangitata Diversion Race Management Limited	2.9 Definitions, Translations and Abbreviations	PC4 LWRP-361	Support in Part	While Trustpower does not support the deletion of the definition of “ <i>vegetation clearance</i> ” from the plan change, it does support the definition and associated rules being amended to refer to “ <i>regionally and nationally significant infrastructure</i> ” so as to ensure consistency with the terminology used elsewhere in the Canterbury Land and Water Regional Plan.
Fish and Game Council North Canterbury	2.9 Definitions, Translations and Abbreviations	PC4 LWRP-560	Oppose	The proposed definition of “ <i>high naturalness waterbodies</i> ” in the notified version of Plan Change 4 is considered appropriate as it links to catchment specific assessments of the naturalness values of waterbodies.
Whitewater NZ (Inc) and others	Section 4 Policies (New Policy)	PC4 LWRP-169	Oppose	Trustpower consider that the provisions of Plan Change 4 already provide sufficient controls around activities in the beds of lakes and rivers in order to maintain recreational amenity – including Policy 4.86(a) and (c).
Fish and Game Council North Canterbury	Policy 4.13	PC4 LWRP-475	Oppose	The relief proposed by the submitter fails to recognise that in some circumstances water quality is already below the receiving water standards specified in Schedule 5. As such, the relief proposed by the submitter is unrealistic and does not provide for the progressive improvement of water quality over time.
Te Runanga o Ngai Tahu	Policy 4.14B	PC4 LWRP-308	Oppose in Part	Trustpower considers that the notified version of Policy 4.14B in Plan Change 4 already provides policy recognition of the need for

				decision-makers to have regard to Ngai Tahu values when considering discharge proposals.
Te Runanga o Ngai Tahu	Policy 4.76A	PC4 LWRP-319	Oppose	Trustpower opposes the relief proposed by the submitter as it considers that the need for treatment of site dewatering water will be dependent on the circumstances of the site and the nature of the activity being undertaken – not all water will require treatment before it is discharged to surface water.
Meridian Energy Limited	Policy 4.85A	PC4 LWRP-8	Support in Part	Subject to Trustpower’s submission that proposes the deletion of Policy 4.85A, Trustpower support the submitter’s relief with respect to clause (a) and final paragraph of the policy. Such an amendment would be consistent with the National Policy Statement for Renewable Electricity Generation 2011.
Whitewater NZ (Inc) and others	Policy 4.85A	PC4 LWRP-165	Oppose	Trustpower consider that the provisions of Plan Change 4 already provide sufficient controls around activities in the beds of lakes and rivers in order to maintain recreational amenity – including Policy 4.86(a) and (c).
Hurunui Water Project Limited	Policy 4.85A	PC4 LWRP-218	Support in Part	Subject to Trustpower’s submission that proposes the deletion of Policy 4.85A, Trustpower support the submitter’s relief with respect to clause (a) and final paragraph of the policy. Such an amendment would be consistent with the National Policy Statement for Renewable Electricity Generation 2011.
Rangitata Diversion Race Management Limited	Policy 4.85A	PC4 LWRP-365	Support in Part	Subject to Trustpower’s submission that proposes the deletion of Policy 4.85A, Trustpower support the submitter’s relief with respect to clause (a) and final paragraph of the policy. Such an amendment would be consistent with the National Policy Statement for Renewable Electricity Generation 2011.
Whitewater NZ (Inc) and others	Policy 4.86	PC4 LWRP-166	Oppose	Trustpower consider that the provisions of Plan Change 4 already provide sufficient controls around activities in the beds of lakes

