

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

Questions from the Hearing Commissioners on the Section 42A Report

Page	Paragraph	Question
		It is understandable, given the scale and complexity of the report, that some cross-references to other passages of the report (eg 'elsewhere') are general, rather than specific. If, in preparation for the hearings, you note specific page and paragraph numbers for general references, would you share them with us, please.
17	3.18	Is there a typo in the 4 th line? Was it intended to read: "...perspective of legal nicety,..."?
17	3.18	Is there any national planning standard with which PC7 or PC2 is to accord (RMA s66(1)(ea) and s67(3)(ba))?
17	3.18	Is there any regional policy statement or plan, whether operative or proposed, of an adjacent regional council (particularly Otago?) with which, to any significant extent, PC7 needs to be consistent (RMA s66(2)(d))?
17	3.18	Is there any other regional plan for the Canterbury region which the CLWRP, as it would be changed by PC7, or the WRRP as it would be changed by PC2, must not be inconsistent (RMA s67(4)(b))?
17	3.18	Does either of the current plan changes give rise to a duty under RMA s67(5) to record an allocation of a natural resource?
21	3.45	Is the word 'mas' at the end of the second line a typo, that should be read as 'was'?
22	3.51f	Does the pending appeal to the High Court from the Env C's Lindis decision question the passages of that decision cited in these paragraphs?
26	2.1 & 2.2	Unlike NZ coastal policy statements (see RMA s58(1)(a)) national policy statements are not correspondingly approved to state national priorities (cf s62(1)). The author of Part 2 of the report says: "In the NPSFM Te Mana o te Wai is described in relation to the 'national priority'" (para 2.1); and "The NPSFM has a single national priority ..." The quotation marks imply that they contain exactly the actual words used. Does the NPSFM 2014-2017 (gazetted 10/08/2017) contain any express statement to those effects? Please cite where? The Council is required to take into account Policy WM3.1 of Mahaanui IMP quoted at para 2.10, which commences "To advocate for the following order of priority ..." Can that intention for advocating an order of priority establish Te Mana o te Wai as a national priority to which the CLWRP or the WRRP are obliged to give effect? As the hearing commissioners are to bring minds impartially open to submissions on all issues, is there justification for our accepting as a basis for our recommendations the use of the phrase 'national priority ' in paras 2.1 and 2.2?
30	3	Is the author of this piece, identified in footnote 51, listed in para 1.3 or Appendix A?
34	3.30	Can you describe the "separate tool" and the "consents procedures" (last two sentences)?
38	4.15	Referring to the Rūnanga submission, is it practical to define 'spring' as, for example, "a source of water from the ground that is large enough to produce rivulets that connect to a surface water body"? That would seem to exclude "seepages".
39	4.20	Noting that the amendments to Schedule 7A only seem to apply to winter grazing, what is the basis for adopting a 5m buffer from springs? Were smaller or larger buffers evaluated for effectiveness?
55	9.10	Is there any recent case law on the definition of 'river bed' in Canterbury that would assist with defining 'bank'?
55	9.10	In seeking a definition of 'bank', do the Water and Wildlife Habitat Trust and Forest & Bird submissions "give precise details" of the definition of that term that those submitters are requesting?
61	2.21	Which Table 1b attribute addresses phytoplankton?
65	2.41	Is it clear on the face of Tables 1a and 1b that the first <i>E.coli</i> column addresses an <u>annual</u> median?

Page	Paragraph	Question
		This same query would apply to other similar tables.
65	2.45	Are the F&G and WWHT submissions listed in 2.45 regarding the SFRG 'on' PC7 as they seem to address provisions whose status quo is not amended?
66	2.50 2.51	What methods are proposed to assist with achieving the recommended revised <i>E.coli</i> freshwater outcomes?
70	2.74	Would you briefly explain the "significant complexities and likely inaccuracies" referred to for rejecting this submission point?
77	3.20	If Rule 5.189 (old Rule 5.73) was to be improved how would it be worded?
77	3.23	If Rules 5.72, 5.73 and 5.74 are reinstated would that result in duplication with Rules 5.189 and 5.190?
77	3.23	Do legal advisers among the reporting officers consider there is scope?
82	3.49	Will the 'consequential amendments' be the subject of a separate PC, and if so, what is the timing of that? What was the reason for not incorporating the necessary amendments in PC7?
