

**FURTHER SUBMISSION ON PLAN CHANGE 6 TO THE CANTERBURY LAND AND WATER
REGIONAL PLAN**

11 December 2015

To: Environment Canterbury
PO Box 345
Christchurch

Name of person making further submission:

Wairewa Rūnanga Incorporated

These are further submissions in support or opposition to submissions on:

Plan Change 6 to the Canterbury Land and Water Regional Plan

We are representing a person who has an interest in the proposal that is greater than the general public has.

This catchment is within the takiwā of Kāti Irakehu and Kāti Makō, who are represented by Wairewa Rūnanga. They are supported by Te Rūnanga o Ngāi Tahu. The contemporary structure of Ngāi Tahu is set out in the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act).

The TRoNT Act (s6) identifies Te Rūnanga o Ngāi Tahu as the iwi authority and the representative body of Ngāi Tahu Whānui who are the collective of individuals who descended from the primary hapū of Waitaha, Ngāti Mamoe and Ngāi Tahu, namely Kāti Kuri, Kāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi te Ruahikihiki. The Act (s7) identifies the members of Ngāi Tahu Whānui as those descendants of persons who were members of Ngāi Tahu living in 1848 and listed in the minute book of the 1929 Ngāi Tahu Census Committee.

The TRoNT Act (s9) identifies the members of Te Rūnanga o Ngāi Tahu as each of the Papatipu Rūnanga that are in operation from time to time. This includes Wairewa Rūnanga. Section 15(2) of the TRoNT Act 1996 provides that where any act requires consultation with any iwi, that this shall be held with Te Rūnanga o Ngāi Tahu, in the takiwā of Ngāi Tahu Whānui. However s15(3) requires that in carrying out any consultation Te Rūnanga o Ngāi Tahu shall in turn consult with papatipu rūnanga.

We support or oppose the submission points set out in Schedule One.

The reasons for our support or opposition are also set out in Schedule One.

We seek that the submissions supported in Schedule 1 be allowed.

We seek that the submissions opposed in Schedule 1 be disallowed.

We DO wish to be heard in support of our further submission.

Signature of person (s) making further submission

(or person authorised to sign on behalf of person (s) making further submission)

Iaeon Cranwell
Natural Resources Portfolio
Wairewa Rūnanga

Date: 11 December 2015

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**Mahaanui
Kurataiao Ltd**
Mangwhenua Environmental Services

Submitter	#	Provision	Stance	Particular points of issue	Reasons	Decision sought
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-5	Support	Amend as follows: The area covered by this sub-region section is shown below. It generally corresponds with the area covered by the Banks Peninsula Water Management Zone Committee. <u>Figure 1 outlines the area covered by the Banks Peninsula Water Management Zone Committee.</u> <u>Figure 2 defines the extent of the Lake Forsyth/Te Roto o Wairewa catchment.</u>	This potentially provides more clarity in identifying the area concerned.	Allow
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-6	Oppose	Amend to use a consistent term such as " <u>Lake Forsyth/Te Roto o Wairewa</u> " throughout the document	The alternative of <u>Te Roto o Wairewa/Lake Forsyth</u> , is considered more appropriate.	Disallow
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-7	Support in Part	Amend introductory text by inserting a new paragraph after 2nd paragraph on page10-2 as follows: <u>The Wairewa/Lake Forsyth lakebed totalling 651.73 hectares is a stewardship area managed under section 25 of the Conservation Act by the Department of Conservation. It is managed under the Canterbury Conservation Management Strategy "to protect and enhance the life supporting capacity of Canterbury's freshwater ecosystems for their intrinsic state and for their habitat values for birds, fish and invertebrates".</u>	Generally supportive but consider the wording may require some addition/amendment	
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-8	Support	Amend introductory text as follows: Lake Forsyth / Te Roto o Wairewa is also recognised as a nationally and regionally significant wetland area. Lake Forsyth / Wairewa provides lake-margin and swamp habitats for waterfowl <u>and at least 11 threatened and 6 at risk birds</u> (including the crested grebe), a variety of salt and		Allow

