Submission on Proposed Canterbury Land and Water Regional Plan

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 5.00pm Friday 5 October 2012 to:
Freepost 1201 Proposed Canterbury Land and Water Regional Plan
Environment Canterbury
P O Box 345
Christchurch 8140

| Full Name: Jean and Robert Forrester | Phone (Hm): 03 314 584 9 |
| Organisation*: *the organisation that this submission is made on behalf of | Phone (Wk): " " |
| Postal Address: 1529 Omahen Rol | Phone (Cell): 027 410 4628 |
| 3 N. O. Amblelev | Postcode: 7483 |
| Email: Forrester family extra�.st.com.au | Fax: |

Trade Competition

Pursuant to Clause 6 of Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- adversely affects the environment; and
- does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

☑ I could not gain an advantage in trade competition through this submission; or
☐ I could gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

☐ I am directly affected by an effect of the subject matter of the submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.
☐ I am not directly affected by an effect of the subject matter of the submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Signature: Jean Forrester
Date: 01/10/2012

(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.

☐ I do not wish to be heard in support of my submission; or
☑ I do wish to be heard in support of my submission; and if so,
☐ If others make a similar submission, I will consider presenting a joint case with them at the hearing.
<table>
<thead>
<tr>
<th>Section &amp; Page Number</th>
<th>Sub-section/Point</th>
<th>Oppose/support (in at least 3 words)</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1/5</td>
<td></td>
<td>Wapana Catchment Red Zone</td>
<td>The Wapana River should go from Red Zone to Hurunui/Waimate Zone.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wapana River has naturally low flows</td>
<td>Look at ways to improve Wapara River flow.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unrealistic expectations of the river</td>
<td>Maybe HWP could change.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wapara has always been a shaley river in the summer but I would rather swim in the Wapara River than the Heathcoat.</td>
<td>Same water into the river or 3 x a year and flush if BUT SHOULD THE FARMERS BE PAYING for this.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>You are trying to make Wapara River better than the natural state.</td>
<td>Maybe doing this could negate anything in Heathcoat.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>We farm in the Omhi Valley on an awesome little farm but there is one ingredient missing and that is water! Water from the HWP could transform our farm into a highly productive unit and make it a pleasure to farm not just for us but for the future generations to come.</td>
<td>But only where it is realistic. Work with FARMERS to set more advice from farm scientists and people that understand farming.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Plan prevents this happening. U might as well plant it in today trees and walk off.</td>
<td>Don't wreck our affordability.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Be aware of what global warming could do to this district.</td>
</tr>
</tbody>
</table>

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

WE NEED IRRIGATION
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Pages 2-4</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Oppose</td>
<td>The definition of a change in farming activity being an increase of more than</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10% in N loss from the soil land as measured for a period 1/07/2011 to 30th June 2013.</td>
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<tr>
<td></td>
<td></td>
<td>Support</td>
<td>Talk to Better Herb &amp; NZ Farmers</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Uncertain as to what N loss will be in June 2013</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Set realistic N levels so we can farm sustainably with irrigation and change in farming practices</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Fair credit to farmers as they have a high lambing percentage and when they are one of the best tools for reducing stock numbers on a year-to-year basis.</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>To map up some farm excess from livestock farming</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Allow farmers to farm</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Talk to farming leaders and farming scientists before you set the levels.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>We need Canterbury to be a productive farming area so we can have a vibrant agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>You can not irrigate 60,000 new ha.</td>
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<tr>
<td></td>
<td></td>
<td>In Canterbury and not expect</td>
<td></td>
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<td></td>
<td></td>
<td>the stocking rate to increase.</td>
<td></td>
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<td></td>
<td></td>
<td>Are you sure that long dry periods</td>
<td>Think outside the square</td>
</tr>
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<td></td>
<td></td>
<td>followed by heavy rain is just as</td>
<td>as to how farmers can</td>
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<td></td>
<td></td>
<td>bad for the ground water for the</td>
<td>mitigate some effects of</td>
</tr>
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<td></td>
<td></td>
<td>environment than irrigating.</td>
<td>irritating and don't put</td>
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<tr>
<td></td>
<td></td>
<td>You are penalising the farmers</td>
<td>Such rigid rules in</td>
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<td></td>
<td></td>
<td>that are either unirrigated or</td>
<td>placed that could</td>
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<td></td>
<td></td>
<td>trying to farm sustainably and</td>
<td>stop mitigation</td>
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<td>not using much P2N of the</td>
<td>i.e. change of farming.</td>
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<td></td>
<td></td>
<td>moment.</td>
<td>STOP TRAINS TO</td>
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<td></td>
<td></td>
<td>There are new thoughts on</td>
<td>BE CLEVER AND</td>
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<td></td>
<td></td>
<td>fertiliser around.</td>
<td>STOP IRRIGATION AND</td>
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<td></td>
<td></td>
<td>How much if it is practical.</td>
<td>PROGRESS BUT BE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>We don't know yet.</td>
<td>PRACTICAL and Help</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Need science to prove what</td>
<td>the NZ economy and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>is good.</td>
<td>future generations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Section 8 has not being set.</td>
<td>grow.</td>
</tr>
</tbody>
</table>

