

From: [Judy-Anne Stapleton](#) on behalf of [Ben Williams](#)
To: [Mailroom Mailbox](#)
Cc: [Ben Williams](#)
Subject: Further Submission to Plan Change 5: Central Plains Water Limited
Date: Friday, 13 May 2016 3:55:28 p.m.
Attachments: [CHCDOC01-#833911-v1-CPW_PC5_further_submission.pdf](#)

Good afternoon,

We act for Central Plains Water Limited (CPWL).

We attach, for lodging, CPWL's further submission to Plan Change 5.

Please acknowledge receipt.

Regards,

Ben

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Form 5

**FURTHER SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY
STATEMENT OR PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Canterbury Regional Council

Name of submitter: Central Plains Water Limited (CPWL)

- 1 This is a further submission on:
 - proposed Plan Change 5 to the Canterbury Land and Water Regional Plan (LWRP and PC 5).
- 2 CPWL is submitter number 67155 on PC 5.
- 3 CPWL's further submissions and the further relief it seeks are recorded the table set out in **Annexure 1**.
- 4 CPWL wishes to be heard in support of this further submission.

Signed for and on behalf of Central Plains Water Limited by its solicitors and authorised agents Chapman Tripp



Ben Williams / Allan Brent
Partner / Solicitor
13 May 2016

Address for service of submitter:

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Annexure 1: Further submission points

#	Reference*	Submitter	Support/ oppose	Comment
General – Part A				
1	PC5LWRP-249 (General Part A)	Dairy NZ	Support	The submission point includes a good summary of the matters that are generally supported and the wider concerns that arise in respect of PC5. CPWL generally supports all matters raised.
2	PC5LWRP-724 PC5LWRP-792 PC5LWRP-812 (General Part A)	Nga Rūnanga and Te Rūnanga O Ngāi Tahu	Support in part	CPWL supports the intent of this submission only to the extent that it seeks clarity between PC5 and sub-regional plan changes.
3	PC5LWRP-723 PC5LWRP-750 PC5LWRP1078	Nga Rūnanga and Te Rūnanga O Ngāi Tahu Dave Ashby Rural Consultants Limited	Oppose in part	CPWL opposes amended definitions of 'Accredited Farm Consultant' and 'Certified Farm Environment Plan Auditor'. While the intent of these provisions may be sound, the industry reality is that qualified farm consultants and auditors are scarce, and the requirements of these amendments could exacerbate that issue to the point of undermining the practical workability of PC5.
4	PC5LWRP-759 PC5LWRP-855 PC5LWRP-848 PC5LWRP-899 PC5LWRP-902 PC5LWRP-1104 PC5LWRP-1152	Nga Rūnanga and Te Rūnanga O Ngāi Tahu Orari Users Group Limited Kokoamo Farms	Support in part	CPWL supports in part the concept of widening paragraph (b) of the 'Nutrient Baseline' definition. However, an expansion of the definition would need to appropriately cater to irrigation schemes (where typically only primary consents are sought at the outset), so should refer only to "primary consents" or similar.

#	Reference*	Submitter	Support/ oppose	Comment
	PC5LWRP-1164 PC5LWRP-1176	Limited Spectrum Group Killermont Station 2012 Limited Twinburn Limited Haldon Station Limited Cameron WN and SP Craigmore Farming Keeling Dairies Limited		
Definitions – Part A				
5	PC5LWRP-949 (Definition – Principal Water Supplier)	Trustpower Limited	Support in part	CPWL supports this amendment with the addition of the words “ <i>or exercises</i> ” after “ <i>who holds</i> ” in Trustpower’s proposed addition (to reflect the fact the entity operating the irrigation scheme will not always be the consent holder).

#	Reference*	Submitter	Support/ oppose	Comment
6	PC5LWRP-1854 PC5LWRP-1857 (Definition – Loss Rate Assessed as Good Management Practice)	Fonterra Co-Operative Group Limited & Ors	Support	The proposal by Fonterra to include a further regime based on <i>inter alia</i> OVERSEER assessed losses using Good Management Practice Rates is supported (effectively as an alternative pathway to addressing a number of concerns raised by CPWL in respect of the farm portal etc).
Policies – Part A				
7	PC5LWRP-225 (Policy 4.11)	Dairy NZ	Support in part	<p>CPWL supports the concept set out, but submits that irrigation schemes should expressly fall within the exception identified by amending the explanatory text and as follows (with further additions in strike through/<u>underline</u>) – on the basis that irrigation schemes will inevitably fall within the exception so it is not appropriate to consider those as ‘something different than the norm’):</p> <p style="text-align: center;">Exceptions will be made <u>for irrigation schemes and</u> where <u>a the</u>-consent application <u>for an individual farming activity</u> is able to demonstrate significant environmental benefit and a requirement for a longer period of consent to realise that benefit.</p>
8	PC5LWRP-239 (Policy 4.37)	Dairy NZ	Support	CPWL supports the further references to “ <i>Baseline GMP Loss Rate or Loss Rate Assessed as Baseline GMP</i> ” as the basis of an alternative pathway to addressing a number of concerns raised by CPWL in respect of the farm portal etc
9	PC5LWRP-247 (Policy 4.38)	Dairy NZ	Support in Part	<p>CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.</p> <p>In terms of the drafting note in the summary of submissions CPWL notes that it considers a standard of “<i>maintained</i>” is appropriate for the Lake and Orange Zones.</p>