				freshwater marsh plants and invertebrate species.		
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-9	Support	Amend introductory text as follows: The lake and its tributaries provide habitats for a variety of fish species including tuna (long finned and short finned eel), inanga, patiki, banded kokopu, and common and upland bullies.		Allow
Director General of Conservation	Section 10-Banks Peninsula	PC6 LWRP-10	Support	Amend introductory text as follows: Other issues in the Lake Forsyth/Wairewa catchment and providing for the migratory habits of the tuna so as to enhance mahinga kai <u>and to complete the life cycle of other diadromous fish.</u>		Allow
Fish and Game Council North Canterbury	Section 10-Banks Peninsula	PC6 LWRP-67	Support in Part	Insert the following text at the end of paragraph 3 on page 10-2: <u>These tributaries and Lake Forsythe/Wairewa have salmonid fishery values at a local level. Kaituna River, Okana River, and Okuti River also have secondary spawning values. For game birds, the Lake is classed as a game bird habitat with national and regional levels of significance.</u>		
Federated Farmers of New Zealand	Section 10-Banks Peninsula	PC6 LWRP-15	Oppose	Insert new bullet after bullet point 5 as follows: Addressing the equitable balancing of cost for the key action projects, including additional fencing required by rules to achieve outcomes specific to this proposal.	It is considered that the equitable balance is sufficiently addressed by the balancing of the social, cultural and environmental criteria assessed in the s32 report.	Disallow
Federated Farmers of New Zealand	Section 10.4 Policies	PC6 LWRP-21	Support in Part	No specific decision requested, however, submitter seeks further information about the cost of implementation of the policies and rules [particularly the cost of fencing]	Clarification also sought on this matter	

Director General of Conservation	10.4.1	PC6 LWRP-14	Support in Part	Amend as follows: 10.4.1 Enhance the cultural values of Ngāi Tahu and the ecological health and water quality <u>for in-stream and recreational values</u> in the Lake Forsyth / Wairewa catchment by: (a) ... (b) ... (c) encouraging the planting of <u>appropriate</u> native species in riparian margins where this is compatible with achieving bank stabilisation; and.....		Amend
Federated Farmers of New Zealand	10.4.1	PC6 LWRP-17	Oppose	Amend Policy 10.4.1 condition (a) as follows: (a) excluding stock from the bed and riparian margins of the Okana, Okuti, and Takiratawai rivers, their tributaries, and the lake within the Valley Floor Area, in order to reduce the risk of bank erosion and collapse and avoid animal effluent entering water; and... OR (a) excluding stock from the bed and riparian margins of the Okana, Okuti, and Takiratawai rivers, <u>and where practical</u> , their tributaries, and the lake within the Valley Floor Area, in order to reduce the risk of bank erosion and collapse and avoid animal effluent entering water; and...	Ngāi Tahu has requested that this Policy be deleted	Disallow
Herlihy M and M	10.4.1	PC6 LWRP-83	Oppose	Clarify the definition of 'stock' in 10.4.1(a). AND Amend 10.4.1(a) 'excluding' [stock from the bed and riparian margins or rivers in the Valley Floor Area] to [being] 'permitted for defined short period pursuant to an acceptable Farm Environment Plan (FEP)'. AND	Ngāi Tahu has requested that this Policy be deleted	Disallow
Stanbury K	10.4.1	PC6 LWRP-100	Oppose	Clarify the definition of 'stock' in 10.4.1(a). AND Amend 10.4.1(a) 'excluding' [stock from the bed and riparian margins or rivers in the Valley Floor Area] to [being] 'permitted for defined short period pursuant to an acceptable Farm Environment Plan (FEP)'. AND	Ngāi Tahu has requested that this Policy be deleted	Disallow