86	4.20	LWRP section 1.3.1 describes 'wāhi tapu' and 'wāhi taonga' and gives examples of wāhi taonga. Could the amended wording inserted by PC7 (eg see Rule 5.164(2)) read "... as identified <u>or described</u> in this Plan ..."? Could the descriptions of 'wāhi tapu' and 'wāhi taonga' be amended to list specific elements of the LWRP, such as Schedule 17 Salmon Spawning sites, Schedule 21 Nohoanga sites, mapped Critical Habitat of Threatened Indigenous Freshwater Species, inanga spawning habitat, springs, rock art management areas, etc? Could these 'descriptions' be recast as definitions?
86	4.22	as Policy 4.14B is located under the heading "Discharges of contaminants to land or water", are there any implications of amending the phrase in the policy from 'applications for discharges' to 'applications for resource consent'?
86f; 580-588	4.14-4.26; 9.11-9.59	Do NPSFM 2014-2017 provisions on Te Mana o te Wai and in Appendix 1 have any bearing on the topics addressed in these passages? If attention is given to the obligation of the CLWRP to give effect to those provisions of the NPSFM, would this change the analysis and recommendations given here?
87	4.22	Do legal advisers among the reporting officers consider there is scope?
93	5.29	Would a stream reach be removed without ensuring it is permanently dry? Would absence of evidence of species or habitat on a particular day be a reliable basis for finding it does not qualify?
94	5.34	The metadata 'could be' or 'will be' added to the PC7 habitat layer?
95	5.42	Are parts of lake beds where kakahi are found variable from time to time?
96f	5.47-5.50	Do the submissions requesting inclusions of additional species whose habitats are to be identified "give precise details" of the map amendments that would be needed to give effect to those additions?
103	5.83	"... more weight may have been given to CLWRP Objective 3.8A and clause 3 of CRPS Objective 7.2.1 ... than was appropriate ... instead of considering and balancing all objectives together." Does PC7 provide a permissible and suitable opportunity to review the appropriateness of the objectives in the CRPS cited here? Respecting the reporting officer's qualifications and experience as a freshwater ecology scientist, does his opinion on the relative weight given to the objectives derive from giving effect to RMA Part 2, the NPSFM, the CRPS, and the submissions and evidence given in completing the CLWRP?
104	5.83 5.92	What are the implications of deleting clauses (a) and (b) of Policy 4.101 (noting that clauses (a) and (b) state exceptions to the general policy direction requiring effects to be avoided)? Would a decision maker be expected to refuse all applications where effects cannot be avoided, even in circumstances where there is an overall net gain in outcomes through offsetting?
104	5.93	How practical is it to attribute, with any degree of certainty, damage or loss of CHTIFS to the diffuse discharge of nutrients? Is Policy 4.101 amended in Appendix E Part 1 as recommended here?

Page	Paragraph	Question
105 106		Are the Forest and Bird submissions listed in 5.101 and the five submitters referred to in 5.105 'on' PC7 as they seem to address provisions whose status quo is not amended?
107	5.113	Where in Appendix E Part 1 is this recommendation shown? Is a complementary change required to Policy 4.31 to reinstate the operative wording?
112	5.141	Given the emphasis in <i>Lindis Catchment Group Incorporated vs Otago Regional Council</i> [2019] NZEnvC 166 on the adverse effects resulting from the predation of indigenous freshwater species by trout (see in particular paragraphs [172], [185] and [207]), and the fact that the NPSFM does not safeguard introduced fish species, is it appropriate to delete Policy 4.102 or could it instead be amended to, for example, preclude the passage of introduced fish species that could result in the predation of say the 11 freshwater species listed in the recommended definition of "Critical Habitat of Threatened Indigenous Freshwater Species", with a focus on new structures or replacement consents for existing structures? If so, would it be appropriate to consequentially amend Rules 5.137(9), 5.138(4), 5.140A(1), 5.140(3) and 5.151(3) to cross-refer to Policy 4.102? Should Rules 5.140(3) and 5.151(3) refer to "existing fish passage" so as to be consistent with Rules 5.137(9), 5.138(4) and 5.140A(1)? Are those passages of the Env C decision among the alleged errors of law the subject of the pending appeal to the High Court?
