

## Tamina Roberts

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**From:** Michael Bennett <MBennett@fedfarm.org.nz>  
**Sent:** Friday, 21 March 2014 6:02 p.m.  
**To:** Mailroom Mailbox  
**Cc:** Kim Reilly; lakecoleridge@amuri.net  
**Subject:** TRIM: Submission on Variation 1 to the Canterbury land and Water Regional Plan  
**Attachments:** Sub Selwyn Waihora - Final.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Purple Category  
**HP TRIM Record Number:** C14C/43755

To whom it may concern at Environment Canterbury.

Please find attached a submission from the North Canterbury Province of Federated Farmers of New Zealand (Inc).

Please respond to this email so that I know our submission has been received.

Kindest Regards

**MICHAEL BENNETT**  
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SUBMISSION

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To: Canterbury Regional Council

Submission on: Proposed Variation 1 to the Proposed Canterbury Land and Water Regional Plan

From: North Canterbury Province of Federated Farmers of New Zealand

Date: 21 March 2013

Contact: Michael Bennett  
Regional Policy Advisor  
Federated Farmers of New Zealand

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## Introduction

Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has 319 members in Selwyn District, which make up a substantial portion of the farming community. This submission is made on behalf of these members and has been developed in partnership with elected member representatives.

The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

**Resource Management (Form, Fees and Procedure) 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: North Canterbury Province of Federated Farmers of New Zealand Inc**

**This is a submission on the following proposed plan - Proposed Variation 1 to the Canterbury Land and Water Regional Plan**

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

**The specific provisions of the proposal that our submission relates to are as follows.**

**1. General Submission - All of Variation 1 and the Section 32 Report**

**Our submission is:**

North Canterbury Federated Farmers (NCFF) appreciates that over the past two years the Selwyn Te Waihora Zone Committee has worked tirelessly to prepare recommendations for Environment Canterbury to address issues with water quality and quantity issues within this catchment, to assist the Council in giving effect to the Resource Management Act 1991 (RMA) and the National Policy Statement for Freshwater Management (NPSF).

NCFF agrees there are issues with water quality and quantity in this catchment which must be addressed and is generally supportive of the direction of Variation 1 to the proposed Land and Water Regional Plan. However we do not agree that all of the Zone Committees key recommendations, as set out in the Selwyn-Waihora Zonal Implementation Programme (ZIP) addendum have been accurately incorporated into Variation No 1. We also question whether some of the Zone Committee's recommendations achieve the purpose of the RMA, give effect to the NPSF or the Canterbury Regional Policy Statement (RPS), or have been properly evaluated in accordance with section 32 of the RMA. We make submissions on these points, grouped by topic, below.

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

- 1.1 Retain all provisions of Variation 1 as notified except where amendments are required to give effect to the decisions requested in this submission as listed below.
- 1.2 Make any consequential amendments in giving effect to our submissions.

## 2. Catchment Objective

### Our submission is:

We support the vision for the catchment in introductory part of the variation but oppose the absence of any objective for the catchment.

NCCF supports the vision for the catchment expressed in the introduction to the variation:

*‘...restore the mauri of Te Waihora while maintaining the prosperous land-based economy and thriving communities’.*

This vision and the actions that arise from it underpin sustainable management of water resources in the Selwyn Waihora catchment for the benefit of current and future generations. Despite the importance of the vision for the catchment, it is only included as an introductory statement. The vision needs to be stated as an objective so that it will have statutory status and to provide justification for the policies and rules which will give effect to it.

### We seek the following decision from the Council:

2.1 Include a catchment objective that reads:

*“The mauri of Te Waihora and its tributaries is restored while maintaining a prosperous land-based economy and thriving communities in the Selwyn-Te Waihora catchment.”*

## 3. Water Quality – Policies 11.4.12 to 11.4.16 and Rules 11.5.6 to 11.5.13

### Our submission is:

We support the need to address potential adverse effects of contaminants from urban, rural and industrial activities on water quality in the Selwyn-Te Waihora catchment. However we oppose policies 11.4.12 to 11.4.16 and rules 11.5.6 to 11.5.13 as currently written. Our reasons are:

- (i) The provisions do not accurately reflect the recommendations of the Zone Committee in the ZIP addendum.
- (ii) The plan provisions are inconsistent between activities which have the same or similar effects on water quality.