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<tr>
<td>5</td>
<td>124-127</td>
<td></td>
<td>We have a small creek on our farm that runs for 3 months of the year. Sometimes it is completely dry. But when we get a flood, it becomes a raging torrent. And every time it floods it choke[s] up with shingle. It is common practice and has been done for decades to remove the shingle that chokes the river. This stops future flooding, stops silt spreading over productive flat pastures and allows surplus shingle to be put into areas of high use like gateways and troughs.</td>
</tr>
</tbody>
</table>

To overturn the rules, not to let more than 5 m$^3$ be used per year and let farmers use their common sense.

Change the rule back to 300 m$^3$ per year of gravel allowed to be extracted.

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<tbody>
<tr>
<td>5</td>
<td>15.2</td>
<td>Delete</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>15.0</td>
<td></td>
<td>(a) change 15° to 35°, odd average</td>
</tr>
<tr>
<td>5</td>
<td>15.0</td>
<td></td>
<td>change so 9.4 would drive around a hill block being built, vehicle can drive around safely</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Me earthworks I don't understand but we need to be able to force, put in culverts and tracks</td>
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<td></td>
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<td></td>
<td>Change to plan that is being used now as it works well</td>
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</tbody>
</table>

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</thead>
<tbody>
<tr>
<td>Schedule 7 plan</td>
<td></td>
<td>Farm plan has most parts in it that should be part of</td>
<td>You need to get the right people to do these plans.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>close to day running of intensive farming.</td>
<td></td>
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<td></td>
<td></td>
<td>But you need to get Overseer Model right.</td>
<td></td>
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<td></td>
<td>and just remember the average age of sheep about</td>
<td></td>
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<td>16 years is over 50.</td>
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<td>Don't wave the big stick. Help them see it will be helpful.</td>
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<tr>
<td></td>
<td></td>
<td>to have the farm plan.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>You need suitably experienced people who understand farming and the economics of farming to help the farm owner write it so they have ownership of the plan. (They being the farmworkers)</td>
<td></td>
</tr>
</tbody>
</table>

(3) I seek the following decisions from Environment Canterbury: (Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)

Add further pages as required – please initial any additional pages.
To: Environment Canterbury  
PO Box 345  
Christchurch

Name of Submitter:  
[Insert name here]  
Robert and Jean Forrestel

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to is:

Policies 4.27 to 4.38, Rules 5.39 to 5.42 and rules 5.46 to 5.5.51; and schedules 7 and 8.

My submission is:

I oppose the provisions as they apply to the management of nutrient discharges from existing farming activities.

My reasons are:

- Policies 5.39 to 5.41 assume that farmers are not aware of their nutrient discharges and are not farming at good practice and that making farmers audit their discharges through OVERSEER will somehow correct this situation. There is no evidence on which the Regional Council has based this presumption.

