

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

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In making this submission I could not gain advantage in trade competition;
 I wish to be heard in support of my submission;
 I would be prepared to present my submission in a joint case with others making a similar submission.

I have numbered issues in my submission that I wish to speak to and will endeavour to provide further information at the hearing.

1. In General – public communication

While I support the intent of the variation and the use of farm environmental plans rather than farmers lodging resource consents I am disappointed in the information sent through to the ratepayer (February 2014) encouraging them to understand the key features and make a submission.

For example the document mentioned the Cultural Landscape/Value Management Plan but did not include the land area in the map showing the Lake Zone and nominated river zones. While farm environmental plans will be required for all farms over 20 hectares or more, if you reside in the Cultural Landscape Management Area (Lake Zone) it is over 10 ha and required by mid-2015.

Also, there was no mention that farming is a permitted activity provided it is less than 5 ha and the nitrogen loss calculated for the property does not exceed 15 kg per ha per annum (Rule 11.5.6). For properties over 5ha and the nitrogen loss calculated exceeds 15kg per ha per annum, while unlikely in heavy soils this could be a reality in lighter soils. To show this compliance it will require every land owner greater than 5 ha and not part of the Central Plains Water Scheme to supply this information to Environment Canterbury for the establishment of a baseline land use as defined in section 2.10 of this Plan. (11.1A Selwyn/Waihora Sub-regional Section Definitions). **How practicable is the collection of this data given the timeframes?** I am aware Ecan staff have a pilot scheme in place to discover any issues that maybe encountered to comply with these rules within the allocated times frames.

Where the nitrogen loss calculation is greater than 15kg per ha per annum from 1st January 2017 and a farm environment plan has been prepared in accordance with Schedule 7 Part A and the nitrogen loss has not increased above the nitrogen baseline (established for the property) is proposed a restricted discretionary activity thus requiring a resource consent. An area of discretion is compliance and quality of the farm environmental plan.

The cost of preparing an initial farm environmental plan is estimated between \$1,000 and \$2000 though this could be higher if prepared by a consultant up to \$5,000. (Section 32 report page 103).

What is the cost for the establishment of baseline data for your property in regards to annual nitrogen losses to show compliance? Or is it intended to be covered by the farm environmental plan? If the intention is for every land owner > 5 ha and leaching >15kg of nitrogen annually to have a farm management plan then this information should have been highlighted as the minimum land area.

(If your land is irrigated by the Central Plains Water Scheme you are exempt from the above rules due to your consent conditions).

2. Drains –General

I acknowledge the work undertaken by land drainage committees, contractors and council staff to improve the water quality and habitat restoration of the designated drains and expect this work to be ongoing. Instead of digging drains deeper and disturbing the sediment, rakes are used that only remove the weed. It is hoped long term that suitable plantings providing shade alongside drains will reduce the frequency to clear the weed that restricts the water flows. It has to be accepted that water monitoring of the lowland springs has shown high nitrate and as the water passes through the heavy soils towards the Lake the nitrate content is lowered. This high nutrient loading can cause prolific weed growth that in times of heavy rain blocks the drainage system. Due to the extraction of groundwater, many of these drains, creeks and streams run dry in their upper catchments and grow grass. This has reduced the natural capital and biodiversity overtime and will take some time to re-establish, if at all in some locations. In this instance designated drains have access to a spraying consent. While on the farm these dry (private) drains can be grazed and in times of wet weather stock access could be restricted. And yes we all need to be aware of introducing stock troughs for drinking instead of using drains, but artificial drains introduced under the Land Drainage Act 1908 to lower the water table so residents could farm still have a part to play today and need to be managed. In times of power outage drainage water is the only available water source for stock. Access needs to be managed similar to the stockwater system and Ecan need to be notified. Ongoing improvements to the management of the land drainage schemes/infrastructure need to be recognised in policy.

2.1 Stock Exclusion

Policy 11.4.12 (d) exclude stock from drains in addition to regional requirements to exclude stock from lakes, river and wetlands. Page 4-6

I agree with the policy to improve water quality but I question the definition of a drain.

Some drains have water flowing all the time, others intermittent. Many drains are private unmaintained and not fenced as opposed to Council designated drains that must be maintained. In other rules the term used is artificial water courses. (Rule 11.5.18 Stock Exclusion page 4-14)

Relief sought

Amend policy to read- exclude stock from drains where the water flows all year round....; or

Clarify the definition of a drain for consistency i.e is a drain the same as an artificial water course and what are the expected annual flow rates to achieve this policy outcome?

Rule 11.5.18

Recognise in time of power outages that on notification to Ecan stock can access a drain for water. This rule excludes a water race supply but in times of a power outage stock need access to water.

Relief sought

Amend rule to also read – in times of a power outage and on notifying the consent authority stock can access drain water on the same terms as a stockwater race.

2.2 Policy 11.4.3 and 11.4.4 Cultural Landscape Values Management Area page 4-5

Within the Cultural Landscape area there exists communities with sewage infrastructure and land drainage networks.

Relief sought

Amend policy 11.4.3 to read a new section (c) recognising existing communities and infrastructure resources located in this area.

Amend policy 11.4.4 to read a new section (e) recognising existing communities and infrastructure resources located in this area.

2.3 Drainage Water

Rule 11.5.21 page 4-14

I understand this rule to capture both private and designated sub-surface and surface drains discharging into a river, lake or wetland within the cultural zone/landscape area lake zone will not be a permitted activity, thus a resource consent will be required. In the section 32 report page 104 the objective for introducing farm environmental plans as part of the permitted activity rule was to limit the number of resource consents required. In this Cultural area, lake zone a farm environmental plan is only required for land holdings above 10ha so what is envisaged for land owners with <10ha in this zone? Is it intended that all landowners in this zone that have sub-surface and surface drains to undertake a farm environmental plan and submit it as part of the resource consent?

In the management of discharge of sub-surface and surface drains into a river, lake or wetland if the permitted activity status cannot be meet then the values of the Lake Zone in the Cultural Landscape/Values Management Area be a matter to consider.

Relief sought

Delete Rule 11.5.21 and add a new rule where the permitted activity status cannot be meet a matter for discretion for resource consents is the consideration of the effects of the discharge within the Lake Zone in the Cultural Landscape Values Management Area.

2.4 Siltation Indicator – Fine Sediment

Page 4-28

The current indicator set for fine sediment <2mm diameter % coverage of the bed is not appropriate for a number of listed rivers in the Springfed Plains Table 11(a). Many of these rivers are recognised as part of a designated drainage network for example Silverstream, Snake Creek and the LII. I understand the natural base of the LII to be silty and this has been exacerbated due to stormwater consents upstream; and the natural base for both Snake and Silverstream , corresponds to the land sub-surface i.e where springs emerge the natural base can be fine sand, where gravel exist near the surface this can be seen in the rivers, and if the sub-surface is peat the natural base will be silty. This silt in times of flood, flows naturally downstream covering the gravel substrate. In times of build up this silt may need to be removed from designated drains to allow more upstream water to use the system efficiently. The current indicator does not consider the rivers natural state.

Relief sought

Delete the siltation indicator for fine sediment from table 11(a) or

Exclude the application of this indicator for rivers as part of the designated land drainage network.

2.5 River Zone in the Cultural Landscape/Values Management Area

Table 11(n)

Page 4-36

The location of the river zone is 20 meters either side of their source through to the Lake. What is the location of their source?

Relief sought

Include the location of the river source in the planning maps.

Debra Hasson



Dated 21 March 2014