#### Land Use Baseline

- (iii) The starting point for all farming activities is a nitrogen baseline reflecting nitrogen-nitrate losses from land uses on the property between July 2009 and 2013. This approach doesn't take into account the variability in farming in Canterbury, particularly for the majority of farms which are mixed farming; nor the need for farmers to retain flexibility to remain viable in a global market economy.
- (iv) The costs in terms of loss of flexibility and associated equity for farmers who have very low nitrogen losses has not been considered and is disproportionate to the contribution they make to nitrogen loadings in the catchment.
- (v) The section 32 report has not evaluated whether the lack of additional irrigation water (other than Central Plains Water) in this catchment already acts as a natural constraint on further land use intensification and change; and therefore where restricting land use flexibility to this extent is necessary to achieve the purpose of the RMA and give effect to the NPS for Freshwater and the RPS.

### Nitrogen-nitrate Reductions

- (vi) The requirement for some farmers to make reductions in nitrogen-nitrate losses on farm is accepted as necessary to give effect to the NPSF but the plan in its current form is vague as to what will be required by when. The Zone Committee recommendations rely on the development of nitrogen-nitrate loss targets from a project called the Matrix of Good Management (MGM) which will not be completed until mid 2015 and some 'anticipatory guessing' as to what that project may deliver. Until that information is available, the plan needs to focus on the steps that can be implemented given the current information and signal that further actions will occur by way of a plan change when that information becomes available.
- (vii) Policy 11.4.14 then requires percentage reductions in nitrogen-nitrate losses above a nitrogen baseline which is adjusted for Good Management Practices Nitrogen and Phosphorous Baselines. However those baselines are not yet quantified and until the MGM project is completed there is no way to ascertain whether those further reductions are achievable and at what cost.
- (viii) Using EBIT to weight the proportional reduction in nitrogen losses required by different farm types in Policy 11.4.14 is inappropriate. In addition the reduction figures calculated for some farm types in Policy 11.4.14 do not accord with the Zone Committee recommendations for maximum impact on EBIT and seem out of proportion for some farm types, eg a further 10% reduction in nitrogen losses for dryland sheep and beef farmers.
- (ix) We support the inclusion of a threshold for nitrogen-nitrate loss below which no reductions are required and increases are allowed. This clause provides some relief for low nitrogen loss farming activities. At this end of the scale even the small variations in seasonal or annual farming activities may result in small increases in nitrogen loss from current baseline, making these farms prohibited activities. The rule recognises that low nitrogen loss farming activities are not a significant contributor to nitrogen related water quality issues in the catchment. However we are concerned that the 15kg per hectare per annum threshold is too low on light and very light soils and should be increased to 20kg per hectare per annum.
- (x) NCFE opposes Rule 11.5.9 making every farm losing more than 15kgN/ha/yr a restricted discretionary activity from 01 July 2017. We do not think it is necessary to require resource consent unless there is no quantifiable nitrogen loss rates included in the plan by that stage. In that case, NCFE suggests the industry stands for nitrogen reduction should be to adopt Best Practicable Option to reduce nitrogen losses, being the test the RMA requires for managing effects of discharges when there are no appropriate industrial standards.

### Farm Environment Plans

- (xi) Variation 1 requires Farm Environment Plans for all properties over 10 hectares in area. NCFE supports the use of Farm Environment Plans but suggest they should be tailored to the issues that need to be addressed in various parts of the catchment. For example, all farms in areas which are prone to sediment and phosphorus losses may require a farm environment plan as this tool is most effective to identify and manage critical sources of those contaminants. However farms in the high nitrogen loss risk area should not need a farm environment plan if they have low nitrogen loss rates.
- (xii) It also makes for easier reading of the Farm Environment Plan requirements are condensed into one policy.