- The provisions are uncertain, as the Nutrient Discharge Allowances (NDAs) have not been calculated and included in Schedule 8. No indication has been given as to how those nutrient discharge allowances will be developed, by whom, or how they will apply. Therefore, no person reading the plan (including the Canterbury Regional Council) can possibly know whether the NDAs for each activity will achieve the purpose of the RMA or give effect to the NPS for Freshwater or the RPS, or be the most appropriate method in terms of s32 of the RMA.
- The Overseer model used to calculate nitrogen loss is not wholly accurate and as we understand it, is not calibrated for use of other than commercial-based fertilisers such as superphosphate and urea. The requirement to use Overseer has the potential perverse outcome of requiring farmers who are currently using other forms of fertilizer or soil management, to move to phosphate and nitrate based fertilizers to comply.

- Unfair – the same level of compliance is required by any person undertaking any sort of farming activity, irrespective of the degree to which one is discharging nutrients. This includes landholders who are leaching less than the 20kg/N/ha/yr that is necessary to trigger a nutrient management plan. The cause and effects are not married in the plan provisions.

- Unnecessarily expensive – the compliance costs for these provisions are potentially very large for both individual landholders and the Region as a whole, for very little environmental gain in many instances. The costs are also unnecessary as it is possible to identify the nature of land use activities that are likely to fall well below a nutrient discharge of 20kg/N/ha/yr. Those activities can be identified and written out of the regulatory process through rules for permitted activities.

- Does not achieve the purpose of the RMA – The policies and rules do not consider the appropriateness of the level of nutrient leaching to the sensitivity of the receiving environment. Rather as long as someone is operating at the NDA for that activity it may continue, even if that activity is a very high nutrient leaching activity at best practice, and the environment is very sensitive to nutrient leaching.

- Unnecessary to control at this stage – changes in farming activities in Canterbury that are likely to result in significant increases in nutrient leaching are only likely to occur with either irrigation water or dairy conversion; and the latter is unlikely to occur without irrigation water. Those activities are managed through the ‘change in farming activity’ provisions. The ‘claw-back’ in existing over-allocated catchments is being managed through the sub-regional sections and in this submission, that is the most appropriate place.

Therefore, I do not agree the policies and rules achieve the purpose of the Resource Management Act 1991 (RMA) or give effect to the NPs for Freshwater or the Regional Policy Statement. In regard to these provisions, I do not believe the Council has fulfilled its duty under s32 of the RMA to be satisfied that the provisions are the most appropriate to achieve the plan’s objectives.

**I seek the following decisions from the Council:**

As a first preference, delete the provisions for existing farming activities from the plan and manage any ‘claw-back’ of over-allocated catchments through the sub-regional plan sections.

As a second preference, develop appropriate nutrient discharge allowances or other controls for existing farming activities first, and then notify the plan provisions once they have been developed.

Include in those provisions, rules for farming as a permitted activity where nutrient discharges will be below the 20kg/N/ha/yr. This submission suggests a rule which reads:

*The discharge of nutrients from any farming activity is a permitted activity provided it complies with all of the following conditions:*
(i) The farming activity does not carry more than 10 stock units per hectare averaged over any two year period; depending on land class and may be up to 12 on sloping farms.
(ii) Fertilizer (except for urine and dung discharged by animals grazing on the property) is not applied to any land area more than once in any six month period;
(iii) Any fertilizer application complies with rules 5.52 and 5.53;
(iv) The land area is not irrigated;
(v) The land area is not used to spread stored effluent; and
(vi) The land area is not used to graze dairy herds.

Any activity which does not comply with these conditions shall be a permitted activity if it complies with the nutrient discharge allowance for that activity shown in the plan and that nutrient discharge allowance is less than 20kg/ha/yr; or

A discretionary activity if it cannot comply with the nutrient discharge allowance or the nutrient discharge allowance is over 20kg/ha/yr.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

If we are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)


Date: 03/10/2012

Address for Service of Submitter:
{Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person}

1529 Omih\nRd
3.R.O. Amberley
Resource Management (Form, Fees and Procedures) Regulations - Schedules 2003
Form 5

Clause 6 of the First Schedule, Resource Management Act 1991
Submission on a publicly notified proposal for a plan

To: Environment Canterbury
PO Box 345
Christchurch

Name of Submitter:
[Insert name here]

Robert and Jean Forrester

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to is:

The definition of 'change' in relation to farming activities on p.2-5 and its application to rules 5.42 to 5.45.