116	5.166	Could there be a footnote added to references to "visual clarity standards" in the rules to make it clear that use of a SHMAK clarity tube is suitable? How is the s42A author's recommendation in the last sentence of paragraph 5.166 given effect to in the amended rules?
117	5.172	Is the DOC submission on Policy 4.47(a) 'on' PC7 as it seems to address provisions whose status quo is not amended?
118	5.174	Is the Forest and Bird submission on Policy 4.47(c) 'on' PC7 as it seems to address provisions whose status quo is not amended?
118	5.179	Synonyms for minimal include "lowest", "smallest" and "least possible". Is that appropriate terminology for a regional plan or would it be preferable to amend the clause to use established RMA terminology such as, for example, "no more than minor" in Policy 4.47(b)? If so, would it be appropriate to consequentially amend clause Policy 4.47(c) or other similarly worded policies?
123	5.213	Are these three submissions on the activity status of Rule 5.141A 'on' PC7 as they seem to address provisions whose status quo is not amended?
123	5.209	What are the implications of replacing the phrase 'significant habitat of indigenous flora and fauna' with 'critical habitats of threatened indigenous species'? Would that imply a consideration of effects on a more limited range of habitats?
124	5.216	Is the FF submission on the activity status of Rule 5.152A 'on' PC7 as it seems to address provisions whose status quo is not amended?
128 130	6.12 6.29	Policy 13.4.24 does not mention a 36 month period?
133	6.44	Why then does Rule 13.5.30 condition 6 refer to a 36 month period?
133	6.45	Regarding the recommended amendments to condition 6 of Rule 13.5.30: At what point would the yield from a bore be considered 'to meet the threshold of 'unreliable'? Where in the CLWRP is there guidance on this matter?
133	6.44	If the hearing commissioners do adopt the officer's reservation about the 36-month transition period, what amendments to Rule 13.5.30 Condition 6 and Criterion 6 would then be appropriate?
136	6.63	Is Policy 14.4.11(b) an unnecessary duplication of the requirements of 14.4.11(a) as it now recommended to be worded?

Page	Paragraph	Question
143	7.22	Is the intent of the recommended amendment to the chapeau of Rule 5.191 to enable applications to change existing water take permits to have their specified 'use' (for example 'irrigation') amended to include MAR? Under s127(3) RMA would such applications automatically be discretionary activities? Putting to one side the s127 issue, would it be clearer if the recommended additional words for the chapeau of Rule 5.191 read "... recharge, or changing the specified use on an existing consented surface water take to include managed aquifer recharge, and the associated ..."?
143	7.31	In the last sentence of 7.31, the reporting officer concludes that as the reduction policy is addressed by an existing policy, it need not be added to Policy 4.100(b). However, given that Rule 5.191 would classify taking for MAR as a restricted discretionary activity, to applications for which RMA s104C(1) would apply, would a consent authority be able to consider the existing policy if not listed in Rule 5.191?
144	7.37	Changes are recommended to the chapeau of Rule 5.191. Should similar consequential changes also be made to Rules 5.192 and 5.193?
145	7.43, 7.44, 7.45	In considering an application for a restricted discretionary activity consent for MAR under Rule 5.191, would a consent authority be permitted by RMA s104C(1) to consider Policy 4.99?
148	7.58	The reporting officer advises that "information about the quality of the surface water used for recharge ... required by the rule..." What is the language in Rule 5.191 that so requires ?
152	7.83	Are the recommended words "...to minimise adverse effects" in Policy 4.99(c) necessary? Note that paragraph 7.112 (top of page 157) does not include these words.
152	7.85	Could Rule 5.191 condition 5 be worded to simply say: "The application demonstrates that the proposal will not degrade groundwater quality; and"
154	7.100	The reporting officer advises that the amendment requested is unnecessary as the rules only relate to surface water. Do the definitions in para 2.9 of the CLWRP of 'water' and 'surface water' exclude water that may contain wastewater (treated or untreated)? Would the officer explain why it is considered that the MAR rules would not provide for discharge of wastewater?
157	7.116	Is the Forest and Bird submission 'on'PC7 as it seems to address provisions whose status quo is not amended?