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

3.1 Delete policies 11.4.12 to 11.4.16 and replace with the following:

**Policy 11.4.12**

*Reduce the discharge of nitrogen, sediment, phosphorous and microbial contaminants from farming activities into the catchment by:*

- (a) Excluding intensively farmed livestock from all waterways and avoid the standing of cattle, pigs or deer in any waterway except for those parts of the catchment shown as hill and high country on Planning Map X.*
- (b) Providing setbacks for grazing and cultivation from waterways and where appropriate riparian planting.*
- (c) Requiring all farming practices to implement the good management practices listed in Schedule 24 to minimize the discharge of contaminants to water;*
- (d) Avoiding any increase in nitrogen-nitrate loss from any property or farm enterprise if the estimated nitrogen loss using Overseer is greater than 15kg per hectare per annum; and*
- (e) Requiring those properties or farm enterprises with nitrogen-nitrates losses which are estimated using Overseer to exceed 15kg per hectare per annum to manage their nitrogen-nitrate losses in accordance with Policy 11.4.13*

**Policy 11.4.13**

*By 01 July 2016 include by way of a plan change a schedule of maximum nitrogen loss rates for farm activities on soil types within the catchment, which properties or farm enterprises must comply with by 2022; or*

*If no such schedule exists then from 01 July 2017 limit the loss of nitrogen-nitrates from farming activities which are estimated using Overseer to exceed 15kg per hectare per annum or 20kg per hectare per annum on areas shown on Planning Map XX as light or very light soils in the following way:*

- (i) Avoid any increase in estimated nitrogen loss from any property or farm enterprise where estimated nitrogen loss using Overseer is greater than 15kg per hectare per annum or 20kg per hectare per annum in areas shown on Planning Map XX as light or very light soils;*
- (ii) Require properties or farm enterprises where nitrogen loss is estimated using Overseer to exceed 15kg per hectare per annum or 20kg per hectare per annum in areas shown on Planning Map XX as light or very light soils, to develop and implement a nitrogen reduction plan using Best Practicable Options to reduce their nitrogen losses; and*
- (iii) By 2037, avoid any property or farm enterprise having nitrogen losses estimated using Overseer which exceeds 80kg per hectare per annum.*

**Policy 11.4.14**

*Require properties and farm enterprises to develop and implement Farm Environment Plans in accordance with Schedule 7, Part A to assist in managing reductions in discharges as follows:*

- (i) Any property or farming enterprise within the 'Te Waihora Cultural Landscape Values Management Area' and greater than 10 hectares in area is to implement a Farm Environmental Plan to minimise the risk of discharging phosphorous, sediment, microbial contaminants and other contaminants to water by 1 January 2016.*
- (ii) Any property or farming enterprise within the areas zoned 'Phosphorous Sediment Risk Area' on the planning maps is to implement a Farm Environmental Plan to minimise the risk of discharging phosphorous, sediment and microbial contaminants to water by 1 January 2017 if*

*the property or farm enterprise is greater than 50 ha in size or by 01 January 2020 if the property or farm enterprise is between 10 and 50 hectares in size.*

*(iii) Any property or farming enterprise located within the areas Zoned Nitrate Loss Risk Area and has a nitrogen baseline that exceeds 15kg per hectare per annum, or 20kg per hectare per annum in areas shown on Planning Map XX as light or very light soils, is to implement a Farm Environmental Plan to minimise the discharge of nitrogen-nitrates by 01 January 2017 if the property or farm enterprise is greater than 50 hectares in size or by 01 January 2021 if the property or farm enterprise is between 10 and 50 hectares in size.*

3.2 Add a clause to the end of Rule 11.5.6(2), 11.5.7(1), 11.5.8(1) and 11.5.9(1) which reads:

*“...or 20 kg per hectare per annum in the areas shown on Planning Map XX as light and very light soils.*

3.3 Amend Rule 11.5.8(3) so it reads:

*“A Farm Environment Plan has been prepared and implemented in accordance with Schedule 7 Part A for all properties greater than 50 hectares which are located in the areas shown on Planning Maps XX as being in the ‘Phosphorous Sediment Risk Area’; or are located in the area shown on Planning Map XX as the ‘Nitrate Loss Risk Area’ and have a nitrogen baseline or a nitrogen loss calculation which exceeds 15kg per hectare per annum or 20kg per hectare per annum in the in areas shown on Planning Map xx as light or very light soils;*