My submission is:

I oppose the definition as it is currently written.

My reasons are:

- The definition of a 'change' in farming activity being an increase of more than 10% in nitrogen loss from the same land as measured for the period 01 July 2011 to 30 June 2013 is:
- Uncertain, as no one can know by the close of submissions on this plan what their nitrogen loss will be on a piece of land by 30 June 2013.
- Uncertain, as the Overseer model used to calculate nitrogen loss is not wholly accurate.
- Impractical from a farm management perspective, as the nitrogen discharge from any area of land will vary year to year depending on the season, climatic conditions and the use to which that land is being put as part of the farm cycle.
- Unfair - one gets caught by the definition and thus rules 5.43 to 5.45 requiring resource consents to change the farming activity, irrespective of how much nitrogen is being leached. This approach is inconsistent with the approach for existing farming activities, and imposes
the same cost on all landholders whether they are contributing significantly to nutrient enrichment in the catchment or not.

- Unnecessary – changes in farming activities in Canterbury that are likely to result in significant increases in nitrogen leaching are only likely to occur with either irrigation water or dairy conversion; and the latter is unlikely to occur without irrigation water.

Therefore, I do not agree the definition and associated rules achieve the purpose of the Resource Management Act 1991 or that the Council has fulfilled its duty under s32 to be satisfied that the definition and associated rule structure is the most appropriate method to achieve the plan’s objectives.

I seek the following decision from the Council:

Amend the definition of ‘change’ to a farming activity to be either:
   (a) The application of irrigation water or an increase in irrigation water; or
   (b) A change in land use which increases the nitrogen discharged per hectare to over 20/kg/ha/yr, averaged over the farm.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

I/we are/are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)

Date: 03/10/2012

Address for Service of Submitter:
(Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person)
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Submission on a publicly notified proposal for a plan

To: Environment Canterbury
PO Box 345
Christchurch

Name of Submitter:
[Insert name here]

Robert and Jean Forresber

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

Rule 5.29 and Rule 5.125.

My submission is:

I support the rules allowing for the establishment of offal pits and the removal of small amounts of gravel from riverbeds as permitted activities. However, I oppose condition (3) of Rule 5.29 limiting farms to one 50m³ offal pit per annum; and condition 4(a) of Rule 5.125 limiting the volume of gravel extracted to 5m³ in any 12 month period.

My reasons are:

- Both offal pits and gravel extraction are essential parts of day to day farm management and it is sensible that they are permitted activities subject to conditions which on the whole appear reasonable.
- However, the condition restricting farms to one offal pit of no more than 50m³ per annum is insufficient for extensive farming operations. It is also impractical on large farms to have only one offal pit and having to transport carcasses from one end of the farm to another.
- The limit of 5m³ for gravel is insufficient for even basic driveway repairs let alone farm tracks and is substantially less than the volume allowed in the Natural Resources Regional Plan.

Therefore, I do not agree the rules as written achieve the purpose of the Resource Management Act 1991 or that the Council has fulfilled its duty under section 32 to be satisfied that the rules in this form are the most appropriate method to achieve the plan’s objectives.

I seek the following decision from the Council:

Delete Rule 5.29 condition 3.
Amend Rule 5.125 condition 4(a) to read 50m³

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

[Signature]

If we are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)

Date: 03/10/2012

Address for Service of Submitter:
(Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person)

1529 Omihiti Rd
3 R.D. Amberley 7483
Resource Management (Form, Fees and Procedures) Regulations - Schedules 2003
Form 5

Clause 6 of the First Schedule, Resource Management Act 1991
Submission on a publicly notified proposal for a plan

To: Environment Canterbury
PO Box 345
Christchurch

Name of Submitter:
[Insert name here]

Robert and Jean Forrester

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

Definition of stock holding area (p.2-14) and rules 5.35 to 5.36

My submission is:

I oppose the definition of stock holding area and rules 5.35 to 5.36.