165	8.30	The authors note one of the consequences of recommending a change to the definition of commercial vegetable growing is that some farms may require two consents (a discharge permit for the vegetable growing, and a land use consent for the remainder of the farm). How efficient is it to manage the impacts of a mixed farm through two separate consents a (land use for general farming and a discharge consent for commercial vegetable growing)? How practical is the proposed approach given differences between the nutrient management frameworks (e.g. use of Overseer vs use of alternative method for estimating nutrient loss; differences in application of provisions – at the property scale (general land use farming rules), and the area scale (commercial vegetable growing rules)?
166	8.38	The amended definition does not retain the term 'rotation' – was that intended?
170		Are submissions seeking new rules for "low intensity horticulture" or "fruit growing" 'on' PC7?
171	8.70	Is the Balance submission seeking a new policy 'on' PC7?
174	8.86	Do the reporting officers consider there is 'scope' for the Council to adopt the Baseline GMP Loss Rate suggested here?
182	8.138 8.140	What opportunity would those interested have to question/challenge the boundaries and other details of nutrient management areas to be delineated on Planning Maps?
185	8.156	If Rule 5.43CB classified the activity as controlled , would the Council have ability to manage cumulative effects of multiple consents in the same locality?
189	4B(a)	In Appendix E Pt 1 (revised edn) is footnote 379 missing? Can it be supplied?

Page	Paragraph	Question
191	8.197	Would the Council have authority by regional rule to stipulate where vegetables produced in Canterbury are consumed?
221	11.118	Would the intended meaning be clearer if the condition (“where the applicant ... supplier”) was repositioned at the start of the text, eg: “Where the applicant ... water supplies, discharge of nutrients ... is a discretionary activity.”?
222	11.123	Are the BCIL and RSIL submissions seeking Rule 5.62 to be land use consents ‘on’ PC7 as they seem to address provisions whose status quo is not amended?
222	11.118- 11.125	The amendment to Rule 5.62 is not intended to alter the meaning, but to make the meaning clearer. It does not propose the non-notification clause (which already stands part of the operative plan). So however persuasive it might find the submissions of Nga Runanga and Forest & Bird, on this point, would the Council have authority to amend or delete the non-notification clause by decision on their submissions?
238	3.14	In this paragraph, the reporting officers recommend the amendment to the title of Sec 14.6 requested by OWL. In that the submission requested inserting “Environmental flow’ in the title, is that displayed in the title shown in Appendix E Part 1 (revised edn) pg 155?
246	3.60	Table 14(g) – How is a ‘groundwater province’ different from a ‘groundwater allocation zone’? Is this concept described in any supporting documents?
256	4.45	Are all clauses of Policy 14.4.3 recommended to be deleted, or only clause (c)? Paragraph 4.45 of the s42A report states only clause (c) is to be omitted, however in Appendix E Part 1 all clauses are shown in strikethrough.
258	4.54	Are the submissions seeking a new “Waipuna Protection Zone” ‘on’PC7? The wording of amended Policy 14.4.5(c) is rather clumsy. Would it be clearer if it was reworded so as to be more consistent with Policy 14.4.4?
264	4.88	To where, prior to the Tekapo Hydro Scheme, did the Tekapo River flow?
266	4.103	In that the reporting officers make an exception of focussing on the views of tangata whenua: (a) Does Policy 4.55(b) specify taking into account Ngai Tahu values? (b) What would be added (other than confusion) by the remaining words of Policy 14.4.14?
267	4.88	Last sentence: “...recording flow regime changes to occur in future decades...” Does this refer to ‘recording’, or to ‘predicting’ or ‘modelling’?
272	5.27	The reporting officers recommend that Policy 14.4.6B is deleted. Is that recommendation marked in the revised edition of Appendix E, Pt 1, pg 132?
272	5.31	Is it intended that water taken under the permitted activity provision may be “in addition” to water taken under RMA s14(3)(b)?
273	5.37	Would you briefly explain how the policy would operate to “phase out overallocation”?
275	5.46	Would making decisions on the basis of amounts of money invested in irrigation scheme shares provide an incentive for reducing amounts of water being taken and restoring ecosystem health of surface water?
276	5.55f	(a) Is the overallocation to which this policy relates applicable to particular catchments and/or zones, or is it applicable to overallocation in the sub-region generally? (b) Where Rule 14.5.12 Condition 5b refers to the location of the proposed transfer, is that to be understood as referring to the location of the origin of the transfer, or the location of the destination ?
