

Allan Olsen

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From: Lionel Hume [lhume@fedfarm.org.nz]
Sent: Tuesday, 15 June 2010 10:31 a.m.
To: mailroom@ecan
Subject: TRIM: Federated Farmers Submission
Attachments: Waipara Env Flow Sub 2.pdf
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Dear Sir /Madam

Following my earlier emailed submission (first sent at 11.45 pm yesterday), I discovered a formatting error regarding a footnote in the submission. Attached is a corrected version. If possible use this version instead of the previous one.

Regards
Lionel

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THINK BEFORE YOU PRINT

Federated Farmers 2010 National Conference is in Invercargill. To attend the speaker packed plenary day on 24 June or the Prime Minister's luncheon on 25 June dial 0800 FARMING (0800 327 646).

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Received on the
14/06/10 (the Original)
AR Olsen.

SUBMISSION

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To: **Environment Canterbury**

By: **Combined Canterbury Provinces,
Federated Farmers of New Zealand**

On the: **Proposed Waipara Catchment Environmental Flow and Water
Allocation Regional Plan**

Date: 14 June 2010

Contact: **Lionel Hume**
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1 Introduction

- 1.1 Federated Farmers thanks Environment Canterbury for the opportunity to submit on the Proposed Waipara Catchment Environmental Flow and Water Allocation Regional Plan.
- 1.2 Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers
- 1.3 The Federation aims to add value to its members' farming businesses. 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.
- 1.4 This submission was developed in consultation with the members of Federated Farmers. It is important that this submission is not viewed as a single submission, but as a collective one, that represents the opinions and views of our members.
- 1.5 Federated Farmers acknowledges submissions from individual members of Federated Farmers.

2 Support for the Plan

- 2.1 Federated Farmers generally supports the plan in its current form, with the proviso that the plan does not reduce the reliability of water supply to existing consent holders. Our greatest concerns about the plan are outlined in the specific submissions below.

3 Specific Submissions

Provision:

Policy 1.7 (page 14), which limits A Block allocation to water takes lawfully established at the time this plan was notified, and new consents issued to replace them, unless the total A Block allocation is less than the amount shown as the A Block allocation limit in Table 1 and less than 30% of MALF for the particular sub-catchment.

Submission:

In assessing flows for the purpose of Policy 1.7, it is important that all contributing flows are included. For example, Upper Waipara flows are measured at White Gorge. A significant contribution to flow (15-20%) is made by Bobby Creek, which enters the Waipara River below White Gorge but above the irrigation takes. No account appears to have been taken of this contribution. This is crucial when allocation limits are set as a proportion of MALF.

Decision Sought:

Ensure that all contributing flows are included when assessing flows for the purpose of setting allocation limits.

Provision:

Policy 1.8 (page 14), which limits the amount of water allocated in any new consent that replaces an expiring consent to take water within the A Block set out in Table 1, to no more than the lesser of the previous take or the amount of water the applicant has actually taken and used under the previous consent.

Submission:

The amount of water actually taken is not an indication of need. The amount of water allocated should reflect need for the particular land use, based on long term climate data and should provide at least 90% reliability. Short term records of water use may not provide a reliable indication of need. Also, water use by perennial crops (such as grapes or olives) will increase as those crops mature.

Decision Sought:

Amend Policy 1.8 so that allocation reflects need/reasonable use.

Provision:

Policy 1.10 (page 14), which allows the conversion of a run-of-river take within the A Block to a take to storage or a take for frost-fighting, provided:

.....

- (b) The minimum flow for the take is increased to that shown in Table 1 for a take to storage or for frost fighting.

Submission:

Table 1 specifies increased minimum flows for takes to storage or for frost fighting. Federated Farmers is opposed to increasing the minimum flows for these activities. Water storage should be encouraged because it enables more effective use of limited water resources, and allows more efficient use of water for irrigation by enabling more accurate scheduling and the adoption of efficient technologies.

Decision Sought:

Delete part (b) of Policy 1.10, because it is not necessary, and because it discourages storage which enables more effective and efficient use of water resources.

Provision:

Policy 3.5 (page 16), which imposes partial restrictions on B Block takes and on A Block takes which are converted from run-of-river takes, to takes to storage. It also requires that the costs and benefits of imposing partial restrictions on the A Block will be investigated.

Submission:

The imposition of partial restrictions would decrease reliability of supply to existing consent holders. Therefore it is inconsistent with the statement in Part I, stating the intention to ensure that existing abstractors maintain a reasonable reliability of supply. The justification given, that storage would enable "water to be taken more often and for longer periods" is not convincing. The volume of water taken must ultimately be equivalent to the volume used, except during the initial filling of storage. Storage should be encouraged rather than penalized, because it enables the more efficient use of water, for example by enabling more accurate scheduling of irrigation and the adoption/use of modern application technologies. The plan should set environmental limits and leave the detailed management to consent holders, ideally using audited self-management approaches.

Decision Sought:

Delete Policy 3.5, because the imposition of partial restrictions would decrease reliability of supply to existing consent holders, and because it would discourage the use of storage and, therefore, discourage the efficient use of water. The plan should set environmental limits and leave the detailed management to consent holders, ideally using audited self-management approaches.

Provision:

Policy 3.8, which would limit the duration of new resource consents (including consents issued to replace expired consents), issued to take or use stream-depleting ground water or to take, use, dam or divert surface water within the Waipara River catchment, to five years, until such time as the environmental flow and allocation regime for the catchment is finalised through the making of this plan operative.

