

From: [Herb Familton](#)
To: [Brett Aldridge](#)
Cc: [Tera Maka](#); [Mailroom Mailbox](#); [Sally Jones](#); [Aalbert Rebergen](#); [Anna Cameron](#); [David Newey](#)
Subject: ECan Plan Change 5 Waitaki - further submission and cover letter - DOC-2777971
Date: Friday, 13 May 2016 2:50:17 p.m.
Attachments: [image001.jpg](#)
[ECan Plan Change 5 Waitaki - further submission and cover letter - DOC-2777971.pdf](#)

Enc Further submissions from the DG of Conservation on Plan Change 5.

Herb Familton
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South Island RMA Shared Services
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Conservation leadership for our nature *Takina te hi, Tiakina, te ha o te Ao Turoa*

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Department of Conservation
Te Papa Atawhai

DOCDM-2777971

13 May 2016

Environment Canterbury
Box 345
CHRISTCHURCH 8140

Attention: Brent Aldridge

Dear Brent,

Further Submissions on Plan Change 5 Nutrient Management and Waitaki

Please find enclosed the further submissions of the Director-General of Conservation in respect of Plan Change 5.

Please contact Herb Familton in the first instance if you wish to discuss any of the matters raised in this further submission (hfamilton@doc.govt.nz or 03 371 3751).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Herb Familton'.

Herb Familton
Planner
For: Director-General

Department of Conservation *Te Papa Atawhai*

Christchurch Shared Services

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140, New Zealand

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RESOURCE MANAGEMENT ACT 1991

FORM 6

**FURTHER SUBMISSIONS IN SUPPORT OR OPPOSITION TO, SUBMISSION ON PUBLICLY
NOTIFIED
PROPOSED PLAN CHANGE 5 –NUTRIENT MANAGEMENT AND WAITAKI PLAN CHANGE**

Clause 8 of Schedule 1, Resource Management Act 1991

TO:	Environment Canterbury
FURTHER SUBMISSIONS ON:	Plan Change 5
NAME:	Director General of Conservation
ADDRESS:	RMA Shared Services Department of Conservation Private Bag 4715 Christchurch Mail Centre 8140 Attn: Herb Familton

STATEMENT OF SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION

This is a further submission in support of (or in opposition to) a submission on Proposed Plan Change 5.

I, Sally Jones, Operations Manager, Twizel, of the Department of Conservation, acting under delegated authority from the Director General of Conservation, make the following further submissions in support or opposition to the submissions on Proposed Plan Changes [insert number/reference].

1. **I support or oppose the submissions of** those persons and/ or organisations listed in the second column headed "Submitter Name" of the table in the attached.
2. **The particular parts of the submission I support or oppose are** identified in the third column headed "Submission".
3. **The reasons for my support or opposition are** set out under the fifth column headed "Reasons" of the table.
4. **The particular aspect of the Plan that the further submission relates to are:** set out in the first column headed "Plan Reference".
5. **In relation to those submissions I support I seek that that submission is allowed.**
6. **In relation to those submissions I oppose I seek that the part of the submission I oppose is disallowed.**

7. I do wish to be heard in support of this submission.
8. If others make similar submissions I will consider presenting a joint case with them at the hearing.



Sally Jones,
Operations Manager
Twizel

Pursuant to delegated authority
On behalf of
Lou Sanson
Director-General of Conservation

Date: 13th May 2016

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House *Whare Kaupapa Atawhai*, 18/32 Manners Street, Wellington 6011.

DOC FURTHER SUBMISSION NUMBER	SUBMITTER NAME	PLAN REFERENCE	SUBMISSION	SUPPORT/ OPPOSE	REASONS
1	Nga Rununga and Te Rununga O Ngai Tahu 67193	15B. 4.1	PCLWRP-871	SUPPORT	The policy amendment focusing on landuse better gives effect to, Part II of the Act, the National Policy Statement for Freshwater Management 2014 (NPSFM), and the objectives and policies the Canterbury Regional Policy Statement (CRPS) and the Canterbury Land and Water Regional Plan (LWRP)
2		15B.5.7	PCLWRP-920	SUPPORT	This would be consistent with NPSFM Objective and Policy requirements to set limits for water quality. This amended rule provides a stronger link with the water quality limit Policies, and will better give effect to Part II of the Resource Management Act (RMA), and NPSFM Objectives and Policies and specifically section 68 1 (b) of the RMA.
3	Pukaki Tourism Holdings Ltd 67139	15B.4.13	PCLWRP-2788	SUPPORT	This specific exemption will give effect to Part II of the RMA, and enable the removal of pest wilding trees.
4		15B.5.19	PCLWRP-1325	SUPPORT	This specific exemption will give effect to Part II of the RMA, and enable the removal of pest wilding trees.
5	Central South Island Fish and Game Council 53274	15B. 4.13	PCLWRP-748	SUPPORT	This provides a stronger link from the Policies with the Water Quality limit rules in Table 15B (c), (d) and (e) and will better give effect to Part II of the RMA and specifically section 68 1 (b) of the RMA.
6		15B. 4.16	PCLWRP-749	SUPPORT	This amended policy provides a stronger link from the Policies with the Water Quality limit rules in Table 15B

