

## Gay Gibson

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**From:** f.sutton@farmside.co.nz  
**Sent:** Friday, 24 October 2014 3:13 p.m.  
**Subject:** Submission: Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan  
**Attachments:** SCN\_0001.pdf; SCN\_0002.pdf; Submission to Land and Water Regional Plan Variation 2.docx

Please find attached submission forms and documents for the above plan.

Regards  
Fiona Sutton



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Submitter ID:

File No:

# Submission on Proposed Variation 2 to the 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 24 October 2014 to:

Freepost 1201 Variation 2 to pLWRP  
Environment Canterbury  
P O Box 345  
Christchurch 8140

Full Name: Fiona Sutton Phone (Hm): 3026820  
 Organisation\*: Oitongreen Farm Ltd Phone (Wk): \_\_\_\_\_  
 \* the organisation that this submission is made on behalf of  
 Postal Address: 225 Russells Road Phone (Cell): \_\_\_\_\_  
RD 4 Ashburton Postcode: 7774  
 Email: f.sutton@farmside.co.nz Fax: \_\_\_\_\_  
 Contact name and postal address for service of person making submission (if different from above):  
 \_\_\_\_\_

### Trade Competition

Pursuant to 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:

- a) adversely affects the environment; and
- b) 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
- I am not directly affected by an effect of the subject matter of the submission

Signature: [Signature]

Date: 24/10/2014

(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,
- I would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing

<b>(1)</b> The specific provisions of the Proposed Plan that my submission relates to are:		<b>(2)</b> My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>		<b>(3)</b> I seek the following decisions from Environment Canterbury: <i>(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.)</i>
Section & Page Number	Sub-section/ Point	Oppose/support (in part or full)	Reasons	
			Please see attached document	

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

To: Environment Canterbury Regional Council

Name of Submitter: Fiona J Sutton

**This is a submission on the following:**

**Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan**

**I could gain an advantage in trade competition through this submission as I am directly affected by an effect of the subject matter of the submission.**

Introduction

I am a shareholder in a family owned dairy farm business in the Lower Hinds/Hekeao Plains area.

My family have been operating the farm since 1972 after purchasing an existing dairy farm as a going concern. Initially we supplied fresh milk for Ashburton town supply before changing to factory supply in the mid 1980's. The farm has supplied Fonterra since its inception after a series of dairy company mergers and industry reconstruction occurring in the years leading up to 2001.

The farming system has gradually moved from low intensity System 1 dairy farm to a moderate intensity System 3 dairy farm over the past 42 years.

At the same time all infrastructure has been upgraded to comply with current environmental standards in accordance with resource consents and to ensure that irrigation efficiency is maximised subject to farm layout and water supply constraints.

I wish to make the following comments and submission regarding the Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan.

**1. General Submission - Variation 2: Lower Hinds/Hekeao Plains Area**

I agree with the need to limit nutrient runoff and ultimately reduce the environmental damage to waterways and wells to improve water quality for aquatic life, recreational activities, food and drinking water for current and future generations.

In order to achieve this each farming enterprise in the Hinds/Hekeao catchment should be treated by the Variation 2 rules in a fair and transparent manner by the application of **catchment** wide rules which apply to each farming enterprise on an individual basis.

I agree with the division of the Hinds/Hekeao catchment into Upper Hinds/Hekeao and Lower Hinds/Hekeao Plains for the determination of total load targets.

I disagree with the creation of further subgroups in the Lower Hinds/Hekeao Plains based on shareholding or membership of an irrigation scheme as this unnecessary for the purposes of applying land activity rules and nutrient discharge rules.

All farming enterprises should assess their Nitrogen Baseline, Good Management Practice (GMP) Baseline and target reductions, if applicable, in exactly the same manner. A discharge consent which pools nitrogen losses over a large land area because they receive irrigation water from a principal water supplier or irrigation scheme results in:

- confusion and a lack of transparency in the equitable allocation of nitrogen load limits or targets throughout the wider catchment
- an impression that those within the group are able to pool, average or transfer nitrogen losses within the subgroup
- that any savings or reductions of nitrogen losses can be reallocated to intensify land activities which currently are not under irrigation

These advantages or protections are not available for the large number farming enterprises who non-shareholder/members of an irrigation scheme.

