

From: [Lisa Smith](#)
To: [Mailroom Mailbox](#)
Cc: [Michelle Heal](#)
Subject: Plan Change 7 to the LWRP Submission on behalf of Rooney Earthmoving Limited
Date: Friday, 13 September 2019 3:06:06 PM
Attachments: [Rooney Earthmoving LWRP PC7 submission.pdf](#)

On behalf of Rooney Earthmoving Limited (**REL**), and by way of service, please find **attached** REL's submission on Plan Change 7 to the LWRP.

Regards

Lisa Smith

Company Solicitor

Rooney Group Ltd

✉ Hilton Highway SH1, Washdyke/ PO Box 2159 Timaru 7940 | ☎ 03 687 4699 | 🖨 03 688 2694

☎ DDI 03 687 4774 | 📱 021 151 6539 | ✉ lisa.smith@rooneygroup.co.nz | 🌐

www.rooneygroup.co.nz



WARNING: This email contains information that is CONFIDENTIAL and may be subject to LEGAL PRIVILEGE. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this email or attachments. If you have received this in error, please notify us immediately by return email, facsimile or telephone and delete this email. Rooney Earthmoving Ltd accepts no responsibility for changes made to this email or to any attachments after transmission from Rooney Earthmoving Ltd. Thank you.

Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Submission on publicly notified proposal for policy statement or plan under Clause 5 of Schedule 1 of the Resource Management Act 1991

To: Environment Canterbury
P.O Box 345
Christchurch

By email: mailroom@ecan.govt.nz

Name of submitter: Rooney Earthmoving Ltd

Contact person: Lisa Smith
Company Solicitor

Address for service: Rooney Earthmoving Ltd
P.O. Box 10
Waimate

Phone: 021 151 6539
Email: lisa.smith@rooneygroup.co.nz

This is a submission on the following proposed plan change – Plan Change 7 to the Canterbury Land and Water Regional Plan.

Rooney Earthmoving Ltd could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that the submission relates to and the decisions we seek from Council are as detailed on the following pages.

Rooney Earthmoving Ltd wishes to be heard in support of this submission.



.....
Lisa Smith, Company Solicitor, on behalf of Rooney Earthmoving Ltd

Date: 13 September 2019

Introduction / Background

Rooney Earthmoving Ltd (**REL**) is a substantial civil construction company in the Canterbury Region. REL is also a founding member (and Chairperson) of the South Canterbury Shingle Extraction Industry Memorandum of Understanding between the Extractors and the Canterbury Regional Council.

Our organisation is environmentally conscious, has a strong focus on protecting the natural environment and invests heavily in community good projects. We are advocates of sustainable irrigation, recognising the significant economic and community benefits water brings to our region.

Through our experience REL has become acutely aware of the importance of ensuring planning and regulatory frameworks are underpinned by good evidence, well thought through, and are practical to implement. Critically these regimes need to also facilitate the economic and social wellbeing of the region; the first being intrinsically connected to the second.

With the above in mind, REL submits the following feedback on proposed plan change 7 to the Land and Water Regional Plan:

General Rules

The specific provisions of PC7 that my submission relates to are:		REL's submission is that:		Changes Sought
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
5 Rules	5.136	Oppose in full	<p>The proposed amendment restricts the activities that have been enabled by this rule since it first became operative under the LWRP, such as creating bird islands, habitat enhancement, erosion protection etc. There does not appear to be an additional rule proposed which would enable these enhancement activities to occur.</p> <p>As a responsible environmental citizen, REL was looking to this rule to support future potential habitat restoration / enhancements. If such activities are not enabled and supported by the LWRP, they are less likely to occur.</p>	1) Delete proposed amendment in its entirety.
	5.141	Oppose in part	<p>Support the proposed amendment to include restrictions on discharges to habitat areas.</p> <p>Oppose the proposed amendments to condition 3. These proposed amendments are simply too onerous for temporary / short-term activities and impractical / unachievable in these circumstances.</p> <p>Further, as any potential discharge must originate from the bed of the river / be native to that waterbody it will have less effect on water quality than a flood or recreational vehicle driving through the same waterbody. Therefore, Condition 3 without the proposed amendments achieves the purpose of the Act and protects water quality while enabling reasonable and sustainable activities.</p>	1) Delete proposed amendment to Condition 3 in its entirety.
	5.149	Opposed in full	Given the requirement to comply with the Gravel Management Strategy, and our voluntary commitment to do so since 2007, the removal of diversions from this PA rule seems disproportionate to the potential effects that the Plan is seeking to regulate.	1) Delete proposed amendment in its entirety.
Maps	Indigenous Freshwater Species Habitat	Oppose in part	<p>The concept of protecting indigenous species is supported. However, it is unclear how / if the proposed IFSH areas have been assessed for accuracy, how the identified areas would apply and are the identified areas supported by recent independent research.</p> <p>It is also unclear which species each of the identified areas are alleged to provide habitat for. Therefore, making it impossible for an applicant to adequately mitigate any potential effects on the identified species.</p>	1) Delay the introduction of this concept until the habitat areas have been investigated and are supported by adequate science.