3.4 Amend Rule 11.5.8(4) so it reads:

*“A Farm Environment Plan has been prepared and implemented in accordance with Schedule 7 Part A for all properties greater than 50 hectares which are located in the areas shown on Planning Maps XX as being in the ‘Phosphorous Sediment Risk Area’; or are located in the area shown on Planning Map XX as the ‘Nitrate Loss Risk Area’ and have a nitrogen baseline or a nitrogen loss calculation which exceeds 15kg per hectare per annum or 20kg per hectare per annum in areas shown on Planning Map xx as light or very light soils;*

3.5 Amend Rule 11.5.8 by adding after subclause (1) two new subclauses which read:

*“or*

*(2) the nitrogen loss calculation for the property exceeds 15kg per hectare per annum or 20kg per hectare per annum in areas shown on Planning Map xx as light or very light soils but does not exceed the applicable rate for nitrogen loss shown in Table XX; and*

*Renumber subsequent clauses.*

3.6 Amend Rule 11.5.9(1) so it reads:

*“(1) The nitrogen loss calculation for the property exceeds the applicable rate for nitrogen loss shown in Table XX, or if there is no applicable rate in Table XX, the estimated nitrogen loss rates exceed 15kg per hectare per annum, or 20kg per hectare per annum as areas shown on the planning maps as light or very light soils.; and*

3.7 Add a new clause 4 which reads:

*“(4) A nitrogen reduction plan is developed and implemented for the property to reduce nitrogen losses to comply with the applicable rate in Table XX or if there is no applicable rate in Table XX to show how nitrogen loss shall be minimised using best practicable options.”*

3.8 Amend matters of discretion clause 3 to read:

*“Methods to achieve nitrogen reductions from the property in accordance with Policy 11.4.13.”*

## **4. Nitrogen Baseline**

### **Our submission is:**

NCFF opposes the current definition of nitrogen baseline coupled with that prohibited activity status for increases above the baseline under Rule 11.5.12 for the following reasons:

- (i) The nitrogen baseline calculation is a retrospective average which means some current farming activities will already have nitrogen-nitrate losses that exceed their 2009-2013 average. These activities were lawfully established at the time and are now prohibited.
- (ii) The nitrogen-nitrate baseline is inequitable in that it allows for land development where permissions have been granted but not fully exercised for dairy farms but not for other activities or for dryland farmers who are undertaking farm development that does not require resource consent.
- (iii) The calculation makes no allowance for the situation where data to calculate a nitrogen baseline based on the land uses 2009-2013 is not available or when someone has purchased an underutilised dryland property and has brought it back up to carrying capacity.
- (iv) The nitrogen baseline does not recognise and take account of the variability in land use on farm from season to season and year to year which occurs on all farms and is pronounced among dryland farmers. This variant may not result in long-term increases in nitrogen-nitrate loss but will result in fluctuating levels which cannot be accommodated through a short-term, rolling baseline average.
- (v) The compliance costs for calculating rolling baseline averages, particularly for farms with low nitrogen losses or farms where there is no significant land use change, outweigh any benefits. It is not necessary to have repetitive estimates of nitrogen losses where there has not been any change in land use that is likely to result in a noticeable increase in long-term average nitrogen losses.

### **We seek the following decisions from the Council:**

4.1 Add a definition of 'nitrogen baseline' to section 11.1.A that reads:

*“Nitrogen Baseline Selwyn-Te Waihora Section... means any one of the following calculations:*

- (a) The ~~mean~~ maximum discharge of nitrogen below the root zone in any one year, as modelled with OVERSEER<sup>TM</sup>, or equivalent model approved by the Chief Executive of Environment Canterbury, over the period of 01 July 2009 – 30 June 2013, and expressed in kg per hectare per annum, except in relation to Rules 5.46 and 5.62, where it is expressed as a total kg per annum from the identified area of land; or*
- (b) in the case where a resource consent has been granted to take or use water or discharge dairy shed effluent in the period 01 July 2009 – 30 June 2013, and that resource consent specifies a condition relating to the use of the water or a nitrogen discharge allowance, the calculation will be on the basis of that condition; or*
- (c) A nitrogen baseline for the property which is approved by the Chief Executive Officer of Environment Canterbury as a fair representation of the potential land use on the property as at 01 January 2014 considering where the property was dryland or irrigated and, if irrigated, the volume of water allocated and the purpose for which any water permit had been issued.*



- (d) If OVERSEER™ is updated and a new nitrogen baseline is required the most recent version is to be used to recalculate the nitrogen baseline using the same input data for the period 01 July 2009 – 30 June 2013.