**I seek the following decision from Environment Canterbury:**

**1.1 To amend Variation 2 Rules where applicable to give effect to the submission that all farming enterprises are assessed individually on their nutrient discharge provided the discharge is an authorised discharge.**

**1.2 To remove from the Variation 2 Rules any rule which creates or provides for separate discharge rules for any subgroup whereby nitrogen losses per hectare per annum are pooled.**

**1.3 To make any consequential amendment to any rule to give effect to the above submission.**

## **2. General Submission – Variation 2: Dairy Farm Target Reductions**

I agree with concept that reductions to current nitrogen baseline losses are needed to achieve a *suitable* catchment wide target.

I disagree with all Variation 2 rules where percentage reductions in required nitrogen losses are applied by farming type, specifically to **all** dairy farms (up to 45%) and dairy support (up to 25%). The implementation of these percentage reductions assumes that all dairy farms and dairy support farming enterprises are high leaching or have greater flexibility to reduce nutrient loss.

In the case of my dairy farming activity the nitrogen baseline is approximately 22kgN/year (before GMP). This is equivalent to many arable, sheep and beef farms and some dairy farms. The rules as proposed result in a requirement to reduce our nitrogen loss calculation to approximately 12kgN/ha/year, after the implementation of percentage reductions based on

Table 13(h). This amount excludes any impact of changes to the nitrogen baseline as a result of GMP as these are unknown.

To distinguish between farming type results in further unevenness in the allocation of nutrients over the catchment as:

- many high leaching farming enterprises are still achieving nitrogen losses at significantly higher rates over the 30 year period to 2035 and therefore have a greater impact on the environment than low leaching farming enterprises for the same period.
- non-dairy farming activities are not required to reduce from the GMP baseline in recognition of low leaching and environmental impact however **all** low leaching farms should be given the same advantages and treated in the same manner.
- new development up to 30,000 hectares can introduce new leaching up to 27kgN/ha/year with no requirement to reduce nitrogen losses over time. This 27kgN is greater than my (and others) nitrogen baseline and therefore is inconsistent with the grandfathering approach proposed by the Ashburton Zone Committee and Environment Canterbury.

Further, the impact of the proposed Good Management Practices and catchment wide mitigation opportunities (ie Managed Aquifer Recharge (MAR)) has not yet been established as these projects are not complete and there is no way to ascertain for individual properties whether sufficient reductions will be achieved by implementing these practices alone.

It is possible that low leaching dairy farms after the implementation of GMP and/or MAR decrease below 20kgN/ha/year and to expect further reductions is unreasonable.

The cost in terms loss of flexibility and associated equity for dairy farmers who **already have low leaching** does not seem to have been considered and the need to make further nitrogen loss reductions is disproportionate to the contribution these farms make to nitrogen loadings in the catchment.

To provide a fairer base for the allocation of nitrogen over the catchment I suggest that nitrogen target reductions should be triggered when **any** farming activity exceeds an agreed level (for example 27kgN/ha/year as made available to new development in the Rules) and that the reference to dairy and dairy support in Table 13(h) be removed.

**I seek the following decision from Environment Canterbury:**

- 2.1 To amend Variation 2 Table 13(h) by including percentage reductions to nitrogen losses beyond Good Management Practice for all farming enterprises exceeding 27kgN/ha/year without reference to farming type; dairy, dairy support or other.**
- 2.2 To make any consequential changes to any other rule in Variation 2 to give effect to this submission.**

### **3. Specific Submission – Rule 13.5.16**

I agree in part with this rule in that the threshold of 20kgN/ha/year being a *permitted activity* is acceptable.

However, it is not clear whether the approval of a *permitted activity* will result in further reductions in nitrogen in accordance with the percentages listed in Table 13(h).

In recognition of the low level of environmental impact of **any** farming enterprise which meets the conditions of Rule 13.5.16 I submit:

- that no further reductions in nitrogen losses are required
- that permitted activity status commences at the time when the nitrogen loss calculation for any farming enterprise does not exceed 20kg/ha/year.

**I seek the following decision from Environment Canterbury:**

**3.1 To amend Rule 13.5.16 to add provision that any farming enterprise, which fulfils the conditions required to be a permitted activity, is not required to make further reductions in nitrogen losses as per Table 13(h) or any other rule in Variation 2 or the proposed Canterbury Land and Water Regional Plan.**

**3.2 To amend Rule 13.5.16 to add provision for any farming enterprise which reduces nitrogen losses to an amount below 20kgN/ha/year at any time, and fulfils any other condition required be approved as a permitted activity, is not required to make further reductions in nitrogen losses as per Table 13(h) or any other rule in Variation 2 or the proposed Canterbury Land and Water Regional Plan.**