Submission:

The Proposed Natural Resources Regional Plan already contains general guidelines on resource consent duration, in Section 1.3.5. The nature of these guidelines is consistent with those proposed as example guidelines in the Ministry for the Environment publication *Resource Consent Durations and Reviews*¹. These existing guidelines correctly include matters such as *the costs and benefits of the activity to the community, and the consent holder's capital investment in a pre existing activity*. Federated Farmers submits that the existing Section 1.3.5 of the plan is satisfactory and that the proposed Policy 3.8 in this plan is not necessary and may well be counter-productive.

Federated Farmers has the strong view that consents to take water should be issued for 35 years whenever possible. Because of the very large sums of money needed to invest in irrigation infrastructure, both on-farm and off-farm, shorter consent durations will discourage investment.

Shorter consent durations may, perversely, adversely affect the environment by discouraging investment in technology which would enable water to be used more effectively and efficiently.

Consent duration is an indirect way to address environmental issues and because it is indirect it may have unintended effects, as argued above, by discouraging investment in technology which will reduce impacts on the environment. Federated Farmers submits that valid environmental concerns should be addressed directly via fair and reasonable consent conditions. Compliance

¹ Ministry for the Environment 2000: *Resource Consent Durations and Reviews, A study of regional council and unitary authority practice under the Resource Management Act 1991*. Ministry for the Environment, Wellington

with such conditions should be enforced. Consent duration should not be used as an indirect method to address environmental issues.

Decision Sought:

Delete Policy 3.8, because the Proposed Natural Resources Regional Plan already contains general guidelines on resource consent duration, in Section 1.3.5; because of the need to recognise the large, long-term nature of investment in irrigation infrastructure (both on-farm and off-farm); and because short consent durations may have adverse environmental effects by discouraging investment in modern, efficient technologies.

Provision:

Rule 2.2, parts (c)(i)(b) and (c)(ii)(b) (page 18), which raise minimum flows for A Block water to be used for frost protection or taken to storage.

Submission:

Consistent with our submission on Policy 1.10, above, Federated Farmers is opposed to increasing the minimum flows for these activities. Water storage should be encouraged because it enables more effective use of limited water resources, and allows more efficient use of water for irrigation by enabling more accurate scheduling and the adoption of efficient technologies.

Decision Sought:

Delete Rule 2.2, parts (c)(i)(b) and (c)(ii)(b), because they are not necessary, and because they discourage storage which enables more effective and efficient use of water resources.

Provision:

Rule 6.1(c) (page 19), which states that, if a groundwater take has a stream depletion effect of 3 l/s or more on any surface water body, singularly or in combination with any other lawfully established take, it must comply with the environmental flow and allocation regime for that surface water body, as set out in Table 1.

Submission:

The rule is inconsistent with the definition of hydraulically connected groundwater (page 22) which states that the stream depletion effect is an effect greater than 3 l/s. The rule should be amended to be consistent with the definition.

Decision Sought:

Amend Rule 6.1(c) to be consistent with the definition of hydraulically connected groundwater, as follows: ...stream depletion effect of greater than 3L/s ~~or more~~ on any surface water body...

Provision:

Table 1, AA Block allocation limits Jan – Dec (page 20).

Submission:

The Hurunui District Council has been investigating a gallery intake on the Lower Waipara for a take of 20 l/s, for the supply of Amberley. This is shown as the AA Block in Table 1. Care must be taken with the location of the take so as to not compromise the reliability of supply of existing consent holders.

Decision Sought:

Amend the plan to specify that the reliability of existing consent holders must not be compromised by the proposed gallery.

Provision:

Note at the bottom of Table 1, specifying minimum flows for frost protection and A Block storage.

Submission:

Consistent with our submissions on Policy 1.10 and Rule 2.2, above, Federated Farmers is opposed to increasing the minimum flows for A Block takes used for frost fighting or for A Block water taken to storage. Water storage should be encouraged because it enables more effective use of limited water resources, and allows more efficient use of water for irrigation by enabling more accurate scheduling and the adoption/use of efficient technologies.

Decision Sought:

Delete the note at the bottom of Table 1, because it is not necessary, and because it will discourage storage which enables more effective and efficient use of water resources.

Provision:

Section 32 Report: Section on consent duration (page 19).

Submission:

Consistent with our submission on Policy 3.8, above, Federated Farmers is opposed to the use of consent duration as an indirect means of addressing environmental issues. It will discourage investment in both on-farm and off-farm infrastructure and also discourage investment in efficient technologies for the use of water.

Decision Sought:

Delete the section entitled Consent Duration, because the Proposed Natural Resources Regional Plan already contains general guidelines on resource consent duration, in Section 1.3.5; because of the need to recognise the large, long-term nature of investment in irrigation infrastructure (both on-farm and off-farm); and because short consent durations may have adverse environmental effects by discouraging investment in modern, efficient technologies.

CONCLUSION

The Combined Canterbury Provinces of Federated Farmers thanks Environment Canterbury for the opportunity to submit on the Proposed Waipara Catchment Environmental Flow and Water allocation Regional Plan. We are committed to the sustainable management of the region's natural resources and look forward to continuing to work constructively with council in the future.

Federated Farmers wishes to be heard in support of its submission.

Neil Stott
President
North Canterbury Province
Federated Farmers of New Zealand

Lionel Hume
Senior Policy Analyst
Federated Farmers of New Zealand