DOC FURTHER SUBMISSION NUMBER	SUBMITTER NAME	PLAN REFERENCE	SUBMISSION	SUPPORT/ OPPOSE	REASONS
					(c), (d) and (e) and will better give effect to Part II of the RMA and specifically section 68 1 (b) of the RMA. Such a policy amendment gives better effect to the adaptive management conditions imposed on the most recent resource consents issued under the Waitaki Act such as <i>Five Rivers</i> (ENV- 2011-CHC-136).
7		15B. 4.28	PCLWRP-756	SUPPORT	This policy provision will give effect to Part II of the RMA, the NPSFM and the CRPS.
8		15B. 5.20	PCLWRP-760	SUPPORT	This policy provision will give effect to Part II of the RMA, the NPSFM and the CRPS. In particular, this amended rule provides a stronger link with Table 15B (f) and would be consistent with NPSFM Objective and Policy requirements to set limits for water quality.
9		15B. 5.25	PCLWRP-765	SUPPORT	This matter of discretion will give effect to Part II of the RMA, the NPSFM, the CRPS, and would be consistent with NPSFM Objective and Policy requirements to set limits for water quality.
10		Table 15B (a)	PCLWRP-766	SUPPORT	This matter of discretion will give effect to Part II of the RMA, the NPSFM, the CRPS, and would be consistent with NPSFM Objective and Policy requirements to set limits for water quality.
11	Meridian Energy Ltd 53960	15B 4.16	PCLWRP-60	SUPPORT	This amended policy provides a stronger link from the Policies with the Water Quality limit rules in Table 15B (c), (d), (e), and (f) and will better give effect to Part II and specifically section 68 1 (b) of the RMA.
12		15B.4.21	PCLWRP-64	SUPPORT	This amended policy provides a stronger link from the Policies with the Water Quality limit rules in Table 15B

DOC FURTHER SUBMISSION NUMBER	SUBMITTER NAME	PLAN REFERENCE	SUBMISSION	SUPPORT/ OPPOSE	REASONS
					(c), (d), (e), and (f) and will better give effect to Part II of the RMA, and specifically NPSFM objectives and policies and specifically section 68 1 (b) of the RMA.
13		15B.4.21	PCLWRP-64	SUPPORT	This amended policy provides a stronger link from the Policies with the Water Quality limit rules in Table 15B (c), (d), (e), and (f) and will better give effect to Part II of the RMA, and specifically NPSFM objectives and policies, and specifically section 68 1 (b) of the RMA.
14		15B.5.8	PCLWRP-68	SUPPORT	This amended rule provides a stronger link with Schedule 27 and would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
15		15B.5.8	PCLWRP-68	SUPPORT	This amended rule provides a stronger link with Schedule 27 and would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
16	Royal Forest and Bird NZ 52265	15B. 4.16	PCLWRP-1895	SUPPORT	This policy amendment provides a stronger link from the Policies with the Water Quality limit rules in Table 15B (c), (d) and (e) and will better give effect to Part II and specifically section 68 1 (b) of the RMA. Such a Policy amendment gives better effect to and gives more specificity to the adaptive management conditions imposed on the most recent resource consents issued under the Waitaki Act such as <i>Five Rivers</i> (ENV- 2011-CHC-136).
17		15B.4.23	PCLWRP-1902	SUPPORT	The regional plan needs to give effect to the objectives and policies in Chapter 9 Biodiversity of the CRPS.
18		15B.5.23	PCLWRP-1933	SUPPORT	This would be consistent with NPSFM objective and policy requirements to set limits to maintain water

DOC FURTHER SUBMISSION NUMBER	SUBMITTER NAME	PLAN REFERENCE	SUBMISSION	SUPPORT/ OPPOSE	REASONS
					quality.
19		15B.5.26	PCLWRP-1936	SUPPORT	This would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
20		15B.5.31	PCLWRP-1942	SUPPORT	This would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
21		15B.5.40	PCLWRP-1951	SUPPORT	This would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
22		15B.5.45	PCLWRP-1956	SUPPORT	This would be consistent with NPSFM objective and policy requirements to set limits to maintain water quality.
23	Genesis Energy Ltd 67192	15B. 4.18	PCLWRP-1748	SUPPORT	This amended policy provides a stronger link from the policies with the Water Quality limit rules in Table 15B (c), (d), (e), and (f) and will better give effect to Part II of the RMA and specifically NPSFM objectives and policies and section 68 1 (b) of the RMA.
24		15B 4.20	PCLWRP-1752	SUPPORT	This amended policy provides a stronger link from the policies with the Water Quality limit rules in Table 15B (c), (d), (e), and (f) and will better give effect to Part II of the RMA, and specifically NPSFM objectives and policies and specifically section 68 1 (b) of the RMA.
25		15B. 5.10	PCLWRP-1775	SUPPORT	This amended rule provides a stronger link with schedule 27 and would be consistent with NPSFM objectives and policy requirements to set limits to