4.2 Amend Rule 11.5.6(2) and 11.5.7(1) and 11.5.8(1) to read:

*“The nitrogen baseline for the property does not exceed 15kg per hectare per annum or 20kg per hectare per annum in areas shown on Planning Map XX as light and very light soils, and since the baseline was calculated there has been:*

- *No increase in irrigable area on the property; and*
- *No increase in the number of weaned cattle grazed on the property; and*
- *No increase in the area under cultivation on the property;*

*Or*

*The nitrogen loss calculation for the property does not exceed 15kg/ha/yr or 20 hg/ha/yr in areas shown on Planning Map XX as light and very light soils.”*

## **5. Land Drainage – Cultural Landscape Management Area**

### **Our submission is:**

NCFF supports the need to manage land drainage systems, particularly in the sensitive cultural landscape area around Te Waihora. However we oppose Rule 11.5.2 because:

- (i) It is not clear what effect the rule is seeking to manage.
- (ii) Water quality in land drainage systems is best affected by the rules to manage the discharge of contaminants into the catchment.
- (iii) Drain cleaning and maintenance practices can have an impact on cultural values if they are not undertaken in appropriate ways. However resource consent for individual landowners to maintain their drains may not be the most efficient and effective method to ensure this occurs.

We submit allowing drain maintenance in accordance with a land drainage maintenance plan approved by Environment Canterbury would be more efficient and effective. That approach is consistent with the approach to gravel management in the proposed Land and Water Regional Plan.

### **We seek the following decisions from the Council:**

5.1 Delete Rule 11.5.21 (1) and replace with the following:

*“ (1) In the Lake Area in the cultural Landscape/Values Management Area in the Selwyn-Te Waihora Catchment the discharge is provided for within a land drainage management plan approved by the Chief Executive of Environment Canterbury.”*

## **6. Stock Exclusion – Hill and High Country**

### **Our submission is:**

NCFF opposes Rules 5.68 and Rule 11.5.18 as they apply to waterways in hill and high country parts of the Selwyn-Te Waihora catchment.

NCFF supports the exclusion of all intensively farmed stock from waterways, including drains which flow into lakes or rivers. We do not agree it is necessary to exclude extensively grazed cattle from

waterways in hill and high country areas to avoid adverse effects on water quality. Stock exclusion can only be effectively achieved in these areas by fencing waterways. Given the nature of the hill and high country and the many waterways that run-off them:

- It is prohibitively expensive to fence these waterways;
- It precludes stock access to stockwater;
- It may limit access to fishing areas;
- It precludes effective farming of hill blocks; and
- It is not necessary to address water quality issues.

Hill and high country areas generally do not have records of poor water quality resulting from stock access. Some localised issues have occurred around small lakes, but these areas are identified as Lake Sensitive Zones in the pLWRP and now subject to a resource consent. None of these areas is located within the hill country of the Selwyn-Te Waihora catchment.

**We seek the following decision from the Council:**

6.1 Add a new clause to Rule 11.5.18 to read:

*“Rule 5.68(3) does not apply to land which is shown on Planning Map as being zoned hill or high country.”*

## **7. Water Allocation**

**Our submission is:**

NCFF supports the recognition of the link between surface water and groundwater on the Canterbury Plains and the combined allocations. We oppose the proposed changes to Table 11(e) Combined Surface Water and Groundwater Allocation Limits for Selwyn-Waimakariri-Rakaia-Selwyn Combined Surface and Groundwater Allocation Zones.

The Zone Committee recommendations set minimum flows in lowland streams which require approximately a 78% reduction in the Selwyn-Waimakariri Zone allocation and 60% in Rakaia-Selwyn Zone allocation. Therefore the Zone Committee concluded this target can only be achieved through groundwater recharge and stream augmentation using Central Plains Water.

