

Tabled at Hearing 21/05/2013

Good afternoon Ladies and Gentleman,

My name is Kara Lynn and I am here on behalf of Tinline Downs Trustees Limited and my extended family. I live at Tinline Downs Waiau which is situated at the very end of the Sherwood Road across the lottery river. Everyday I cross the lottery river and as part of our lease block is across the lottery river also, the CLWP has serious implications for not just myself but any farmer who has a waterway anywhere near their land.

Tinline Downs is a sheep and beef farm of approximately 2500 acres of which 1000 acres is leased from LINZ via way of a Special Lease. For those who don't know what a special lease is a special lease as per the LINZ website is a lease

"that are created for a special purpose that allow grazing of the land for pastoral farming purposes. Leaseholders are subject to a range of restrictions on other use of the land."

Essentially we pay the Hurunui District Council Rates for this block, a per stock unit rate for breeding ewes only (we are prevented from running wethers- wethers being castrated male sheep), a quarterly lease rate as well as all weed control such as wilding pines, gorse and broom. Every five years we pay for a scientist to report back to LINZ on the regeneration of the native bush and the overall condition of the land. As this lease is situated across the lottery river our cattle and sheep cross this river while they graze and they also drink from this river. We have currently not flown any fertiliser into this special lease land. There is therefore no leaching of any fertiliser into the lottery river from the special lease. The cost of controlling the wilding pines, gorse and broom is approximately \$10,000 - \$15,000 per year and with aviation fuel prices likely to increase we are budgeting on approximately \$20,000 for 2013/14 year. Sheep farming in 2013 is very different to the 2012 year and sheep prices have dropped dramatically this year compared with last year making high country sheep farming very uneconomical. Cattle farming has also been less profitable this year when compared to last year. If we are required to fence off all access to the river by stock then this special lease would be uneconomical as a stock water system would be required, which would not happen as we are not allowed to develop it. The lease would most likely be forfeited as there are no other farms that readily boundary this special lease and I can only imagine the DOC would have to take over the cost of gorse, broom and wilding pine control. It would certainly be a shame for this to happen as this will cost the government in the long term.

Section 5 Page 5-11 Subpoint 5.35-5.36

Firstly what is the definition of land used for a stock holding area exactly? Does this constitute stock yards? If so are these rules retrospective? Do we need to shift our cattle and sheep yards? Attached is a picture of our cattle yards. These are within the 20m of the lottery river. However the drop of the bank is an estimated 5m – 20m down before it hits the river. So any effluent that come from our stock has to go through approx 5m – 20m of gravel before it hits the waterway. These cattle yards need to be somewhere close to our boundary which is the river. Farmers have to be able to freight stock and it is logical and economical to have the stock yards where the animals are easily able to be loaded. Having the yards setback 20m from a waterway is impractical for a number of hill country farmers. This will have serious implications for a number of farming stations as they too are surrounded by rivers and have to get stock away when required or would Ecan prefer Farmers droving the animals through the river and onto the country roads? It really depends on each individual farm and to set a base line of 20m doesn't work on our farm. We only use these yards approximately three times a year. Yet some flat land farmers possibly need to be setback more than 20m. There is no one rule fits all. Who is expected to cover the cost of rebuilding these yards so that they are 20m or more away from a waterway? There is very limited flatland on our farm and where the yards have been built is the flattest and most logical area on the flat. However under these proposed rules currently neither our cattle yards or sheep yards would be within the regulations.