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					maintain water quality.
26		15B. 4.22	PCLWRP-1759	SUPPORT	This amended policy provides a stronger link from the policies with the Water Quality limit rules in Table 15B (c), (d), (e), and (f) and will better give effect to Part II of the RMA, and specifically NPSFM objectives and policies and specifically section 68 1 (b) of the RMA.
27	Glentanner Station Ltd and Other 67228	15B.5.6	PCLWRP-1431	OPPOSE	Such a provision would be inconsistent with NPSFM objective and policy requirements to set limits to maintain water quality.
28	MacKenzie District Council 67162	15B.4.23	PCLWRP-366	SUPPORT	In accordance with section 6(c) of the RMA it is a matter of national importance that provision be made for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. The relief sought would recognise this requirement..
29		15B.5.18B	PCLWRP-377	SUPPORT	In accordance with section 6(c) of the RMA it is a matter of national importance that provision be made for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. The relief sought would recognise this requirement..
30		15B.5.18B	PCLWRP-380	SUPPORT	In accordance with section 6(c) of the RMA it is a matter of national importance that provision be made for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. The relief sought would recognise this requirement..
31		15B.5.20	PCLWRP-379	SUPPORT	In accordance with section 6(c) of the RMA it is a matter of national importance that provision be made for the

DOC FURTHER SUBMISSION NUMBER	SUBMITTER NAME	PLAN REFERENCE	SUBMISSION	SUPPORT/ OPPOSE	REASONS
					protection of significant indigenous vegetation and significant habitats of indigenous fauna. The relief sought would recognise this requirement..
32		15B.5.20	PCLWRP-382	SUPPORT	In accordance with section 6(c) of the RMA it is a matter of national importance that provision be made for the protection of significant indigenous vegetation and significant habitats of indigenous fauna. The relief sought would recognise this requirement..
33	Murchison JG 67179	Policy 4.37	PCLWRP-1441	OPPOSE	The management policies of sensitive lake catchments require no increase in nutrients in the lake sensitive zones to maintain water quality.
34		Rules 5.50-5.5.52A	PCLWRP-2077	OPPOSE	The management rules of sensitive lake catchments need to ensure there is no increase in nutrients in the lake sensitive zones
35	McKenzie Irrigation Company Ltd 67161	Rule 5.54A	PCLWRP-1441	OPPOSE	The cumulative individual or group land-use losses should not exceed the total nutrient load set for the catchment. Any changes to the calculation approach could lead to an exceedance of the total load limit, which should not occur.
36		Rule 5.15B5.14	PCLWRP-1445	OPPOSE	Any individual or group land-use losses should not exceed the total nutrient load set for the catchment. Any changes to the calculation approach could lead to an exceedance of the total load limit, which should not occur.
37	Fonterra Co-operative Group Ltd and Others	Rule 5.46A	PCLWRP-1076	OPPOSE	The activity status of discretionary is more appropriate as there may be circumstance where it is appropriate that consent may be declined. Therefore the proposed change in activity status is opposed.

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	67200				
38	Fertiliser Association of NZ 51972	Rule 5.47A	PCLWRP-1511	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the CRPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>
39		Rule 5.51A	PCLWRP-1518	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the RPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>
40		Rule 5.15B.5.13B	PCLWRP-1645	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the RPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>
41		Rule 5B.5.17	PCLWRP-1655	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the RPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>

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42		Rule 5B.5.18C	PCLWRP-1660	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the RPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>
43		Rule 5B.5.22	PCLWRP-1666	OPPOSE	<p>A threshold test is more appropriate based on the LWRP objective and policy framework, and the objectives and policies of the RPS and the NPSFM.</p> <p>Therefore discretionary or restricted discretionary activity status in these cases is not supported.</p>
44	Federated Farmers of NZ 67199	Policy 15B.4.24	PCLWRP-2555	OPPOSE	<p>Proposed amendments for the Hakataramea River do not appropriately restrict nitrogen losses from farming activities in some of the most sensitive areas.</p> <p>The Hakataramea is a habitat and spawning site for threatened native fish and is a significant salmonid fishery and is at “a high risk of outcomes not being met as a result of an increase in nutrient loss” (LWRP Plan Change 5 s32 report).</p> <p>The Zone Implementation Plan collaborative community process outcome was to maintain the current water quality and recreational swimming as well as the significant recreational fishery.</p>

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					The proposed policy amendments will not provide for the water quality outcomes associated with the values of the community and stakeholders, and recommended by the Zone Committee to be met.