The NPFS for Freshwater requires councils to set allocation limits for water abstraction that achieve the purpose of the RMA. It would be surprising that a groundwater allocation limit that requires such significant reductions from current allocation is necessary to achieve the purpose of the RMA.

NCFF suggests the allocation limit set in Variation 1 is an environmental enhancement allocation – a ‘nice to have’ should CPW recharge and augmentation water be available. NCFF submits that to achieve the purpose of the RMA and give effect to the NPSF and the RPS, Variation 1 must set a first stage groundwater allocation target that can be achieved without reliance on augmentation or recharge from an irrigation scheme.

**Demonstrated Use**

NCFF opposes moving water permit holders from an allocation based on reasonable use to one based on demonstrated use. We believe that in the short-term this is not an accurate assessment of need as it will reflect the short-term rainfall conditions. It is also an approach that tends to encourage water use, as permit holders increase their actual use to ensure they have sufficient allocation to support their operations in drier years.

NCFF also questions why reliability of supply has been set at 8.5 years out of 10. Research to date on reliability of supply suggests the more reliable a supply of water the more prudent farmers are in application – focussing on ‘just-in-time’ irrigation rather than ‘just-in-case.’ The pLWRP sets a reliability of supply for reasonable use at 9 years out of 10 (Schedule 10)

The cumulative effects of reducing reliability of water supply and reducing nitrogen losses have not been considered and assessed.

An alternative option for reducing the potential volume of water abstracted from the catchment while still leaving water permit holders access to sufficient allocation in dry years could be:

- To ensure all water permit holders have an annual volume condition based on reasonable use calculated in accordance with Schedule 10.
- To divide the annual volume into two blocks: Block A which is the quantum of water likely to be used in an average rainfall year; and Block B being the additional water required to ensure reliability in 9 years out of 10.
- Block B is not able to be transferred to any other site and is only available for abstraction in ‘dry year’ conditions.

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

7.1 Replace Policy 11.4.23 with the following:

*“Reallocate water to existing consent holders as follows:*

- i. An allocation based on Reasonable Use as calculated in accordance with Schedule 10;*
- ii. Divide the allocation between an A allocation being the volume of water which’s is located reasoned for the repurposed use in an average e rainfall year as calculate day Environment Canterbury and a B allocation which’s is located available for use to ensure reliably of supply in nine years out of ten for a system with an application efficiency of 80%.”*

7.2 Amend Policy 11.4.6 as follows:

*“Where a consent applicant holds shares in an irrigation scheme, limit any additional consented volumes to the volume required to meet demand conditions in ~~eight~~ nine and years out of ten for a system with an application efficiency of 80%.”*

7.3 Replace Table 11(e) Combined Surface Water and Groundwater Allocation Limits for Selwy-Waimakariri-Rakaia-Selwyn, Groundwater Allocation Zones with the limits from the pLWRP and NRRP based on maintaining minimum flows on lowland streams at 50% of 7D MALF or a replace with limits from a more robust modelling of groundwater availability and allocation.

## **8. Transferring Water Permits**

**Our submission is:**

NCFF opposes Policy 11.4.22(c) and Rule 11.5.37(4).

NCFF supports the need to redress any over-allocation of the catchment for water abstraction but we do not agree that Policy 11.4.22 and Rule are the most effective methods to do this for the following reasons:

- i. The Councils decisions on the pLWRP have already dismissed the appropriateness of rules in a plan requiring a blanket surrender of water when transferring water permits. This rule appears contrary to that decision.
- ii. Requiring the surrender of half the water on the transfer of a permit is not a reliable way to reduce over-allocation as any reductions are dependent on water being transferred.

- iii. NCCFF suggests a more efficient and effective approach would be to limit water which can be transferred to that where the water permit holder can demonstrate they have used the water within the last 5 years; and only to that portion of the permit which is the A allocation in accordance with the amendment to allocation sought in our submission.