My reasons are:

- Rule 5.35 makes the use of land for a stock-holding area a restricted discretionary activity. From the rule it would appear this is to deal with effluent run-off and presumably aimed at dairy feed pads, dairy sheds and other areas of a farm where effluent may collect and needs to be washed down, and the run-off collected and disposed of.
- However, the definition of stock holding area in the plan includes any holding area used to confine stock for more than 30 days in any 12 month period. This definition will apply to every ordinary set of sheep or cattle yards on every farm in the Region.
- It is normal practice for sheep farmers, except possibly on very extensive high country stations, to hold some stock in their yards at least once a week for activities such as weighing finishing stock, animal health, for transport etc.
- The yards are usually dirt-based, are not washed down, and do not result in the need to collect and dispose of effluent to avoid it entering water or groundwater.
The rule as written imposes an unnecessary cost of compliance on farmers for effects which are de minimus and for which there is no remedy.

Therefore, I do not agree the rules as written achieve the purpose of the Resource Management Act 1991 or that the Council has fulfilled its duty under s32 to be satisfied that the rules in this form are the most appropriate method to achieve the plan’s objectives.

I seek the following decision from the Council:

Amend the definition of stock holding area to:
Exclude sheep and cattle yards which do not have an impervious floor area and which are used for not more than 90 days in any 12 month period.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

[Signature]

Date: 03/10/2012

Address for Service of Submitter:
{Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person}

1529 Omihia Rd
3 R.D. Amberley 7483
I seek the following decision from the Council:

Amend Rule 5.162 condition 1 to read 5 000 litres.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

If we are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)

Date: 03/10/2012

Address for Service of Submitter:
(Incllde postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person)

1529 Omihili Rd
3 R.D. Amberley
To: Environment Canterbury  
PO Box 345  
Christchurch

Name of Submitter:

[Insert name here]

Robert and Jean Forrest  
Omlhi Rd  
3 R D Amberley

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

Rule 5.162

My submission is:

I support the rule providing for storage of hazardous substances in portable containers as a permitted activity; however I oppose condition 1 as it relates to diesel or petrol.

My reasons are:

- Condition 1 limits the total amount of fuel able to be stored in portable containers on farm to 2000 litres, as a permitted activity.
- This amount is insufficient for rural areas, where fuel has to be stored on site in sufficient quantities to fuel farm and private vehicles, so both petrol and diesel may need to be stored.
- As more of our local rural communities are losing petrol stations, the need to store fuel on farm is increasing.

Therefore, I do not agree the rules as written achieve the purpose of the Resource Management Act 1991 or that the Council has fulfilled its duty under s32 to be satisfied that the rules in this form are the most appropriate method to achieve the plan’s objectives.
I seek the following decision from the Council:
Retain Policy 4.64 and rules 5.109 to 5.111 as written.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

\( / \)

If we are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)

\[\text{Signature} \]

Date: \[03/10/2012\]

Address for Service of Submitter:
{Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person}

\[1529 \text{ Omih\i Rd} \]

\[3. R. O. Amberley\]
To: Environment Canterbury  
PO Box 345  
Christchurch  

Name of Submitter:  
[Insert name here]  
Jean Forrestel  

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional  

I could not gain an advantage in trade competition through this submission.  

The specific provisions of the proposal that my submission relates to are:  

Policy 4.64 and Rules 5.109 to 5.111  

My submission is:  

I support the policy and rules for plantation forests in flow-sensitive catchments.  

My reasons are:  

- The rules applying to 15% of the area of the site rather than 15% of the catchment as a whole, is a much fairer way to allocate a land uses when the cumulative effect has to be managed than on first in first served. It is also much easier to administer and to comply with.  
- In the Waipara catchment, the effects of various regulations including limits on irrigation water, afforestation, and now nutrient discharges already leave landholders with very few viable land use options.  
- The ‘first in-first served’ approach continues to disadvantage those landholders who are already restricted in their land use options due to the effects of other land uses in the catchment.  
- The rules do not prevent a person from making an applicator to plant more than 15% of their site if they can show the additional planting will not have an adverse effect on water yield.
To: Environment Canterbury  
PO Box 345  
Christchurch

Name of Submitter: Robert and Jean Forrester

This is a submission on the following proposed plan - Proposed Canterbury Land and Water Regional

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to is:

Policies 4.28 to 4.34; Rules 5.42 and 5.45, Rules 5.46 and 5.49 and Rules 5.50 and 5.51; and Nutrient Zone map on p4-8, as they apply to the Waipara Catchment.

