

From: [Ensor, Tim](#)
To: [Mailroom Mailbox](#)
Cc: ["Peter Savage"](#)
Subject: Fulton Hogan - Further Submissions PC4 to the LWRP
Date: Tuesday, 17 November 2015 4:32:47 p.m.
Attachments: [Fulton Hogan PC4 further submission Final 17_11_15.pdf](#)

Hi

Please find attached further submissions to PC4 of the LWRP on behalf of Fulton Hogan Limited.
Please confirm receipt of this submission by return email.

Regards

Tim Ensor

Principal Environmental Planner
D +64 3 966 6173 M +64 21 486 203
tim.ensor@aecom.com

AECOM

Level 2, 2 Hazeldean Road, Addington, Christchurch 8024
PO Box 710, Christchurch 8140
T +64 3 966 6000 F +64 3 966 6001
aecom.com

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Form 6

Further Submissions on Plan Change 4 to the Canterbury Land and Water Regional Plan

To: Canterbury Regional Council
Freepost 1201
Plan Change 4- Canterbury Land and Water Regional Plan
Po Box 345
Christchurch 8140

Submitter: Fulton Hogan Limited (**Fulton Hogan**)

1. This is a further submission by Fulton Hogan on submissions made on Plan Change 4 to the Canterbury Land and Water Regional Plan.
2. Fulton Hogan has an interest in the proposal that is greater than the interest of the general public. This is because submissions have been made which, if relief is granted as sought, have the potential to positively or adversely impact on the ability of Fulton Hogan to operate their business in an efficient and effective manner.
3. The table annexed as **Appendix A** and forming a part of this further submission contains:
 - 3.1 The submissions which Fulton Hogan supports or opposes,
 - 3.2 The particular parts of those submissions supported or opposed,
 - 3.3 Reasons for support or opposition, and
 - 3.4 The decision sought by Fulton Hogan (whether the submission should be allowed or disallowed).
4. Fulton Hogan wishes to be heard in support of its further submission.
5. If others make a similar submission, Fulton Hogan will consider presenting a joint case with them at a hearing.

Signed on behalf of
Fulton Hogan Limited



DATE 17 November 2015

Address for Service of Submitter:

c/- AECOM Consulting Services (New Zealand) Limited
PO Box 4479
Christchurch

Attn: Tim Ensor

Phone (03) 966 6173
Email tim.ensor@aecom.com

Appendix A: Further Submissions

Please note that the addresses of relevant submitters are contained at the end of this appendix.

Ref#	Fulton Hogan supports or opposes the submission of:	The particular part of the submission Fulton Hogan supports or opposes is:	The reasons for Fulton Hogan's support or opposition are:	Fulton Hogan seek the following:
1	Transpower New Zealand Limited (#65902)	Policy 4.85A PC4 LWRP-158	The submission seeks to amend the proposed policy to provide an additional exemption to enable vegetation clearance where it is part of maintaining, operating or upgrading infrastructure that is in that location. This submission is supported insofar as it recognises that there are activities that may necessarily require vegetation clearance and that this may be appropriate.	Support – Allow submission point
2	Fonterra Co-operative Group Limited and DairyNZ (#65892)	Definition of Inanga Spawning Habitat and Policy 4.86B PC4 LWRP-488/489	The submission seeks clarification of the definition of 'Inanga Spawning Habitat' and a case by case assessment of water bodies within the areas on the planning maps to identify whether they contain suitable habitat, as the definition and maps are too general. This would provide greater certainty of the impact of introducing spawning habitat areas which is supported.	Support –Allow submission point
3	Waitaki Irrigators Collective Limited (#65910)	Rules 5.163 and 5.167 PC4 LWRP-256/256	The submission seeks to amend conditions 9 and 7 of these rules to ensure vegetation clearance does not include the removal of pest vegetation, such as gorse, broom and crack willow). Removal of these types of vegetation is beneficial to maintaining the natural character of braided river beds and would enable activities in river beds to be undertaken which do not affect indigenous vegetation. Therefore the submission is supported.	Support – Allow submission point
4	Te Runanga o Ngai Tahu (#65933)	Schedule 17 and the definition of Inanga Spawning Habitat PC4 LWRP-302	The submission seeks to amend Schedule 17 or the definition of inanga spawning habitat to include the area upstream of the coast on all surface waterways and the upstream of all surface waterways that flow into Te Waihora. This amendment would result in a large area where activities in river beds are restricted when the actual location so of inanga spawning are unknown and is opposed.	Oppose – Disallow submission point
5	Rangitata Diversion Race Management Limited (#56706)	Rules 5.163, 5.164, and 5.165 PC4 LWRP-366/367/368	The submission seeks to provide clarification of Condition 9 of Rule 5.163 to take into account any proposed replanting and/or formal protection of an area of indigenous vegetation. This would recognise that clearance can be offset by plantings of indigenous vegetation in other areas which is supported.	Support – Allow submission point
6		Rules 5.167 and 5.168 PC4 LWRP-369/370	The submission states that Condition 6 of Rule 5.167 and Condition 5 of Rule 5.168 are unrealistic in their expectations regarding vegetation clearance, earthworks and riparian vegetation. Fulton Hogan agrees with this sentiment and therefore supports this submission.	Support – Allow submission point