				[note: submitter supports the submission of Marinka and Mike Herlihy (PC6-LWRP-83)]		
Federated Farmers of New Zealand	10.4.3	PC6 LWRP-20	Oppose	Amend as follows: Improve the flood-carrying capacity of the Okana, Okuti, and Takiratawai rivers and their tributaries by excluding stock from the beds and riparian margins of those rivers,...	As the tributaries are the primary source for the main body of the river and can have significant flows the exclusion of tributaries would effectively nullify the objective of the policy. Ngāi Tahu has requested that this policy be rewritten	
Federated Farmers of New Zealand	10.5.1	PC6 LWRP-27	Oppose	Insert a note under the heading "Bank Erosion and Flood Management", if the Section 5 dispensation only applies to Rules 10.5.1 to 10.5.3.	This rule is confusing. It implies that Rules 10.5.2 and 10.5.3 do not apply to any activity which is otherwise a permitted activity in the Land and Water Plan. If this is the case then what activities do these rules apply to? The rules in this sub-regional section should be limited to those which are intended to supersede any region-wide rules.	Disallow
Director General of Conservation	10.5.2	PC6 LWRP-4	Support	Amend matters of discretion (3) and (4) as follows: 3. The species of any plant to be introduced <u>planted or removed</u> ; and 4. Effects on water quality, sources of human or animal drinking-water, aquatic ecosystems, and inanga spawning habitat; <u>and fish spawning habitat generally, including timing of the activity</u> ; and		Allow
Federated Farmers of New Zealand	10.5.2	PC6 LWRP-28	Oppose	Amend Rule 10.5.2 as follows: Within the Valley Floor Area, the use of land in the riparian margin or the disturbance of the the bed and banks of the Okana, Okuti and Takaritawai rivers and their tributaries , or Lake Forsyth / Te Roto o Wairewa, that includes:... OR Within the Valley Floor Area, the use of land in the riparian margin or the disturbance of the the bed and banks of the Okana, Okuti	As currently worded this rule is uncertain. If it is intended that the rule regulates activities to manage bank erosion so they are undertaken in accordance with an erosion plan, it should say so; and presumably apply whether the activity is permitted by the region-wide rules or not.	Disallow

				and Takaritawai rivers and <u>where practical</u> , their tributaries, or Lake Forsyth / Te Roto o Wairewa, that includes:...	It is also uncertain what constitutes a riparian margin or the 'banks' of a river and therefore to what land areas the rule(s) apply. In our submission this distinction is not needed; it is not where the activity takes place that is at issue the purpose – that is the desired outcome is that bank erosion works are managed in accordance with an erosion plan.	
Federated Farmers of New Zealand	10.5.2	PC6 LWRP-31	Oppose in part	Clarify that Environment Canterbury will assess an application using its own in-house experts and consulting with the land owner. If not, the submitter opposes the rule in its entirety as they consider it will place an intolerable burden on landowners and will defeat the aim of the plan change. The submitter seeks that all Environment Canterbury should require from the applicant is the Schedule 24c Erosion Plan (which the submitter also opposes), and that Environment Canterbury assess the proposal based on the information it already holds about matters for discretion 1 to 11. This should be a two way process with the applicant who also may have useful information that Environment Canterbury is not aware of.	It is unclear what is being sought.	
Federated Farmers of New Zealand	10.10 (Insert heading) Schedules	PC6 LWRP-51	Oppose	Amend Schedule 24c item 5 as follows: 5. provide an assessment of the effects of the proposed activities, at a level of detail commensurate with the scale and significance of the effects, on <u>and using such information as the landowner can reasonably be expected to provide from his own knowledge and experience of the property. Environmental effects which Ecan may choose to separately assess, in order to decide on an application , include the following:</u> [Items (a) to (h) as listed]	The use of " <i>commensurate</i> " allows sufficient discretion with council as to the appropriate level of information required in relation to the scale of the proposal.	Disallow

Director General of Conservation	Table 10(a) Freshwater Outcomes for Lake Forsyth/Wairewa Catchment Rivers to be achieved by 2030	PC6 LWRP-45	Support in Part	Insert a new Ecological Health Indicator as follows: <u>Threatened and at risk species and their breeding sites are protected from activities adverse to them.</u>	Need to clarify what meaning is meant by adverse to them.	
Director General of Conservation	Table 10(b) Freshwater Outcomes to be achieved for Lake Forsyth / Te Roto o Wairewa by 2030	PC6 LWRP-49	Support	Insert a new Ecological Health Indicator as follows: <u>Threatened and at risk species and their breeding sites are protected from activities adverse to them.</u> AND Insert a new visual water quality indicator as follows: <u>Increase in native macrophyte beds to 20% cover and associated clearer water in the lake margins than mid-lake.</u>		Allow
Federated Farmers of New Zealand	10.7 Environmental Flow and Allocation Regime and Water Quality Targets/Limits	PC6 LWRP-46	Oppose	No specific decision requested. Submitter states their interest in Sections 10.6 to 10.9 and requests to take part in any discussions concerning refinement of these sections.	There is a need to make a valid submission on the point and state the decision you want to be involved.	Disallow