My submission is:

I oppose the provisions as they apply to the Waipara Catchment.

My reasons are:

- The plan provisions rely on periphyton indicators to identify catchments where water quality outcomes are not being met. The plan provisions then assume that the reason for water quality outcomes not being met is nutrient enrichment from land uses in the catchment. The plan provisions require significant reductions in nutrient discharges for both changes in land uses; and from 2017 for existing land uses which do not comply with the yet to be developed NDAs or the NDA is over 20kgN/ha/yr.

- This scenario is inaccurate for the Waipara Catchment. The Canterbury Regional Council's own technical reports (including Mosley 1994, Hayward 2003 and the staff technical export 2010) have repeatedly recorded the water quality in the Waipara catchment as generally very good, and identified the catchment as susceptible to periphyton growth during periods of prolonged low flow (below 100 l/s) in late summer. Factors affecting prolonged summer low flow have been attributed in various reports, with differing degrees of
certainty, to natural climatic conditions, afforestation in the upper catchment, willows, and abstraction.

- I understand from the Regional Council’s own staff (Dr Tim Davie) that there is a high natural nutrient content in the river due to the geology of the upper catchment, particularly the Waipara Gorge.

- Given the land uses in the catchment (forestry, viticulture and dryland sheep and beef) it will be very difficult for landholders to significantly reduce their nutrient discharges. Even if they could, it will not result in the Waipara Catchment achieving the water quality outcomes set in the plan.

- The NRRP already has rules managing further afforestation in the catchment and these have been included in the proposed Land and Water Regional Plan. Abstraction in the catchment is managed through the Waipara Catchment Environmental Flow and Allocation Regional Plan which was heard and determined by the Canterbury Regional Council in 2011 and does not form part of this plan.

- The one remedy identified by the Hurunui-Waiau Zone Committee to relieve low flows in the Waipara Catchment is through the Hurunui Water Project Scheme either augmenting the river or as an alternative supply for abstractors. A significant portion of the Waipara Catchment is in the command area for that scheme. The proposed plan provisions work against this aspiration.

- Any change in land uses in the Waipara Catchment that increases nutrient discharges needs to be managed, to ensure it does not exacerbate periphyton growth. This issue can be addressed through a policy and rule construct suggested in this submission.

Therefore, I do not agree the policies and rules achieve the purpose of the Resource Management Act 1991(RMA) or give effect to the NPs for Freshwater or the Regional Policy Statement. In regard to these provisions, I do not believe the Council has fulfilled its duty under s32 of the RMA to be satisfied that the provisions are the most appropriate to achieve the plan’s objectives.

**I seek the following decisions from the Council:**

As a first preference, delete the provisions for managing nutrient discharges from the Waipara Catchment from this plan and address the matter through the sub-regional plan section in due course.

As a second preference:
Reclassify the Waipara Catchment from Red Zone to Blue Zone (unclassified); or

Develop a new classification for catchments such as the Waipara where water quality outcomes for periphyton are not being met but which the predominant cause is not nutrient discharges from land uses.

Introduce a new policy which reads:
*In the Blue/X Zone, to ensure any change in land uses and associated increase in nutrient discharges do not, singularly or cumulatively, exacerbate periphyton growth or any other water quality issues in the catchment.*
Amend the status for the change of land uses from non-complying to restricted discretionary activity and apply the discretion from Rule 5.47.

Any consequential amendments required to give effect to this submission.

I do wish to be heard in support of my submission.

[Signature]

I/we are/are not prepared to make a joint case with other parties.

Signature of Submitter (or person authorised to sign on behalf of submitter)

Date: 03/10/2012

Address for Service of Submitter:
{Include postal address for where you want your correspondence to come to, fax, e-mail; and name of contact person}

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