				and rivers in order to maintain recreational amenity – including Policy 4.86(a) and (c).
Royal New Zealand Forest and Bird Protection Society	Policy 4.86	PC4 LWRP-273	Oppose	The change to clause (a) of Policy 4.86 in Plan Change 4 simply consists of a restructuring of the order of the wording of the clause (a). Trustpower considers that the relief proposed by the submitter changes the management objective of clause (a) from that previously decided by the Hearing Panel that considered the Canterbury Land and Water Regional Plan and is not consistent with the provisions with the Canterbury Regional Policy Statement.
Royal New Zealand Forest and Bird Protection Society	Policy 4.86A	PC4 LWRP-100	Oppose	Trustpower considers that the relief proposed by the submitter is overly restrictive and fails to recognise that the remediation or mitigation of adverse effects may still provide for the sustainable management of surface waterbodies.
Te Runanga o Ngai Tahu	Rule 5.94A	PC4 LWRP-304	Oppose	Trustpower considers that it is appropriate for discharges of stormwater that meet the standards of Rule 5.94A to be classified as permitted activities.
Te Runanga o Ngai Tahu	Rule 5.95	PC4 LWRP-306	Oppose	Trustpower considers that it is appropriate for discharges of stormwater that meet the standards of Rule 5.95 to be classified as permitted activities.
Rangitata Diversion Race Management Limited	Rule 5.139	PC4 LWRP-629	Support	Trustpower supports the relief proposed by the submitter as Rule 5.139 currently fails to provide for associated deposition, diversion and discharge activities in a consistent manner with other permitted activities in the Canterbury Land and Water Regional Plan.
Meridian Energy Limited	Rule 5.163	PC4 LWRP-10	Support in Part	Subject to Trustpower’s submission that seeks to amend the wording of Rule 5.167, Trustpower supports the relief proposed by the submitter to provide for the operation, maintenance and upgrade of renewable electricity generation activities – which is a

				matter of national importance in accordance with the National Policy Statement for Renewable Electricity Generation 2011.
Royal New Zealand Forest and Bird Protection Society	Rule 5.163	PC4 LWRP-262	Oppose	It is inappropriate to prevent the clearance of all vegetation from the beds of lakes and rivers, as in some circumstances the clearance of vegetation is necessary to enable the operation, maintenance and upgrading of renewable electricity infrastructure,
Director General of Conservation	Rule 5.163	PC4 LWRP-594	Oppose	The relief proposed by the submitter is opposed by Trustpower as it is inappropriate to link the permitted activity conditions of Rule 5.163, which are designed to manage environmental effects, with a quasi-landowner approval process related to the management of lake and riverbeds.
Director General of Conservation	Rule 5.165	PC4 LWRP-596	Oppose	The relief proposed by the submitter is opposed by Trustpower as it is inappropriate to link the permitted activity conditions of Rule 5.163, which are designed to manage environmental effects, with a quasi-landowner approval process related to the management of lake and riverbeds.
Meridian Energy Limited	Rule 5.167	PC4 LWRP-11	Support in Part	Subject to Trustpower's submission that seeks to amend the wording of Rule 5.167, Trustpower supports the relief proposed by the submitter to provide for the operation, maintenance and upgrade of renewable electricity generation activities – which is a matter of national importance in accordance with the National Policy Statement for Renewable Electricity Generation 2011.
Royal New Zealand Forest and Bird Protection Society	Rule 5.167	PC4 LWRP-265	Oppose	Trustpower consider the relief proposed by the submitter will not give effect to the policies in section 10 of the Canterbury Regional Policy Statement, which actively seek to provide for activities in the beds of lakes and rivers, subject to the maintenance of significant bed / riparian values and the avoidance of significant adverse effects.

Meridian Energy Limited	Rule 5.168	PC4 LWRP-16	Support	The relief proposed by the submitter is supported by Trustpower as the rule currently fails to recognise the need to provide for the operation, maintenance and upgrade of renewable electricity generation activities – which is a matter of national importance in accordance with the National Policy Statement for Renewable Electricity Generation 2011.
Rangitata Diversion Race Management Limited	Rule 5.168	PC4 LWRP-370	Support in Part	Trustpower support condition (2) of Rule 5.168 being amended to refer to “ <i>regionally and nationally significant infrastructure</i> ” to ensure consistency with other terminology used in the Canterbury Land and Water Regional Plan.
Te Runanga o Ngai Tahu	Section 16 - Schedules	PC4 LWRP-524	Oppose in Part	While Trustpower recognise the importance of tuna migration in surface waterbodies, the relief proposed by the submitter is unclear with respect to the additional calendar restrictions for works within the beds of lakes and rivers (i.e. is it intended to restrict works during upstream and downstream mitigation). In addition, any restrictions on works within the beds of lakes and rivers should be limited to those specific activities which will actually affect tuna migration (i.e. those likely to impede entire channels).
Te Runanga o Ngai Tahu	Inanga Spawning Sites	PC4 LWRP-301	Oppose in Part	Trustpower consider that the identification of inanga spawning sites and habitat should be based on robust field surveys that have confirmed the location of suitable habitat and sites, rather than a blanket approach of identifying all surface waterbodies upstream of the coast as being spawning sites and habitat.