

From: [Mark Laurensen](#)
To: [Mailroom Mailbox](#)
Subject: PC4 LWRP Further submission by the Oil Companies (Sub ID 65931)
Date: Wednesday, 25 November 2015 8:31:31 a.m.
Attachments: [Oil Companies" further submissions \(to addendum\) 25.11.15.pdf](#)

Good morning

Please see attached further submissions on behalf of the Oil Companies in response to the Addendum to Summary of Decisions Requested. Please confirm receipt.

Thanks
Mark



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FURTHER SUBMISSIONS BY THE OIL COMPANIES: Z ENERGY LIMITED, MOBIL OIL NEW ZEALAND LIMITED AND BP OIL NEW ZEALAND LIMITED ON SUBMISSIONS TO THE PROPOSED PLAN CHANGE 4 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN (AS NOTIFIED THROUGH THE ADDENDUM TO THE SUMMARY OF DECISIONS)

To: Freepost 1201
Plan Change 4 to the Canterbury LWRP
Environment Canterbury
PO Box 345
CHRISTCHURCH 8140

By E-Mail: mailroom@ecan.govt.nz

Name of further submitter:

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PO Box 2091
WELLINGTON 6140

BP Oil NZ Ltd
PO Box 99 873
AUCKLAND 1149

Mobil Oil NZ Ltd
PO Box 1709
AUCKLAND 1140

Hereafter collectively referred to as the "Oil Companies".

- 1. The Oil Companies' further submissions are as contained in the attached Table.**
- 2. The Oil Companies' interest in the proposed plan is greater than the interest of the general public.**
- 3. The Oil Companies do wish to be heard in support of their further submissions.**
- 4. If others make similar submissions the Oil Companies may be prepared to consider presenting a joint case with them at any hearing.**

Dated at AUCKLAND this 25th day of November 2015

Signature on behalf of the Oil Companies:



Mark Laurensen
Authorised to Sign on Behalf of the Oil Companies

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**FURTHER SUBMISSIONS ON BEHALF OF THE OIL COMPANIES
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 4 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN AS
NOTIFIED THROUGH THE ADDENDUM TO SUMMARY OF DECISIONS REQUESTED**

Submission	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition
<p>Selwyn District Council (52245)</p> <p>Point ID 668</p>	<p>Amend the definition of 'Community drinking-water supply' as follows:</p> <p>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 69 of the Health Act 1956 that provides no fewer than 25 people with drinking-water for not less than 60 days each calendar year, <u>or is a drinking water supply operated by a local authority irrespective of the number of the number of people it serves.</u></p>	<p>Oppose</p>	<p>The Oil Companies agree that this approach may have merit but consider it should be addressed via a separate plan change with such takes and their corresponding protection zones mapped to provide opportunity for public participation and to recognise that new or amended protection zones will have implications for existing land users</p> <p>For instance where these zones extend into areas of wastewater discharges to land these will not meet the permitted activity criteria for wastewater discharges. Such zones would also have potentially significant implications for contaminated or potentially contaminated land and activities involving hazardous substances or discharges to land or water. As a consequence, any amendments to the definition need to be accompanied by maps of relevant takes and corresponding protection zones and introduced via a formal plan change process to recognise that they may have significant potential impacts for existing land users including, in some instances, a requirement for additional consents for existing activities.</p> <p>To aid plan users, any such takes and zones should be included in a Schedule to the Plan so that plan users are aware of potential constraints on their activities.</p>
<p>Selwyn District Council (52245)</p>	<p>Amend 5.115 as follows:</p>	<p>Oppose</p>	<p>Notwithstanding that the Oil Companies oppose this rule, the deletion of matter 9 is opposed as new and amended community water supply takes</p>

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Point ID 679	<p>Retain condition 1 and delete matters of discretion 8 and 9.</p> <p>The exercise of discretion is restricted to the following matters: ...</p> <p>8. The matters set out in Schedule 1 and the way in which those matters are responded to in the proposal for which consent is sought and the assessment of effects forming part of the application; and</p> <p>9. The actual and potential effects on any land user with land located within the proposed community drinking water supply protection zone.</p>		<p>and their corresponding protection zones have the potential to impact on existing land users and it is appropriate that such effects are identified and assessed. Similarly the deletion of matter 8 and its reference to Schedule 1 is also opposed as Schedule 1 at least establishes the basis for calculating protection zones associated with community water supply takes and a mechanism for bringing them to the attention of land users (via ECAN's GIS system).</p>
<p>Selwyn District Council (52245)</p> <p>Point ID 674</p>	<p>Delete Policy 4.16A</p> <p><i>The policy seeks to change the way responsibilities lie with respect to reticulated stormwater in a manner that is not appropriate.</i></p> <p><i>A key concern relates to the requirement for the operator of reticulated stormwater systems to be responsible for the stormwater discharges from the high risk sites such as contaminated sites, construction-phase stormwater and dewatering operations, which are currently consented by ECAN.</i></p> <p><i>It is not appropriate, nor effective or efficient for Council to be held responsible for all stormwater discharges. Global consents held by local authorities often exclude certain activities – it is not appropriate for this policy to shift the responsibility</i></p>	Oppose	<p>The Oil Companies' submissions also opposed the proposed stormwater provisions. In particular the Oil Companies have concerns about applicants being caught up in the jurisdictional arguments between ECAN and Councils and the administrative and procedural difficulties and costs of being caught up in this. There needs to be a clear, agreed and transparent process on how these matters are managed and the process needs to be reasonable and fair to those parties that are using the systems. That does not exist at present.</p> <p>The Oil Companies do not accept that it is appropriate to require regional consent for stormwater discharges into the reticulated network – or at least not within the current uncertain framework. SDC's requirements should not be</p>

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	<p><i>of discharges from all activities onto territorial authorities.</i></p> <p><i>In addition if the focus of the policy is to remain on 'manage' then a qualifier should be added so that the quality and quantity is managed, as appropriate. Not all locations and discharges will require active management.</i></p> <p><i>It is not effective or efficient to change the approach to managing stormwater as expressed in this redrafted policy.</i></p>		<p>passed to ECAN and could be addressed through a bylaw.</p> <p>Network utility operators across the country are responsible for their networks with discharge permits in place for the ultimate discharges from networks. Through bylaws, councils can impose requirements on parties discharging to the network. To require regional consent for discharges to SDC's reticulated network imposes unnecessary regulatory burden on activities across the district. At the very least the opportunity should be taken to establish a clear and transparent framework that will enable all parties to clearly understand their obligations and deliver consistent administration.</p> <p>It is important to note that stormwater discharges to the reticulated network from contaminated sites are typically via sealed surfaces, for instance at service stations. Stormwater from areas where hazardous substances are stored and used on such sites are appropriately treated in accordance with MfE Guidelines. Passive discharges from contaminated land will require passive discharge consent from ECAN in any event. It is therefore unclear the extent of the role the submitter considers it will be required to take with regard to stormwater runoff from contaminated sites.</p>