279	5.79	Is there any advantage to the objectives and policies of adopting Option 2 rather than Option 1?
282	5.100	Can you explain how this conclusion is reflected in Appendix E Part 1?
282	5.108 5.109	The Federated Farmers’ submission to change the activity status for Rule 14.5.13 from prohibited to non-complying is recommended for rejection). However, in Appendix E Part 1 a new non-complying rule has been included (Rule 14.5.12A) and the submission by Federated Farmers is cited as providing scope for its inclusion. Is the inclusion of Rule 14.5.12A intended or an error? If intended, what is the scope for the insertion?

Page	Paragraph	Question
283	5.108	Presumably your conclusion here excludes situations where bore interference effects from the new deep groundwater well are not 'acceptable' in terms of Schedule 12, given that Appendix E Part 1 contains new Rule 14.5.12A?
287	6.9	Is the strikethrough in Policy 14.4.22 of the phrase "increased efficiency for any replacement of" a correct expression of the plan change proposal?
289	6.17	Are you saying here that submissions seeking to change the 50% and 100% values in 14.4.22(b) are not 'on' PC7?
297 307 314 388	7.7; 9.20f; 9.50; 9.57; 14.19; 14.22	In several paragraphs of Pt 4 of the report, mention is made of managing the opening of mouths of certain rivers and lagoons. Is management of those mouths, during the life of the CLWRP, likely to be affected by sea-level rise?
301	7.27	Amended Table 14(i) in Appendix E Part 1 has (for the last four columns) the heading "Allocation limit (L's) (Pro Rata Partial Restrictions)". How are required pro-rata reductions in abstractions communicated to consent holders? Are pro-rata restrictions calculated daily or on some other time period? Are abstractor's pumps actually able to be varied to implement pro-rata reductions in abstraction?
306	9.12 9.14	Would you explain the reference in para 9.12 to "effectively offset the resulting reduced flows..."; and the use of offset in places in para 9.14?
313	9.53	Is the 'additional modelling' the modelling referred to in Appendix D.6, and is the 'alternative option' the regime set out in Appendix E1 Part 1?
318	9.75	It I recommended to delete the phrase 'From 1 January 2025' from the title of Table 14(n). Is a similar change also required to the title of Table 14(m)?
339	11.80	Do the reporting officers have any recommendation to make on this submission point (in the event the whole 'swaps' measure is not omitted entirely)?
		Is the main outcome of the s42A changes recommended to each of Tables 14(m) to 14(y) to impose notified 2025 allocations and minimum flows now and the 2030 provisions in 2025? What is the recommended current regime for Te Ani Wai (Table 14(r))? Regardless of the answers to the above questions, can we please receive a Supplementary Report explaining in detail the changes recommended to each of Tables 14(m) to 14(y)?
		Is the Table 14(x) Alternative Management Regime <u>as notified</u> able to be implemented under the existing conditions of existing OWL consents or is a new consent (or a change to consent conditions) required to implement it? If the latter, why is it necessary to include <u>notified</u> Table 14(x) in the Plan as it would seem to deal with details that are best thoroughly examined in a consenting process?
		Is the purpose of the s42A <u>amended</u> Table 14(x) "Minimum Flow Thresholds" to trigger a move from Level 1 to Level 2 for the Opihi mainstem at SYB in amended Tables 14(v) and 14(w)? If so, is that clear on the face of the amended provisions? If not, what does trigger a move from Level 1 to Level 2 for the Opihi mainstem at SYB in amended Tables 14(v) and 14(w)? Is it just the lake levels set out in Table 8 on page 632? Or does it include lake inflows and snow storage (as indicated by page 261 of the S32 report)? Whatever the triggers, is the regime clear on the face of the amended provisions?
323	10.11	Can s14(3)(b) takes be restricted by a Plan specifying when such takes are likely to have an adverse effect on the environment?
325	10.19	If Policy 4.102 is retained how should Rule 14.5.34 be amended?
326	10.22	Which matter of discretion explicitly allows decision-makers to impose a residual flow?
327	10.26	Can we please have a Supplementary Report comparing (in tabular form) the Recommended minimum ecological flows set out in the various Memos in Appendix 1 of report R19/80 to:

Page	Paragraph	Question
		<ul style="list-style-type: none"> ▪ The notified minimum flows for all OTOF rivers list in Section 14 Tables ▪ The s42A amended minimum flows for all OTOF rivers listed Section 14 Tables
344	12.7	Do the authors mean there has been a reduced frequency of periphyton blooms in the Opuha River since the Dam's construction, or do they mean there has been a trend for decreasing water quality (due to periphyton blooms) since the Dam's construction?
