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**From:** Victoria Lamb <Victoria.Lamb@beeflambnz.com>  
**Sent:** Friday, 30 January 2015 4:45 p.m.  
**Subject:** V2 pLWRP Further Submission  
**Attachments:** WGTN\_DOCS-#162519-v1-V2\_pLWRP\_Further\_Submission\_B+LNZ\_Final.PDF

EC328731

Dear ECan,

Please find attached Beef + Lamb New Zealand's further submission on Variation 2 of the proposed LWRP.

Please contact me if you have any queries.

Kind regards

Victoria Lamb

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**By farmers.  
For farmers**

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# SUBMISSION

30 January 2015

TO:  
Canterbury Regional Council

ON:  
**Further Submission on Proposed  
Variation 2, to the Proposed  
Canterbury Land and Water  
Regional Plan**

BY:  
Beef + Lamb New Zealand Ltd



**FURTHER SUBMISSION TO ENVIRONMENT CANTERBURY ON THE PROPOSED VARIATION 2  
TO THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN – SECTION 13  
ASHBURTON**

Form 6

Further submission in support of or in opposition to, submission on publicly notified proposed policy statement or plan.

Clause 8 of First Schedule, Resource Management Act 1991

To: Canterbury Regional Council  
P O Box 345  
Christchurch 8140

Name of Further Submitter: Beef + Lamb New Zealand Ltd  
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This is a further submission in response to submissions made on the following Proposed Variation 2 to the proposed Canterbury Land and Water Regional Plan.

The following pages detail the specifics in relation to our support or opposition to various submissions lodged. Our further submissions include the particular parts of each submission supported or opposed alongside our reasons for that position and what decision we seek from the local authority.

Beef + Lamb New Zealand wishes to be heard in support of this submission.

**Note to person making further submission**

A copy of your further submission must be served on the original submitter within 5 working days after making the further submission to the local authority.

### **Allocation of N discharge**

Beef + Lamb New Zealand supports those submissions that made general reference to the approach of the primary sector Land and Water Partnership.

In particular the reference to the process of adoption of good management practice and the move over time to an equitable allocation approach based on the productive and physical characteristics of the land (parent rock type, soil type, slope, erosion, climate, past land use, potential for improvement e.g. irrigation).

This approach will result in a more equitable allocation in the longer term, and provide adequate time for businesses to adjust their businesses.

Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
Irrigation NZ	52278	Policy 13.4.6	Amend Policy 13.4.6: The water resulting from any surrendered surface water and stream depleting groundwater takes in the Hakatere/Ashburton River catchment will not be reallocated and will be left in the river until such time as the catchment is no longer over allocated <del>and in the Hinds/Hekeao Plains Area will not be reallocated and will be left in the river.</del>	Support	Once a catchment is no longer over-allocated, the water can then be made available to enable sustainable productive use.
Upper Hinds Plains Land User Group	56707 V2 pLWR P-962	Policy 13.4.9(c)	Delete Policy 13.4.9(c) While UHPLUG supports carrying out practices which aim to minimise the entry of contaminants into surface water bodies, it is opposed to including a policy for restricting nitrogen losses in the Upper Hinds/Hekeao Plains Area catchment where the water quality data indicates that nitrate toxicity in the surface waterways of the Upper Hinds/Hekeao Plains Area is not currently, and is unlikely in the future, to be an issue.	Support in part	We support a policy that recognises that water quality risks in the Upper Hinds area are from sediment, P and E. coli inputs as well as nitrogen leaching and therefore managing these risks via controls on nitrogen losses is unnecessary and is not likely to effectively manage the risks.  We support management of N loss (and other contaminants) through use of Farm Environment Plans, adoption of GMPs and in-stream contaminant (including DIN) concentration limits that meet community water quality objectives.
DairyNZ	52271 V2 pLWR P-547 & V2 pLWR	Policy 13.4.9 (c) & (b)	Delete Policy 13.4.9(c) and amend Policy 13.4.9(b) as follows: <i>Improving management of microbes, <b>nitrogen</b>, phosphorus, and sediment in both areas</i>	Support	We support a policy that recognises that water quality risks in the Upper Hinds area include sediment, P and E. coli inputs rather than only nitrogen leaching and therefore managing these risks via controls on nitrogen losses is unnecessary and is not likely to effectively

Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
	P-549				<p>manage the risks.</p> <p>We support management of N loss (and other contaminants) through use of Farm Environment Plans, adoption of GMPs and in-stream contaminant (including DIN) concentration limits to meet community water quality objectives.</p> <p>We also note that inclusion of Nitrogen in 13.4.9(b) supports improved management N loss in the area, while not going as far as setting restrictions on N loss increases.</p>
Central South Island Fish and Game Council	53274 V2 pLWR P-403	Policy 13.4.9	Delete Policy 13.4.9 and replace with new text including (amongst other matters) provision that: “... <i>(4) Increases in nitrogen leaching are prohibited...</i> ”	Oppose	<p>We support a policy that recognises that water quality risks in the Upper Hinds area are from sediment, P and E. coli inputs rather than solely nitrogen leaching and therefore managing these risks via controls on nitrogen losses is unnecessary and is not likely to effectively manage the risks.</p> <p>We support management of N loss (and other contaminants) through use of Farm Environment Plans, adoption of GMPs and in-stream contaminant (including DIN) concentration limits to meet community water quality objectives.</p>
DairyNZ	52271 V2 pLWR	Policy 13.4.9(d)	Amend policy 13.4.9(d) as follows: <i>Reducing overall nitrogen losses by 45 30 percent in the lower Hinds/Hekeao Plains Area and adopting</i>	Support	We support the separation of policies that look to the use of managed aquifer recharge (i.e. dilution) to help improve

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	P-550 and 552		<p><del><i>the use of managed aquifer recharge to augment groundwater and/or surface water.</i></del></p> <p>Add a further Policy 13.4.9 (e) as follows:</p> <p><u><i>Adopting the use of catchment scale mitigations for ground or surface water of the Hinds/Hekeao Plains, including augmentation, by way of managed aquifer recharge and targeted stream augmentation.</i></u></p>		<p>water quality from those that set requirements for N loss reductions (i.e. restrictions on land use).</p> <p>Further, we consider that the percentage for N loss reductions (i.e. 45%) may over state what is needed from land users as part of the fuller package for achieving water quality objectives. We understand that the appropriate “all of catchment” nitrogen loss reduction target to be achieved by existing land use is 30%, and that a higher percentage reduction would only be needed if managed aquifer recharge was not used or was not successful.</p> <p>Support the changed N loss if the science supports it achieving catchment loads when combined with the effects of MAR and TSA</p>
Fish and Game Council Central South Island	53274 v2 Plwrp-403	Policy 13.4.9(d)	They request that a 45% reduction in nitrogen leaching be achieved by 2030.	Oppose	<p>We support the separation of policies that look to the use of managed aquifer recharge (i.e. dilution) to help improve water quality from those that set requirements for N loss reductions (i.e. restrictions on land use).</p> <p>Further, we consider that the percentage for N loss reductions (i.e. 45%) may over state what is needed from land users as part of the fuller package for achieving water quality objectives. We understand</p>

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					that the appropriate “all of catchment” nitrogen loss reduction target to be achieved by existing land use is 30%, and that a higher percentage reduction would only be needed if managed aquifer recharge was not used or was not successful.  Longer timeframes for achieving reductions may be required in some circumstances.
Hinds Plains Land and Water Partnership	56730	13.4.9 – 13.4.19	Add a new policy to: Allow the formation of land user groups [so farmers can get together to manage losses within overall policy]. Amend Variation so that 'Land User Group' has similar status to 'Farming Enterprise' and where farming enterprise is referred to it also refers to Land User Groups. Any consequential amendments	Support	Will assist with the management of nutrient discharge on a whole catchment basis.
Eiffelton Community Group Irrigation Scheme	56798	13.4.10	Amend policy 13.4.10(a) to clarify the reference to drain, ensuring that this only applies to the main stems of drains, as listed in Table 13(e). Ensure the FEPs address the stock exclusion from other drains.	Support	An appropriate definition of drain is needed in the context of this rule
Fish and Game Council Central South Island	53274 V2 pLWR P - 472	Policy 13.4.10	Amend policy to read: <i>Excluding cattle, pigs, and deer from surface waterbodies including drains and ephemeral waterbodies</i>	Oppose	We support a policy that does not require stock exclusion from water bodies (natural or artificial) that are ephemeral in nature.
DairyNZ	52271 V2	Policy 13.4.11	Amend as follows: <i>Maintain water quality in the Upper Hinds/Hekeao</i>	Support	We support a policy that recognises that risks to water quality and ecological health in the Upper Hinds area are affected by