<i>Ref#</i>	<i>Fulton Hogan supports or opposes the submission of:</i>	<i>The particular part of the submission Fulton Hogan supports or opposes is:</i>	<i>The reasons for Fulton Hogan's support or opposition are:</i>	<i>Fulton Hogan seek the following:</i>
7	Combined Canterbury Provinces, Federated Farmers of New Zealand (#63238)	Policy 4.95A PC4 LWRP-438	The submission seeks the deletion of Policy 4.95A which is aligned with Fulton Hogan's primary submission and is therefore supported.	Support – Allow submission point
8	Whitewater NZ (Inc) and others (#65910)	Proposed Schedule 24: key recreation sites PC4 LWRP-186	The submission seeks the inclusion of a schedule to identify a number of key recreational sites to ensure recreation values are protected. Schedule 24: Key kayaking, Canoeing, Rafting, Cataracting, and River Bugging White Water Reaches on Canterbury Rivers. These sites cover large areas which may restrict legitimate activities that can be undertaken and is therefore opposed.	Oppose – disallow submission point
9		Policy 4.85A PC4 LWRP-165	The submission seeks an addition to the policy to require the preservation of 'key recreation sites'. This is opposed based on the sites covering large areas which may restrict legitimate activities that can be undertaken.	Oppose – disallow submission point
10		Policy 4.86 PC4 LWRP-166	The submission seeks an addition to the policy to require that channel characteristics of rivers at key recreational sites are maintained. This is opposed based on the sites covering large areas which may restrict legitimate activities that can be undertaken.	Oppose – disallow submission point
11		New policy 4.86C PC4 LWRP-169	The submission seeks the inclusion of a new policy to protect key recreation sites through avoiding activities within the beds and margins of lakes, rivers, etc. that may damage recreation sites. This is opposed based on the sites covering large areas which may restrict legitimate activities that can be undertaken.	Oppose – disallow submission point
12		Rule 5.167 and 5.168 PC4 LWRP-182/183	The submission seeks to include additional requirements in the conditions that vegetation clearance or earthworks do not occur in any river bathing sites listed in Schedule 6 or in any key river recreation sites listed in Schedule 24. This is opposed based on the uncertainty of the need to provide protection for the sites within Schedule 6 from vegetation clearance and the effect this may have in restricting legitimate activities.	Oppose – disallow submission point
13		Director General of Conservation (#53688)	Rule 5.148 PC4 LWRP-593	The submission seeks to alter the gravel extraction timeframes to only from 1 February -31 August back to 1 February -31 July, to avoid bird displacement due to extraction activities. A condition of the existing rules requires works not to occur within 100m of nesting birds which provides the required protection without limiting the exclusion period further.