347 350	12.17 12.33	Would you identify the paragraphs in Pt 4 Section 8 that addresses the corresponding Ravensdown submission?
366	12.132	In light of this conclusion (second to last sentence) should Policy 14.4.16(a) be amended to clearly state that it applies to intermittently flowing springs that are actually flowing i.e. that have water in them?
369	12.153	Policy 14.4.16(b) appears to address Rule 14.5.26 (the MPZ). Therefore, why does Policy 14.4.16(a) also need to address the MPZ?
369	12.153	In light of earlier recommendations, would be helpful if Rule 14.5.25 was amended to read "Within does not include any sub-surface drain, <u>or spring and</u> artificial watercourse that does not have surface water in it."
376	12.193	Amended Policy 14.4.18(a) uses the term "additional reductions" and 14.4.18(c) uses the term "further reductions". Are these meant to refer to the same thing?
376	12.195	What amendments to Table (zc) "for the purposes of clarification" were considered appropriate?
378	12.206	Is this recommendation reflected in Appendix E Part 1?
379	12.209	Nitrogen losses from farmed land used for industrial wastewater disposal will be a combination of losses from the farmed animals (including fertiliser etc) and from the wastewater discharge. Do the words "... in addition to Policy 14.4.18 ..." in Policy 14.4.28 and 14.4.41 mean that in practice that such land in, for example, an "all other" land use in Levels Plains will effectively have its overall nitrogen losses reduced by 40% by 2035? Is a policy distinction required between land used for wastewater disposal that is grazed and land that is not grazed?
379	12.210	This paragraph starts: "Policy 14.4.28 requires industrial and trade waste activities in the Levels Plain HNCA..." In the revised edition of Appendix E Part 1, Policy 14.4.28 refers to the Rangitata Orton HCNZ. Is the reference to Policy 14.4.28 and to the Levels Plain HCNA erroneous? Would you explain this, please.
387	14.13	Is there a typo in quotation of description in NPSFM of 'Natural form and character'? Also, is 'clarity' the subject of item vii, not item vi?
389	12.24	Is the Orapikao Water Users request seeking new policy a submission 'on' PC7?
389	14.26	The analysis appears to be incorrect as the s42A Report recommends deleting the T Block from Table 14(zb) in the Orari-Opihi Zone and the A block is over-allocated. Can the authors please reconsider the submitter's requests?
393	1.2	The first bullet point describes an amendment that would be made by PC7 that is delineated in Figure 1. Where, in the revised edition of Appendix E is the figure referred to as Figure 1 ? If it is intended to refer to the figure displayed on pages 60 and 61, would it be conventional to avoid ambiguity and label them, or one of them, as Figure 1 ?
397	3.15	Where is the reclassification to "hill fed lower" addressed in Appendix E Part 1?
405	4.7	Does this submission about the meaning and effect of 'avoid' match the remarks on this topic in Justice Arnold's judgment (for the majority of the Supreme Court) in <i>King Salmon</i> ?
409	4.28	Is the Ngāi Tūāhuriri Rūnanga submission 'on' PC7?
420	5.53	Should amended Rule 8.5.13 only cross-refer to conditions 1,2 and 3 of Rule 8.5.12?
420	5.58	(a) In Policy 8.4.17(1)(a), what is the object whose boundary is not to be transgressed by a transfer? Is it a cadastral boundary? Or a boundary of a 'property'? Or of a 'farming enterprise' as defined in the CLWRP? Or of a 'site' as defined in the CLWRP? (b) In Policy 8.4.18(a), what is the destination of transfers that are to be restricted? It seems to say transfers to certain permits , is that what is intended? Or is it transfers to sites of certain 'takes'?

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421	5.65	In Policy 8.4.17(a) what do the words “.. beyond the boundary ...” mean? Can that meaning be more clearly stated?
422	5.73	Referring to the version of Policy 8.4.18 with recommendations marked up, what would be the words that would have the effect described in this paragraph (i.e. specifying only transfer of amounts of water that records show was used in the preceding 5 years)?