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	pLWR P-557		<p>Plains Area by <del>capping discharges of nitrogen at 144 tonnes of nitrogen per year and</del> requiring all farming activities to operate at good management practice to <del>manage nutrient, microbial and sediment losses to maintain current phosphorus losses to achieve the limits in Table 13(ga).</del></p> <p>See submission for Table 13(ga).</p>		<p>sediment, P, E.coli and N but that N is not the over-riding priority in management. Accordingly the policies should direct focus appropriately on managing all key risks rather than a single focus on an N load limit.</p> <p>Nevertheless, a mechanism is required to ensure N remains at levels that are not problematic. A DIN concentration limit will achieve that. Managing to achieve the limits in Table 13(ga) ensures that <i>all</i> the key risks to water quality in the Upper Hinds are considered.</p>
Irrigation NZ	52278	Policy 13.4.11	<p>Amend as follows:</p> <p><i>Maintain water quality in the Upper Hinds/Hekeao Plains Area by <del>capping discharges of nitrogen at 144 tonnes of nitrogen per year and</del> requiring all farming activities to operate at good management practice</i></p>	Support	Adherence to good management practices is sufficient in the upper catchment
Fish and Game Council Central South Island	53274	Policy 13.4.11	<p>Delete Policy 13.4.11 and replace with a new policy which ensures that land use will be managed to ensure that the objectives, limits/ targets set out in tables 13(a), 13(g) and 13 (j) will be achieved by 2050 for the objectives, and 2030 for the loads. Nutrient loads should be calculated based on the loads required to achieve the instream DRP and DIN limits/ targets set out in the amended table 13(j).</p>	Oppose in part	<p>The timeframes are unrealistic and are opposed.</p> <p>The approach of in-stream DRP and DIN limits is supported over a fixed catchment load.</p>
			Should also consider flexibility cap option for the upper catchment as in FFNZ submission	Support in part	The flexibility cap approach should be used in both upper and lower catchments

Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
DairyNZ	52271 V2 pLWR P-558	Policy 13.4.12	Amend as follows <i>Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen from farming activities to <del>achieve a target load of 3400 tonnes of nitrogen per year</del> <u>70% of the catchment load contributed by farming activities as at 1 October 2014</u> by 2035.</i>	Support in part	We support a policy that does not lock in a catchment load limit when there is considerable uncertainty as to its validity or when the calculation may change over time (due to, for example, updating of Overseer). The initial focus should be on implementing GMP's. Improvements to water quality should be framed in terms of DIN and DRP targets that meet the community's water quality objectives.
Fish and Game Council Central South Island	53274 V2 pLWR P-474	Policy 13.4.12	That the 3400 tonne/yr load limit be replaced by in-stream targets relating to DIN and DRP	Support	
DairyNZ	52271 V2 pLWR P-559	13.4.13(a)	Amend as follows: <i>Farming activities including farm enterprises in the Lower Hinds/Hekeao Plains Area whether or not they are supplied with water by an irrigation scheme or a principal water supplier, achieve a target load <u>calculated as 70% of catchment load contributed by farming activities as at 1 October 2014</u> <del>of 3400 tonnes of nitrogen per year</del> by:</i> <i>a) Requiring existing farming activities to <u>implement meet</u> good management practices <u>nitrogen loss rates</u> from 1 January 2017, <del>calculated on the baseline land uses</del>;</i>	Support in part	A catchment load limit should not be "locked in" when there is uncertainty as to its accuracy or when the calculation may change over time (due to, for example, updating of Overseer). The catchment load should be expressed as DIN and DRP and outcome based objectives to meet community determined water quality outcomes. With particular respect to 13.4.13(a), it is not appropriate to imply that there are specific quantified GMP rates that need to be complied with when these do not exist yet and hence their appropriateness cannot be tested through the

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					<p>submission/hearing process.</p> <p>MGM numbers should sit outside the LWRP and its Variations.</p> <p>Oppose the deletion of N loss rates. All properties should be at or below the relevant Good Management Practice N loss rates as well as implementing the GMPs once known.</p>
Fertiliser Association of NZ	56725	13.4.13(b)	Delete Policy 13.4.13 (b) and review the approach required to meet overall N loss reductions once Good Management Practice Nitrogen Loss Rate values are established for all	Support in part	GMP N loss rates should be for the full suite of land uses in the catchment, not by sector.
DairyNZ	52271 V2 pLWR P-559	13.4.13(b)	<p>Amend as follows:</p> <p><i>Requiring a collective reduction in nitrogen loss from farming activities across the lower Hinds/Hekeao Plains Area for all properties with a nitrogen loss calculation exceeding 25 kg per hectare per annum further reductions for dairy farming and dairy support from 1 January 2020, in accordance with Table 13(h); and</i></p>	Support in part	<p>All farming activities should be treated the same i.e. there should be no land use discrimination when setting N loss requirements.</p> <p>Regardless of the farming activity, higher emitters should reduce N loss at a greater rate than lower emitters.</p> <p>Trigger point for reductions and the flexibility cap should be 27kg to provide for equity between existing farmers and new or changed land uses.</p> <p>Table 13(h) will require amendment to reflect the reductions by N loss reduction rather than by farming type.</p> <p>The rule appropriately lists the reduction targets (Table 13 h) as matters of discretion (rather than as conditions of the rule). Hence some policy/criteria is</p>