Attached is a picture of our sheep yards on the 5th May 2013 after 24 hours of solid rain where we experienced a weather bomb of over 200mm rain in that 24 hours period. Can anyone tell me how much effluent is actually going into our waterways from these yards? How different is it too sheep or cow manure washing off the hills in such storms? I agree if we had 200 cows standing around in our yards for weeks on end being fed hay in the middle of winter there could be deemed a stock holding area. The definition is too broad and needs to be made clear as to exactly what Ecan consider a stock holding area. There are times when cattle do need to be locked in yards at various times such as weaning, tb testing, etc. Farmers need the ability to hold cattle at such times in yards as necessary and should not be subject to applying for resource consents to use existing yards. I think the pictures say it all there is very little effluent if any washing down into the lottery river from these yards. The sheep were in these yards the day before. Really this entire section needs rewording and clarification. I am sure that if the section is clarified correctly that this would have no impact on our farming practices in our yards.

Sheep Yards 6th May 2013 Over 200mm of rain in 24 hour period taken 11.00 in the morning part way through deluge.

Section 5 Subpoint 5.7

We strongly oppose this section and take exception to the "Septic Tank Suitability Area A" on the planning maps. Marking all the Canterbury Foothills as unsuitable for septic tanks and forcing everyone within these areas to apply for resource consents to have a septic tank is quite an abusive position. Yes Ecan did it get it right when they said the foothills get plenty of rain however rain is not all bad and forcing everyone to get resource consents based on being a "high rain fall area is pathetic". The hills are designed for rain they have been there for thousands of years they are used to rain. See attached picture of our farm and position of our new house currently being built. How can one house affect the river? There has been a huge opportunity cost to us for trying to build a four bedroom house. The lengthy delays that have been caused through the resource consent process for the septic tank falling under the Proposed CLW being treated as law as a result have meant that our family of now 5 have had to live in a two bedroom relocated cottage with three young children for 19 months to date. The house is still being built. Had we not had to do this the Hurunui District Council would have granted building consent in August 2012 and the building company could have made our kitset home in the factory, the first builder would not have taken on other work and I would probably not be here making this submission. It was this whole frustrating process which lead me here. Under the previous rules there was an exemption for large areas of land and we previously fell outside the resource consent process for septic tanks. So we currently have one septic tank that is not consented for 2 bedroom cottage relocated 2009, and the new one close by which is consented. Even if we did discharge our septic tank into the lottery river (which we won't be) it would have had no impact on anyone else given the size of our farm and the water flow on the river. Please revert back to the original rules and remove the map which doesn't correctly identify the areas for septic tank suitability at all. This needs to be reworked completely. For instance the Waiau Township is marked as suitable for septic tanks yet a number of these properties have septic tanks which are closer to the Waiau river than what our house is to the lottery river. Some of the soil types may or may not be suitable. Currently none of these would be required to have a resource consent. Some common sense needs to be applied and I believe Ecan can issue some common sense guidelines for the drainlayers and leave them to ensure that the systems are correctly installed. Ecan should not have to be policing septic tanks. There must be known soil types that don't adequately allow for good drainage for septic tanks which have not been investigated by Ecan which can be used to issue these guidelines. I believe it is just revenue gathering to blanket the whole of the Canterbury foothills in this map area A. There are real issues with Canterbury's waterways but I don't believe that the new houses built in the last ten years are causing this. If you have a 300 acre dairy farm with an old farm cottage on it chances are that the septic tank will or is likely to fail in the future. You put another two houses on that farm and if the annual rainfall occurs like the 6th May 2013 then it doesn't take a genius to work out that the old systems would not be capable of working. So resource consenting new houses is not really fixing the problem. It is simply revenue gathering and taking a piece of the pie of the Canterbury Rebuild. Ecan can then gather revenue from all these new house being build and have a guaranteed revenue source for doing very little other than supposed "monitoring fees". I do not believe that this will protect our waterways it will simply cover dubious costs incurred by Ecan.

Rule 5.46 - 5.54, page 5-14

Submission

Oppose in part.

