

FOR OFFICE USE ONLY

Further Submission on Proposed Canterbury Land and Water Regional Plan

Submitter ID: _____

File No: _____

Form 6: Further Submissions in support of, or in opposition to, submission on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 8 of Schedule 1 of the Resource Management Act 1991

Return your signed further submission by 5.00pm Thursday 20 December 2012 to:

Freeport 1201 Proposed Canterbury Land and Water Regional Plan
Environment Canterbury
P O Box 345
Christchurch 8140

Full Name: _____ **Phone (Hm):** _____

Organisation*: Ngā Rūnanga of Canterbury and Te Rūnanga o Ngāi Tahu **Phone (Wk):** 03 366 4344

* the organisation that this further submission is made on behalf of

Postal Address: P O Box 13 046, Christchurch **Phone (Cell):** _____

Postcode: 8141

Email: _____ **Fax:** _____

Contact name and postal address for service of person making further submission (if different from above):

Only certain people can make further submissions. Please tick the option that applies to you:

- ☐ I am a person representing a relevant aspect of the public interest; or
- ☒ I am a person who has an interest in the proposal that is greater than the interest the general public has (for example, I am affected by the content of a submission); or
- ☐ I am the local authority for the relevant area.

- ☐ I do not wish to be heard in support of my further submission; or
- ☒ I do wish to be heard in support of my further submission; and if so,
- ☐ I would be prepared to consider presenting your further submission in a joint case with others making a similar submission at any hearing

Service of your further submission:

Please note: any person making a further submission must **serve a copy of that submission on the original submitter no later than five working days after the submission has been provided to Environment Canterbury**. If you have made a further submission on a number of original submissions, then copies of your further submission will need to be served with each original submitter.

Signature:

[Handwritten signature]

Date:

20-12-12

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

(1) I support or oppose the submission of:	(2) The particular parts of the submission I support or oppose are:	(3) The reasons for my support or opposition are:	(4) Support or oppose
<i>Name & postal address of original submission</i>	<i>Submission point reference number i.e. 4.23</i>	<i>Provide reason for support or opposition</i>	<i>Note support or oppose</i>
The Department of Conservation	120.5	Where the plan uses phrases such as "indigenous biodiversity off-sets" etc. it should provide clear definitions and/or objective and framework in order for both applicants and Council to determine whether the offset being proposed is that which the plan contemplates.	Support
The New Zealand Defence Force	154.25	While Ngāi Tahu understand that at times it is necessary to gain a suite of 'consequential' consents as a result of various activities occurring within the beds of lakes and rivers. In the view of Ngāi Tahu, it is inappropriate for activities within the bed of a lake or river which could have significant adverse impacts upon Mahinga kai values to be a permitted activity without being referenced back to the 'overarching' or main activity.	Oppose in part
Genesis Power Ltd, Wellington	196.3	Ngāi Tahu is supportive of the approach proposed by the submitter as the proposed amendment is in a similar vein to the new Objectives proposed by Ngāi Tahu. However, should this wording be preferred over that proposed by Ngāi Tahu, it is of the view that this wording could result in the weakening of objective and policy framework being proposed by the pLWRP.	Opposed in part
Genesis Power Ltd, Wellington	196.4	Ngāi Tahu is supportive of the approach proposed by the submitter as the proposed amendment is in a similar vein to the new Objectives proposed by Ngāi Tahu. However, should this wording be preferred over that proposed by Ngāi Tahu, it is of the view that this wording could result in the weakening of objective and policy framework being proposed by the pLWRP.	Oppose in part
Genesis Power Ltd, Wellington	196.5	Ngāi Tahu is supportive of the approach proposed by the submitter as the proposed amendment is in a similar vein to the new Objectives proposed by Ngāi Tahu. However, should this wording be preferred over that proposed by Ngāi Tahu, it is of the view that this wording could result in the weakening of objective and policy framework being proposed by the pLWRP.	Oppose in part
Genesis Power Ltd, Wellington	196.6	The plan should provide very clear guidance that where an activity is 'non-complying' that it will be only in exceptional circumstances when such an activity will be granted, as the activity is not contemplated by the plan and granting such regularly granting such applications undermines the integrity of the plan.	Oppose
Genesis Power Ltd, Wellington	196.15	While Ngāi Tahu understands that Hydroelectric generators have substantial capital investment in infrastructure which should be recognised and provided for, it does not consider it appropriate for inefficient infrastructure, which could be upgraded to ensure the resource is used	Oppose in part