#	Reference*	Submitter	Support/ oppose	Comment
10	PC5LWRP-728 (Policy 4.38A)	Fonterra Co-Operative Group Limited & Ors	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
11	PC5LWRP-2105 (Policy 4.38B)	Irrigation NZ & Ors	Support in part	CPWL supports the intent of this amendment, but considers that it is too narrow. The exception should relate to those that " <i>are irrigated or managed through a consent held by an irrigation scheme or farming enterprise</i> ". It won't typically be the case that the irrigation scheme owns property (which appears to be how the sought amendment reads)
12	PC5LWRP-263 (Policy 4.41B)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
Rules – Part A				
13	PC5LWRP-2166 (New rule related to Rule 5.41A)	Irrigation NZ & Ors	Support	CPWL supports the use of a permitted activity rule where there is a permit in place (potentially held by an irrigation scheme) authorising the farming activity (discharge/landuse)
14	PC5LWRP-837 (Rule 5.41A)	Opuha Water Limited	Support	CPWL supports the intent of the wording (in short clarifying both the ability and obligation to gain consent under Rules 5.60 to 5.62).
15	PC5LWRP-1771 (Rule 5.44A)	Ravensdown Limited & Others	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
16	PC5LWRP-314 (Rule 5.44B)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.

#	Reference*	Submitter	Support/ oppose	Comment
17	PC5LWRP-318 (Rule 5.45A)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
18	PC5LWRP-331 (Rule 5.46A)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
19	PC5LWRP-1780 (Rule 5.46A)	Ravensdown Limited & Others	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
20	PC5LWRP-336 (Rule 5.50A)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
21	PC5LWRP-338 (Rule 5.52A)	Dairy NZ	Support	CPWL supports the deletion of Rule 5.52A (and farming activities that do not meet condition 2 of Rule 5.50A being a non-complying activity under Rule 5.51A).
22	PC5LWRP-2158 (Rule 5.53A)	Irrigation NZ & Ors	Support	CPWL supports the deletion of 5.53A
23	PC5LWRP-704 (Rule 5.54A)	North Canterbury Fish & Game and South Island Fish & Game	Oppose	CPWL opposes further restrictions on winter grazing and the amendments proposed in respect of increased irrigation (which are particularly non-applicable to irrigation schemes still in the development phase).
24	PC5LWRP-2003 (Rule 5.54A)	Ravensdown Limited & Others	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.

#	Reference*	Submitter	Support/ oppose	Comment
25	PC5LWRP-235 5.54B	Dairy Holdings Limited	Support	CPWL supports better recognition of existing but only partially implemented (or unimplemented) resource consents.
26	PC5LWRP-340 (Rule 5.54B)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
27	PC5LWRP-238 (Rule 5.56AA)	Dairy Holdings Limited	Support	CPWL supports better recognition of existing but only partially implemented (or unimplemented) resource consents.
28	PC5LWRP-742 (Rule 5.56AA)	Fonterra Co- Operative Group Limited & Ors	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
29	PC5LWRP-2009 (Rule 5.56A)	Ravensdown Limited & Others	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
30	PC5LWRP-240 (Rule 5.57C)	Dairy Holdings Limited	Support in part	CPWL supports better recognition of existing but only partially implemented (or unimplemented) resource consents.
31	PC5LWRP-743 (Rule 5.58A)	Fonterra Co- Operative Group Limited & Ors	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
32	PC5LWRP-243 (Rule 5.58B)	Dairy Holdings Limited	Support	CPWL supports better recognition of existing but only partially implemented (or unimplemented) resource consents.

#	Reference*	Submitter	Support/ oppose	Comment
33	PC5LWRP-349 (Rule 5.58B)	Dairy NZ	Support	CPWL supports the proposed amendment to the extent that it provides a possible alternative consenting pathway.
Schedules				
34	PC5LWRP-312 (Schedule 7A)	Dairy NZ	Support	CPWL supports the retention of Schedule 7A as notified
35	PC5LWRP-1853 (Schedule 28)	Fonterra Co- Operative Group Limited & Ors	Support	CPWL shares the concerns raised by the submitter around the modelling proxies within the Farm Portal. It also supports the need to provide a possible alternative consenting pathway.