Where do I start basically basing a system on what has been done in the past is ridiculous. Really all that it does under these proposed rules is allow those farmers who have been applying fertiliser to continue applying fertiliser as they have been. Farms which have not been sufficiently fertilised in the last few years are stuck with status quo. So a farm like ours that is only just being developed now will now be penalised. Surely it makes sense for undeveloped land to be bettered by new grass, fertiliser and make a return on investment? Sheep and beef farmers like us apply fertiliser depending on cashflow. In a year like 2013 where sheep and beef profits are negligible fertiliser is not likely to be applied in substantial volumes as there is not the cash to pay for it. In a more profitable year such as 2012 fertiliser was applied as there was sufficient cashflow to allow for this. The red meat sector is subject to far too much volatility to adequately rely on what is budgeted on in an environmental farm plan that would simply fall over in a year like 2013. Sheep and beef farmers in particular need to be allowed time to save up to get an environmental farm plan and implement OVERSEER. The Overseer system works is based on a long term approach. From reading the Ecan rules a short term approach is taken. How is the equation to cope with such extremes in the calculation? Ecan is also assuming that all farmers in canterbury have sufficient cashflow to pay the additional consultancy fees for the environmental farm plans and implement OVERSEER. I assure you that had the 2011/12 farming season continued into the 2012/13 season then that may have been the case but the drier summer combined with poor returns for sheep and beef in 2013 has effectively put a stop to this. Sheep and beef farmers are certainly not flush with cash.

If these rules are kept as currently proposed with no ammendments the economic impact on high country farming would be huge. If you can't afford to pay for an environmental farm plan, you go ahead and put fertiliser on and are then caught and fined by Ecan its going to be one vicious cycle. If we can't put fertiliser on our farm then we can't grow sufficient grass and prices would be down further than what they already are. Our farming company already has over \$300,000 loss to use up since formation in 2005. If these rules are implemented as they stand you will see a number of family enterprises off their land and farming will simply be run by the corporate enterprises. Is this the desired outcome?

We seek that the activity status is amended from discretionary to restricted discretionary because the nature of effects is known so discretion should be limited.

2. Delete part (b) consistent with submission on Rule 5.46

Amend to recognise that there are capacity issues and that it may not be physically possible to comply with Condition 4 by 2017.

Delete condition 1 and amend Condition 4, as follows:

4. If the average annual loss of nitrogen, averaged over three consecutive periods from 1 July in one year to 30 June in the following year, is 20 kilograms per hectare or more, or if the land is within a Lake Zone: ...

Amend Condition 2, and also Conditions 3 and 4, to specify that the average annual loss of N must be averaged over at least 5 years, reflecting the fact that OVERSEER is designed to provide average long-term estimates of nutrient flows.

Delete the rule 5.49 unless:

1. Definition of the red areas is robust (scientifically sound) and transparent.
2. Average annual loss of N is averaged over at least 5 years, reflecting the fact that OVERSEER is designed to provide average long-term estimates of nutrient flows.
3. Amend activity status from non-complying to discretionary.