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		more efficiently, to be afforded protection indefinitely.	
Genesis Power Ltd, Wellington	196.17	Ngāi Tahu is supportive of the proposed new objectives which seeks to encourage the multiple use of the water resources.	
		The vision and principles of the CWMS and the objectives and policies of the pRPS set out the first and second order priorities. Hydroelectric generation is a second order priority not a first order priority.	Oppose
Genesis Power Ltd, Wellington	196.25	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CW/MS or the pRPS.	Oppose
Genesis Power Ltd, Wellington	196.32	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Genesis Power Ltd, Wellington	196.35	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Rangitata Diversion Race Management Ltd	197.3	While Ngāi Tahu understands that a number of water permit holders have significant capital investing and as such require a level of security as to how water is to be allocated within their sub-catchment. However, in the view of Ngāi Tahu, entrenching the 'first in time' and 'first out' principle does not give effect to the NPS Freshwater, especially where a sub catchment has been deemed to be over allocated.	Oppose
Rangitata Diversion Race Management Ltd	197.12	The proposal would not allow for 'claw back' within over allocated catchments and as such is inconsistent with the NPS - Freshwater and pRPS.	Oppose
Rangitata Diversion Race Management Ltd	197.37	The proposal would not allow for 'claw back' within over allocated catchments and as such is inconsistent with the NPS - Freshwater and pRPS.	Oppose
Rangitata Diversion Race Management Ltd	197.38	The proposal would not allow for 'claw back' within over allocated catchments and as such is inconsistent with the NPS - Freshwater and pRPS.	Oppose
Rangitata Diversion Race Management Ltd	197.57	The new rules are inappropriate and aim to provide an 'exemption' for infrastructure. This fetters the consent authorities ability to examine	Oppose

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Rangitata Diversion Race Management Ltd	197.58	whether the request being made is 'reasonable' and 'acceptable'. While Ngāi Tahu understands that there can be gains in efficiency from the transfer of water, it remains extremely concerned where transfers are provided for as permitted activities. Further Ngāi Tahu are of the view that only water which has been 'used' should have the ability to be transferred.	Oppose
Rangitata Diversion Race Management Ltd	197.89	The new rules are inappropriate and aim to provide an 'exemption' for infrastructure. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'	Oppose
Meridian Energy Ltd	221.4	Ngāi Tahu recognises that both hydroelectric and irrigation schemes are solely reliant upon sufficient water to enable them to operate. However, this new strategic policy appears to be trying to ensure a greater weight is placed upon providing water to this infrastructure. It would appear that this could be contrary to both the Vision and Principles of the CWMS and RPS	Oppose in part
Meridian Energy Ltd	221.6	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the pRPS.	Oppose
Meridian Energy Ltd	221.7	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the pRPS.	Oppose
Meridian Energy Ltd	221.29	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Meridian Energy Ltd	221.30	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Meridian Energy Ltd	221.34	While Ngāi Tahu understands the need for hydro electrical facilities to continually upgraded and/or maintained. however in the view of Ngāi Tahu allowing such activities, which in some circumstances are located with Statutory Acknowledgments as a permitted activity, without any conditions controlling the effects of such proposals is inappropriate.	Oppose
Meridian Energy Ltd	221.93	While Ngāi Tahu understands the need for hydro electrical facilities to continually upgraded and/or maintained. however in the view of Ngāi Tahu allowing such activities, which in some circumstances are located with Statutory Acknowledgments as a permitted activity, without any conditions	Oppose

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TrustPower Ltd	250.3	controlling the effects of such proposals is inappropriate.	
TrustPower Ltd	250.48	The paragraph in Section 1.3.2 of the pLWRP sets out the priorities for water use/allocation as contained within both the Vision and Principles of the CWMS and the RPS.	Oppose
TrustPower Ltd	250.57	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the PRPS.	Oppose
TrustPower Ltd	250.75	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the PRPS.	Oppose
TrustPower Ltd	250.89	In the view of Ngāi Tahu the proposed amendments being sought may by the submitter may be ultra vires. This is because Ngāi Tahu understands, that the consent authority is unable to grant a consent which is contrary to a WCO. Further, only matters which are specifically set out as a matter of discretion can be considered when a Consent authority is considering an application pursuant to this rule. Thus, by removing the consent authority ability to consider whether the application, in combination with all other takes complies with the relevant WCO, this means that this matter is not something that the Consent authority can take into account when determining the application.	Oppose
TrustPower Ltd	250.92	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
TrustPower Ltd	256.3	Ngāi Tahu supports the approach proposed where such an approach is promulgated on a 'regional wide' approach basis. However, such and approach is considered inappropriate when at the sub-catchment level as at this time, specific measures are required to address the impacts of intensive farming on the water quality within the catchment.	Support in Part
Hunter Downs Irrigation	256.10	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the PRPS.	Oppose
Hunter Downs Irrigation	256.11	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the PRPS.	Oppose
Hunter Downs Irrigation	256.11	The new policies proposed will result in greater weight being placed upon renewable energy than is anticipated by either the CWMS or the PRPS.	Oppose

