From:	Johanna King
To:	Mailroom Mailbox
Cc:	Alanya Limmer
Subject:	Further Submission on Plan Change 5 - Opuha Water Limited
Date:	Friday, 13 May 2016 9:44:57 a.m.
Attachments:	tplogo15a2f7 Further Submission on Plan Change 5 - Opuha Water Limited - 13 May 2016.pdf

Dear Sir/Madam,

Please find **attached** a further submission on Plan Change 5 to the partially Operative Canterbury Land and Water Regional Plan for Opuha Water Limited.

Please confirm receipt of this further submission. If you have any questions, please contact us.

Regards,

Johanna King | Solicitor

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FURTHER SUBMISSION ON PLAN CHANGE 5 TO THE PARTIALLY OPERATIVE CANTERBURY LAND AND WATER REGIONAL PLAN

Clause 8 First Schedule, Resource Management Act 1991

TO: Environment Canterbury
Freepost 1201
Plan Change 5 to the Canterbury Land and Water Regional Plan
PO Box 345
Christchurch 8140

By email: mailroom@ecan.govt.nz

Name of Submitter:

1 Opuha Water Limited, Submitter ID 67130 (**the Submitter**)

Address:	c/- Tavendale and Partners Limited
	PO Box 442
	Christchurch 8140
Contact:	Alanya Limmer / Johanna King
Phone:	(03) 374 9999
Email:	alanya.limmer@tp.co.nz / johanna.king@tp.co.nz

Proposal this further submission is on

2 This is a further submission in support of (or in opposition to) submissions on the following change proposed to the following plan (**the proposal**):

Proposed Plan Change 5 to the Canterbury Land & Water Regional Plan

Submitter's interest in the proposal

3 The Submitter has an interest in the proposal that is greater than the interest the general public has, for the reasons given at paragraphs 6-10 of its original submission (dated 11 March 2016).

Further submissions in support

4 The Submitter supports the submissions of:

4.1 Central Plains Water Limited, Submitter ID 67155;

4.2 Dairy Holdings Limited, Submitter ID 53683;

4.3 Dairy NZ, Submitter ID 52271;

4.4 Federated Farmers of New Zealand & Others, Submitter ID 67199;

4.5 Fonterra Co-operative Group Ltd & Others, Submitter ID 67200;

4.6 Hunter Downs Development Company Limited, Submitter ID 67154;

4.7 Irrigation NZ Inc & Others, Submitter ID 53910;

4.8 Waitaki Irrigators Collective & Others, Submitter ID 65930; and

4.9 Royal Forest and Bird Society of NZ Inc (**Forest and Bird**), Submitter ID 52265.

5 The Submitter supports the submissions identified in paragraphs 4.1 to 4.8 above in their entirety.

6 The Submitter supports only part of the Forest and Bird submission, being the requested amendment to the definition of 'Accredited Farm Consultant' at PC5LWRP-1781.

7 The reasons for the Submitter's support of the submissions at paragraphs 4.1 to 4.8 include, but are not limited to:

7.1 the submission points strike a fair balance between realising farm productivity without compromising water quality outcomes; and

7.2 the submission points address the oppressive timeframes imposed by the notified provisions.

8 The reason for the Submitter's support of the Forest and Bird amendment to the definition of 'Accredited Farm Consultant' is that the 'knowledge and competencies required' in order to have CRC Chief Executive approval should be a matter of qualifications or experience. Farm Environment Plan (**FEP**) experience and knowledge of the particular catchment and scheme is an integral aspect of the "appropriate professional expertise"[1] required for a person developing the FEP. In the Submitter's experience FEPs developed by such persons are as good if not better. This is especially so where that person is following an Industry Template approved by CRC. Forest and Bird's request for clarification provides scope for this amendment to be made.

Further submissions in opposition

9 The Submitter opposes the submissions of the following submitters:

9.1 Forest and Bird, Submitter ID 52265;

9.2 Nga Rūnanga and Te Rūnanga o Ngāi Tahu, Submitter ID 67166; and

9.3 North Canterbury Fish and Game & SI Fish and Game (**Fish and Game**), Submitter ID 65939.

10 Aside from the submission point supported at paragraphs 4.9 and 6 above, the Submitter opposes the submission of Forest and Bird NZ in its entirety.

11 The particular part of the Nga Rūnanga and Te Rūnanga o Ngāi Tahu submission the Submitter opposes is PC5LWRP-723, a requested amendment to the definition of 'Accredited Farm Consultant'.

12 The particular part of the Fish and Game submission the Submitter opposes is PC5LWRP-704, a requested amendment to Rule 5.54A.

Reasons for the Submitter's opposition

13 The Submitter opposes the submission of Forest and Bird because the various items of requested relief restrict farm productivity more than is necessary to realise appropriate water quality outcomes. The amendments sought are not reasonable or sustainable.

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[1] Section 32 Report for Plan Change 5, section 4.1, page 4- 5.

14 The Submitter opposes the Nga Rūnanga and Te Rūnanga o Ngāi Tahu's submission point PC5LWRP-723 in principle, but in a qualified way. The Submitter recognises the importance of including cultural competencies in the Farm Environment Plan process. The Submitter is however concerned that without knowing what constitutes an approved course or the resources involved to meet the requirement, the amendment as worded may frustrate the process by limiting the pool of persons able to develop and review Farm Environment Plans.

15 The reasons for the Submitter's opposition to Fish and Game's submission point PC5LWRP-704 include, but are not limited to:

15.1 the requested amendment would unnecessarily disadvantage Orange Zone farms; and

15.2 the requested amendment may discourage farmers in the Orange Zone from converting from border dyke to more efficient spray irrigation systems, where they would require a resource consent to do so. This would not promote sustainable management under s 5 of the RMA and does not have regard to the Principles of the Canterbury Water Management Strategy and in particular the need for efficient use of water in existing and new infrastructure.

Decisions sought

16 The Submitter seeks the parts of the submissions it supports to be allowed and the parts of the submissions it opposes be disallowed. Alternately, that the Plan be amended to address the concerns raised in this further submission and any consequential amendments.

Wish to be heard:

17 The Submitter wishes to be heard in support of its further submission.

Position as to joint case at hearing

18 If others make a similar submission, the Submitter will consider presenting a joint case with them at a hearing.

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Opuha Water Limited

By its solicitors and authorised agents

Tavendale and Partners Limited: A C Limmer / J R King

Date: 13 May 2016