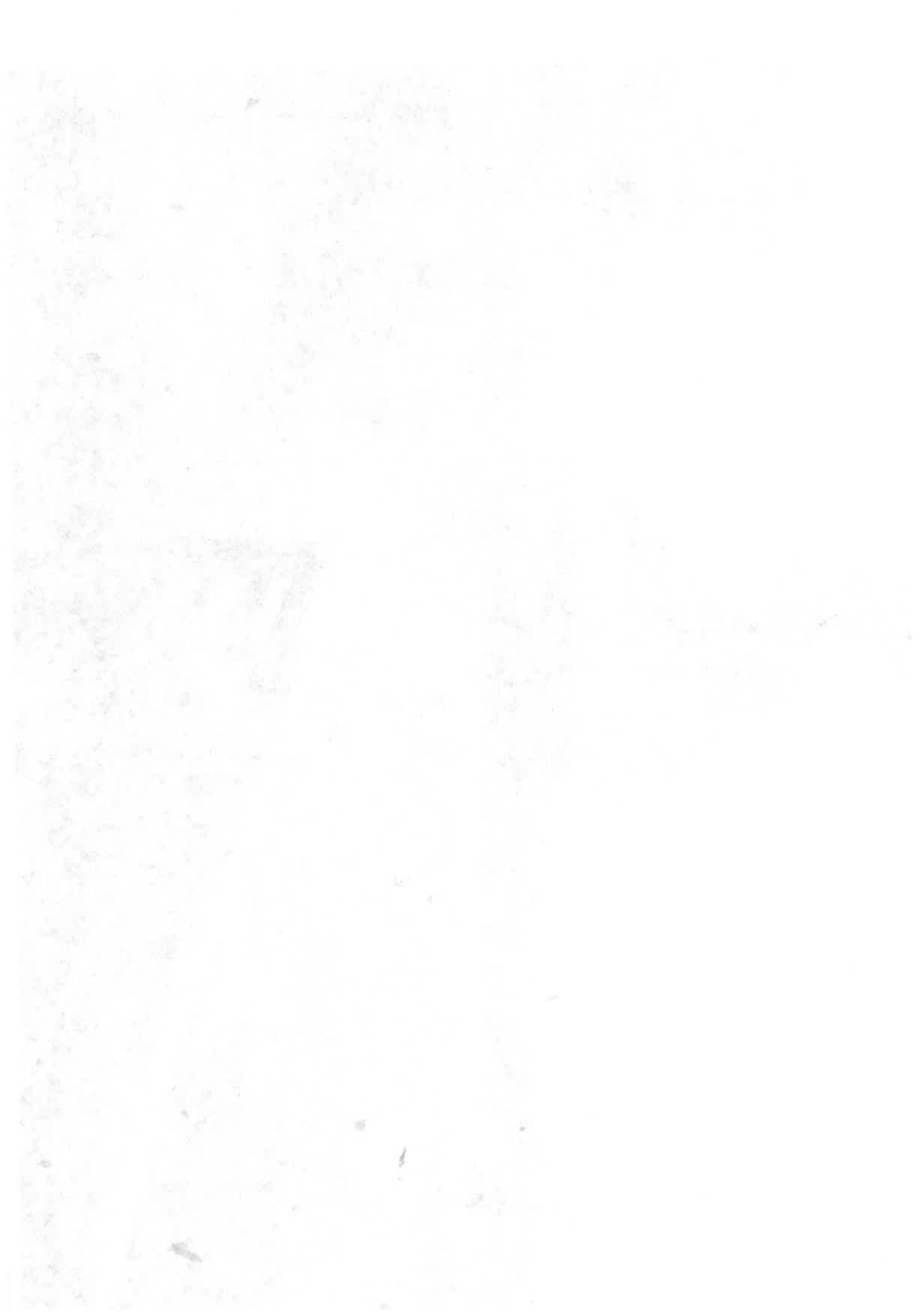
We are also puzzled as to why no codes of conduct have been implemented in consultation with Federated Farmers and the NZ Fertiliser Council with regards to the Spreadmark programme. Not only does the application of Fertiliser matter but also the quality of product from two of the major fertiliser suppliers has been dubious in recent years with a wide variety in quality. Surely this impacts on the waterways if the product applied is actually higher or lower than what its actually supposed to be. Why are there no restrictions placed on spreading near waterways in a North Wester? It doesn't take a genius to work out that spreading in a howling north wester is a complete waste of time and money and the product will end up in the waterways. Why are all farmers not required to have proof of placement maps? Its seem silly to me that these harsh rules are being inflicted upon Cantabrians when the basics seem to have been missed.

As I am out of time I leave you with a picture taken 6th May 2013 of my access across the lottery river to the farm. The question I have for you is do you seriously think that we should apply for a resource consent every time the river flooded and we need to clean up our accessway to the farm?

People in the city didn't need resource consent to access their homes after the earthquakes did they and it should be no different for us,

Thankyou for your time and I hope this provides the rural view for you,
My questions





Lefting River
Kwae site



Farm track through
lottery river
Flooded 6th May
2013