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Hunter Downs Irrigation	256.23	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Hunter Downs Irrigation	256.24	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Hunter Downs Irrigation	256.46	The new rules are inappropriate and aim to provide an 'exemption' for hydroelectric generation. This fetters the consent authorities ability to examine whether the request being made is 'reasonable' and 'acceptable'.	Oppose
Hunter Downs Irrigation	256.57	Ngāi Tahu understands the intent of the new policy, which provides for regionally significant infrastructure. However, from a Ngāi Tahu perspective there are places/landscapes which such infrastructure is inappropriate and as such having a policy which does not recognise this is inappropriate.	Oppose in part
Fonterra Co-Operative Group Ltd (Auckland)	270.51	It is inappropriate to seek an exemption from the policy and rule construct for existing dairy farming operations which are located in areas where water quality is degraded. Such a stance does not give effect to either the NPS – Freshwater or PRPS.	Oppose
Fonterra Co-Operative Group Ltd (Auckland)	270.65 & 270.66	Ngāi Tahu is supportive of providing a robust and clear definition of 'riverbed' as there can be confusion when trying to determine what is the 'river bed' when dealing with braided river systems. However, in the view of Ngāi Tahu the proposed definition is too narrow and fails to recognise that an important component of braided river systems are the vegetated islands and marginal strips of these waterways.	Oppose in part
Fonterra Co-Operative Group Ltd (Auckland)	270.70, 270.71 & 270.72	Ngāi Tahu is supportive of industry lead audit systems which addresses impacts of the industries activities on land use and water quality. However, Ngāi Tahu considers that any such audits should be a undertaken by suitably qualified person who is independent of the company.	Oppose in part
Valella Irrigation Ltd	303.02	While Ngāi Tahu understands that there can be gains in efficiency from the transfer of water, it remains extremely concerned where transfers are provided for as permitted activities. Further Ngāi Tahu are of the view that only water which has been 'used' should have the ability to be transferred.	Oppose
Lincoln University	310.26	Ngāi Tahu is supportive of the approach of providing a robust and clear definition of both 'Farming' and 'Rural Research Activities'. However, it is	Opposes in part

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Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.64	concerned that the definitions provided may inadvertently capture activities which in normal circumstances would not be farming e.g. Boarding kennels due to the use of "...boarding or training of animals..."	
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.65	The policy aims to provide a higher level of guidance as to what is anticipated and expected in the on-going management of the water quality and quantity within Canterbury.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.66	The policy aims to provide a higher level of guidance as to what is anticipated and expected in the on-going management of the water quality and quantity within Canterbury.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.67	The policy aims to provide a higher level of guidance as to what is anticipated and expected in the on-going management of the water quality and quantity within Canterbury.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.73	While the intention of the policy is supported, it is considered that only water which has actually been used should be able to be transferred.	Oppose
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.76	Support the intention of the policy, however, consider that as it is currently drafted misses a few fundamental aspects such as cultural values.	Oppose
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.82 – 347.88	Support the intention of the new policy which aims to provide guidance as to how over allocation and near allocation aspects should be addressed within the plan.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.103	Support the new policy which give very clear guidance that ground and surface water should be managed as 'one' resource and should be subject to the flow and allocation regimes for that resource.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.104	Support the new policy which aims to allocate resource in a way which is fair and equitable, rather than 'first in first serve'.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.114	Support the new policy which aims to provide a level of guidance when determining whether an application for a water permit should be granted or not.	Support
Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.115	Support the policy as the 'mixing' of water remains of concern to Ngāi Tahu	Support

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and Central South Island) Fish and Game New Zealand (Nelson/Marlborough, North Canterbury and Central South Island)	347.146	Support the intent which requires activities within over allocated areas to reduce their impact upon the water quality of the zone. However, Ngai Tahu consider that such approach should be undertaken at the sub regional chapter stage as at this point in time there is insufficient information available to undertake such an approach at a regional wide scale.	Support in part

Add further pages as required – please initial any additional pages.