424	5.84	Would it be clearer if Rule 8.5.17 was reordered so the initial allowable volume of transferable water is determined first (clause 1A) and then 50% of that volume is required to be surrendered upon transfer (clause 1).
426	5.97	If Rule 8.5.18 includes groundwater should not Policy 8.4.19 do the same?
426	5.100	In light of the discussion about consistency with provisions elsewhere in the CLWRP, should clause (b) read “... not practicable, adverse effects are remedied or mitigated.”?
427	5.103	Is it the law that RMA s6(c) is absolute on its own in all circumstances, irrespective of other listed matters of national importance that may be applicable and have also to be recognised and provided for?
429	5.112	It is recommended that Rule 8.5.18 is amended to be consistent with amendments to Rule 5.191. What are the words in Rule 8.5.18 in the revised edition of Appx E Pt 1 that would have that effect?
465	7.32	Is the passage in the Env Ct decision referred to in this paragraph among the points in that decision alleged to be erroneous in law in the pending appeal to the High Court?
467	7.36	Can the results of this project be disseminated to the Panel as soon as they are available please?
468	7.47-9	Para 7.47 refers to Table 6 which, in the revised edition of Appendix E, Pt 1, is on page 59 . Para 7.48 refers to Table 8-6 which, in that version of Appendix E Pt 1, is on page 97 . However the reference in the first sentence of para 7.48 to the Kowai GAZ indicates an intention to refer to Table 6 (page 59), which does not refer to Kowai GAZ, nor to Table 8-6 (page 97) which does not refer to Kowai, or to groundwater, but to lakes. Please would you clarify this.
482	8.75	Can you please describe the testing and reporting programme and how it will define a ‘representative area’?
504	8.196	Can you please explain the rationale for deleting Policy 8.4.25(a)?
506	8.213	Is amended Policy 8.4.27(b) necessary as presumably it must have occurred for (a) to have been achieved (the enduring N loss rate reduction below Baseline GMP Loss Rate)?
514	8.267	Table 8-9 states that the N loss reductions apply to farming enterprises. Would it be an improvement if Rule 8.5.27 clearly stated that?
516	8.282	Is the recommended amendment to Policy 8.4.29(a) sufficient to address WDC’s concerns or should Rule 8.5.30 be similarly amended?
519	8.300	Where in the Report is this Table 8-9 2050 option further described and discussed?
520	8.304	Does Policy 8.4.29 means that the starting point for WIL implementing Table 8-9 reductions would be the aggregated GMP Loss Rate (the most recent 4 year period operating at GMP) across its constituent farms? Is the intention to apply the Table 8-9 reductions upon a s128 review of the existing WIL consent or upon expiry of that consent? Would the GMP Loss Rate apply to the most recent 4 year period that preceded either the s128 review or consent expiry date?
531	8.366	Is the recommendation of replacing ‘not achievable’ with ‘impracticable’ intended to extend the circumstances in which activities are not obliged to avoid discharges of contaminants?
543	8.435	Where is the passage in ‘Part 1, Section 7 of this report’ where the application of Target 2 to certain classes of properties is discussed?
545	9.6	Regarding the recommendation, Policy 8.4.33 is recommended to be deleted in paragraph 9.7?
545	9.7	Should weed and pest control also be included in amended Policy 8.4.32?
588	9.59	Is there a typo in the second sentence: “... the v has been substantially amended...”

Page	Paragraph	Question
621	6.16	Does this mean that OWL has essentially sold too many shares, thereby selling more water than it has available?
631	6.55	Is the requirement for a main stem minimum flow retained in amended PC7 for tributary abstractors? If yes, why?
		Which table in Appendix E Part 1 contains the 'kakaku allocation block?' referred to in Rule 14.5.12 conditions 2, 3 and 5?
		Where in the s42A Report are the recommended deletions from Table 14(h) discussed? <ul style="list-style-type: none"> ▪ Deletion of text '(restrictions 1000)' for takes from the Ohapi Creek), and ▪ Deletion of text '(no partial restrictions)' for takes from the Rhodes Creek). Which submission points have been relied on to support the deletions?
		In Schedule 7, Part 11 (OTOP) should the 'Note' immediately below Section 11 (Orari-Temuka-Opihi-Pareora Additional requirements) refer to Rule 14.5.17?