<i>Ref#</i>	<i>Fulton Hogan supports or opposes the submission of:</i>	<i>The particular part of the submission Fulton Hogan supports or opposes is:</i>	<i>The reasons for Fulton Hogan's support or opposition are:</i>	<i>Fulton Hogan seek the following:</i>
14		Rules 5.163 to 5.166 PC4 LWRP-594/595/596/597	The submission seeks to add a new condition to each of these rules requiring that no vegetation 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. It is unclear what including this process would achieve and is considered unnecessary, therefore the submission is opposed.	Oppose – disallow submission point
15		Schedule 17 Inanga Sites PC4 LWRP-601/602	The submission supports Schedule 17, the inanga spawning habitat maps and seeks to add a list of Canterbury mudfish, lowland longjaw galaxias and bignose galaxias into Schedule 17 and into the planning maps. These additional protection sites will further limit areas and timeframes in which activities can occur in river bed based on what has been described as incomplete information and therefore the submission is opposed.	Oppose – disallow submission point
16	Royal New Zealand Forest and Bird Protection Society (#52265)	Policy 4.86A PC4 LWRP-100	The submission seeks to remove the second part of Policy 4.86A which provides for the best practicable option to minimise all impacts on inanga spawning sites to be used where activities cannot be avoided. Removing this second option means activities in river beds would need to be avoided regardless of the mitigation proposed and is therefore opposed.	Oppose – disallow submission point
17		Policy 4.85A PC4 LWRP-261	The submission seeks to delete or amend the exemptions at the end of this policy and also requests that the exemptions only apply to part (b). These exemptions enable required works to be carried out without consent to carry out essential services such as maintaining structures and are appropriate to retain.	Oppose – disallow submission point
18		Rules 5.136, 5.137, 5.138, 5.139, 5.140, 5.141, 5.148, 5.151, 5.152 PC4 LWRP-561/562 etc.	The submission seeks to extend the period where works in the beds and margins of rivers, lakes etc. are not to be scheduled between 1 January to 1 June to ensure any disturbance of habitat can recover before spawning occurs. This is a long exclusion period and means activities are likely to require consent where there is minimal potential disturbance to Inanga Spawning Habitat.	Oppose – disallow submission point
19		Rule 5.140A PC4 LWRP-106	The submission seeks to include the conditions relating to Inanga Spawning Sites and Inanga Spawning Habitat into Rule 5.140A. Works related to this rule are likely to be minimal and unlikely to disturb Inanga Spawning Habitat therefore including this as a condition will require unnecessary consent applications and is therefore opposed.	Oppose – disallow submission point
20		Rule 5.169 PC4 LWRP-127	The submission seeks to make a new non-complying rule for vegetation clearance and earthworks in the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata, Waitaki and their margins. As the scale of vegetation clearance or earthworks is not specified, any works are likely to require consent as a non-complying activity which is opposed.	Oppose – disallow submission point

<i>Ref#</i>	<i>Fulton Hogan supports or opposes the submission of:</i>	<i>The particular part of the submission Fulton Hogan supports or opposes is:</i>	<i>The reasons for Fulton Hogan's support or opposition are:</i>	<i>Fulton Hogan seek the following:</i>
21	Fish and Game Council North Canterbury (#52310)	Rule 5.145 PC4 LWRP-555	The submission seeks an additional condition requiring fuel to be securely stored overnight or removed from site. It is unclear what secure storage would require and the remove from site may be inefficient where the effects are adequately mitigated through other conditions, therefore the submission is opposed.	Oppose – disallow submission point
22		Rule 5.168 PC4 LWRP-556	The submission seeks to amend the rule to include controls on activities occurring 'upstream' of significant salmon spawning sites. It is unclear what the extent of upstream would be and therefore this submission is opposed.	Oppose – disallow submission point

Addresses of submitters

Submitter	Address
Transpower New Zealand Limited	c/- Ainsley Mcleod Beca Limited PO Box 13960 Christchurch 8141
Fonterra Co-operative Group Limited and DairyNZ	Ms Sue Ruston PO Box 79026 Avonhead Christchurch 8446
Waitaki Irrigators Collective Limited	Ms Elizabeth Soal PO Box 159 Oamaru 9444
Te Runanga o Ngai Tahu	Ms Kirsty Huxford PO Box 13-046 Christchurch 8021
Rangitata Diversion Race Management Limited	Mr Gavin Kemble C/- Ryder Consulting Limited PO Box 13009 Tauranga 3141
Combined Canterbury Provinces, Federated Farmers of New Zealand	Mr Lionel Hume Federated Farmers of New Zealand PO Box 414 Ashburton 7740
Whitewater NZ (Inc) and others	Mr Doug Rankin 28 Waipara Street Cracroft Christchurch 8025
Director General of Conservation	Mr Herb Familton Private Bag 4715 Christchurch 8140
Royal New Zealand Forest and Bird Protection Society	Ms Jen Miller PO Box 2516 Christchurch 8140
Fish and Game Council North Canterbury	Mr Scott Pearson PO Box 50 Canterbury Woodend 7641