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

8.1 Delete Policy 11.4.22(c).

8.2 Delete Rule 11.5.37(4) and replace with:

*"If the transfer is within the Rakaia-Selwyn or Selwyn-Waimakariri Combined Surface and Groundwater Allocation Zones:*

- *Only an A Block of groundwater allocation may be transferred in accordance with Policy 11.4.23; and*
- *The water permit must have been exercised by the permit holder within the last five years."*

**9. WATER STORAGE – Policy 11.4.32**

**Our submission is:**

NCCFF opposes in part Policy 11.4.32(c). We agree adverse effects of water storage proposals on Ngāi Tahu values must be avoided, remedied or mitigated in considering any water storage proposal, The current wording of the policy suggests the proposal can only go ahead if approved by the Cultural Impact Assessment. This wording seems to fetter the discretion of the decision-making authority to consider all relevant matters under s104 of the RMA.

**We seek the following decision from the Council:**

Amend Policy 11.4.32(c) by deleting the words *"...in accordance with the recommendations in the cultural impact assessment..."*

**10. DEFINITIONS**

**Our submission is:**

Federated Farmers opposes in part the definition of 'intensive winter grazing'. The current definition could be argued to apply to any grazing of stock in winter.

The definition of 'farm enterprise' in the pLWRP is limited at farming operations where there is an aggregate of separate land parcels. This is resulting in interpretations that the land parcels must adjoin. The point of a farm enterprise eyes to cater to farming operation such as horticultural and agricultural enterprise which may lease or own several parcels of land which are not adjoining.

**We seek the following decision from the Council:**

10.1 Amend the definition of 'Intensive winter grazing' to read:

*" means grazing of stock between 1 May and 30 September on fodder crops or pasture ~~where to the extent that the grazing results in removal of, or damage to vegetation and exposes bare ground and/or pugging of the soil.~~ significant pugging or de-vegetation. This is usually associated with break feeding behind temporary fencing."*

10.2 Add a new definition of farm enterprise to section 11.1A which reads:

*“means areas of land whether held in single or multiple ownership and whether adjoining or separated which are farmed as a single operating unit for the purpose of nutrient management.”*

## **11. Schedule 24 (Farm Practices)**

### **Our submission is:**

Federated Farmers supports in part Schedule 24 – Farm Practices but seeks a minor amendment to the provisions for buffer distances for intensive winter grazing and cultivation so they are less arbitrary and more effect-based. .

### **We seek the following decision from the Council**

11.1 Amend Schedule 24 (c) and (d) to read:

*(c) “For all intensive winter grazing adjacent to...or wetland, maintain a vegetative strip to prevent gross discharge of contaminants unless in exceptional circumstances such as very intense rainfall.*

*As a guideline, intensive winter grazing and cultivation will be set back 5m or 2m from the bed. Greater or lesser setbacks may be appropriate, depending on density and type of stock, farm management practice, soil properties, and the presence of sloping ground, swales, or contaminant flow paths.”*

*(d) “For all cultivation adjacent to...wetland, maintain a vegetative strip to prevent gross discharge of contaminants unless in exceptional circumstances such as very intense rainfall.*

*As a guideline, intensive winter grazing and cultivation will be set back 5m or 2m from the bed. Greater or lesser setbacks may be appropriate, depending on density and type of stock, farm management practice, soil properties, and the presence of sloping ground, swales, or contaminant flow paths.”*

**From:** [Tami Woods](#)  
**To:** [Sarah Drummond](#)  
**Subject:** FW: Federated farmers submission on variation 1 to the land and water regional plan.  
**Date:** Thursday, 3 April 2014 3:48:48 p.m.

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Hi

Could you save this e-mail in the appropriate place and change the record to 'wish to be heard'.

Cheers

Tami

-----Original Message-----

From: Michael Bennett [<mailto:MBennett@fedfarm.org.nz>]

Sent: Thursday, 3 April 2014 3:37 p.m.

To: Tami Woods

Subject: Federated farmers submission on variation 1 to the land and water regional plan.

Hi Tami.

Federated farmers would like to be heard on our submission on variation 1 to the Canterbury land and water regional plan.

Please advise if you have received this email (in meetings today).

Regards

Michael Bennett.

Sent from Samsung Mobile

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