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			<p>And add a new related sub policy as follows</p> <p><i>c) Determining the extent and timing of nitrogen loss reductions to be achieved on individual farm properties from 1 January 2020 by:</i></p> <p><i>A. use of an expert farm systems advisory panel reviewing resource consent applications and any associated Farm Environment Plans and providing independent advice to Canterbury Regional Council about the opportunities for nitrogen loss mitigation given the individual circumstances of each farm property.</i></p> <p><i>B. having regard to the following matters in considering the individual circumstances of each farm property:</i></p> <p><i>i. The nitrogen baseline for the property and the level of any reductions already achieved from that baseline; and</i></p>		<p>required to guide the way in which that discretion is to be exercised. Note though this should focus on defining the limited circumstances under which a departure from the reduction schedule of Table 13(h) is justified.</p> <p>All N loss reductions for high leachers (above 27kg N /ha/yr) must be determined using an agreed and transparent methodology that reflects the need to reduce catchment loads.</p> <p>Flexibility cap should correspondingly be set at 27kg to ensure equity for all users.</p> <p>Flexibility is provided through variable timeframes for the meeting of Nitrogen Discharge allowance.</p>

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			<p><i>ii. Any natural or physical constraints to lower nitrogen leaching faced on-farm that are outside of a farmer's control; and</i></p> <p><i>iii. The level of investment in farm infrastructure and where a farm might be in the cycle of infrastructure replacement; and</i></p> <p><i>iv. The capital and operational costs of making nitrogen loss reductions and the benefit (in terms of maintaining a farm's financial sustainability) of spreading that investment over time.</i></p>		
DairyNZ	52271 V2 pLWRP -566	Policy 13.4.14	<p>Add a new Policy 13.4.14A as follows:</p> <p><u><i>Enable catchment scale mitigations that improve overall water quality in the Hinds/Hekeao Plains Area and improve reliability of supply for surface water takes, including:</i></u></p> <p><u><i>(a) improving flows in the spring fed water bodies;</i></u></p> <p><u><i>(b) decreasing nitrate nitrogen concentrations in the Hinds River/Hekeao and spring fed waterbodies; or</i></u></p> <p><u><i>(c) enhancing in-stream habitat.</i></u></p> <p>And amend Policy 13.4.14 to state:</p> <p><u><i>Improve the flows in spring fed waterbodies and/or decrease nitrate nitrogen concentrations in the Hinds/Hekeao spring fed waterbodies and groundwater in the Lower Hinds/Hekeao Plains Area by enabling <u>Enable</u></i></u></p>	Support in part	<p>The policy is unnecessarily limited to MAR and TSA while there are other catchment scale mitigations that could also improve overall water quality and should also be enabled.</p> <p>Further, the purpose of MAR and TSA should include improving water quality and in-stream habitat generally as well as reliability of supply for surface water takes.</p> <p>There is potential for increased flows and levels to adversely affect drainage in the lower catchment in the autumn through to spring. While increasing flows is an important part of the solutions package the potential for conflict/adverse effects on farming needs to be both acknowledged</p>

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			<p><i>managed aquifer recharge (MAR) and targeted stream augmentation (TSA), where <u>adverse effects can be appropriately managed. In determining whether adverse effects can be appropriately managed Canterbury Regional Council will:</u></i></p> <p><i><u>(a) Encourage consultation to be undertaken with affected communities and landholders before any application is lodged for a MAR or TSA project; and</u></i></p> <p><i><u>(b) Ensure research is undertaken to allow (in conjunction with the information gathered through the process described in (a) above) for the full assessment of the matters listed in (c) below.</u></i></p> <p><i><u>(c) Require that:</u></i></p> <ul style="list-style-type: none"> <li><i>i. adverse effects on cultural values, including those associated with unnatural mixing of water are <del>satisfactorily</del> avoided <u>or mitigated</u>;</i></li> <li><i>ii. adverse effects on the availability and quality of community drinking water supplies are avoided;</i></li> <li><i>iii. adverse effects on fish passage are avoided or mitigated;</i></li> <li><i>iv. Inundation of existing wetlands is avoided, remedied or mitigated through scheme design, constructions and operation;</i></li> <li><i>v. There is no net loss of significant biodiversity habitat of indigenous biodiversity; <del>and</del></i></li> <li><i>vi. Adverse effects on people and property from raised groundwater levels and higher flows are avoided;</i></li> </ul>		<p>and carefully managed. Consultation with the community and land owners during development of projects will be crucial.</p>

Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
			<u>and</u> <u>vii. Adverse effects on farming activities and production are avoided.</u>		
Fish and Game Council Central South Island	53274	13.4.14	Amend Policy 13.4.14 to include salmonid fishery, salmonid spawning, and recreational use values. Any consequential amendments.	Oppose	Focus should appropriately be on indigenous species.
Eiffelton Community Group Irrigation Scheme Inc	56799	13.4.14	Amend Policy 13.4.14 as follows: Improve flows in spring-fed waterbodies and/or decrease nitrate nitrogen concentrations in the Hinds River/Hekeao spring-fed waterbodies and groundwater in the Lower Hinds/Hekeao Plains Area by enabling having regard to managed aquifer recharge and targeted stream augmentation, where: And Ensure the expected outcome is an 'overall net improvement' (in at least matters (a)-(e)) rather than a focus on 'avoidance' Or Add new condition to Policy 13.4.14 as follows: [x] the benefits that derive from ensuring existing irrigation schemes that harvest and discharge water into waterbodies are able to continue.	Support in part	Need to recognise the co-benefits derived from the use of existing infrastructure.
Eiffelton Community Group Irrigation Scheme	56798	13.4.14	Amend Policy to (1) retain the use of existing infrastructure and methods used by ECGIS to run their irrigation scheme and others who have invested in infrastructure (ponds) and (2) Allow similar schemes to be established within the Hinds Drains district if this is feasible and necessary as a way of improving the flow and decreasing nitrates. Add new condition as follows: Where existing infrastructure such as used by the ECGIS and others to supplement flows or harvest	Support in part	Need to recognise the co-benefits derived from the use of existing infrastructure.

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			water for irrigation are encouraged		
Eiffelton Community Group Irrigation Scheme	56798	13.4.14	Ensure 13.4.14(f) is given adequate consideration, given the potential effects that MAR is likely to have.	Support	
Irrigation New Zealand Inc	52278 V2 pLWR P-179	13.4.16	Amend as follows: <i>Improve flows in spring-fed waterbodies and the Lower Hinds River/Hekeao to meet economic cultural, social and environmental outcomes in the Hinds/Hekeao Plains Area by requiring adherence to flow and allocation limits, and limiting the volume and rate of abstraction on replacement water permits to reasonable use calculated in accordance with method 12 in Schedule 10. and prohibiting increased use arising from the transfer of consented volumes of water within surface water catchments and the Valetta Groundwater Allocation Zone.</i>	Support in Part	Although purporting to prohibit only those transfers that lead to increased water usage, the associated rules prohibit any transfer. There are circumstances when transfer will not have negative effects on water usage and may have positive in-stream effects. While this policy appears to recognise that, it does not follow through to the relevant rules. Transfer is generally something to be encouraged to provide for allocative efficiency. Prohibition would be contrary to Policy B3 of the NPS for Freshwater Management 2014.  The provisions of the pLWRP provide an adequate framework for managing transfers and this part of Policy 13.4.16 is superfluous (and misleading).  Some rewording may be needed.
Ashburton Hinds Drainage Rating District Liaison	56687	13.4.16	Amend Policy 13.4.16 to allow for some farms to access water off farm by using the drains as a means of conduit.	Support	Need to recognise the co-benefits derived from the use of existing infrastructure and to be flexible about where water is sourced from.



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Committee					
Director General of Conservation	53688 V2 pLWR P-428	13.4.18	Amend Policy 13.4.18: <i>In the Lower Hinds/Hekeao Plains Area, with the exception of the Lower Hinds River/Hekeao, <del>and until 30 June 2020</del>, any water permit granted to replace an existing water permit will be subject to the minimum flow and allocation limits in Table 13(e) <u>until replaced by minimum flow and allocation limits introduced by a plan change.</u></i>	Support in part	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Fish and Game Council Central South Island	53274 V2 pLWR P-500	13.4.18	Retain Policy 13.5.18.	Oppose	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a

Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
					regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Eiffelton Community Group Irrigation Scheme Inc	56799 V2 pLWR P-104	13.4.18	<p>Amend Policy 13.4.18:</p> <p><i>In the Lower Hinds/Hekeao Plains Area, with the exception of the Lower Hinds River/Hekeao, <del>and until 30 June 2020</del>, any water permit granted to replace an existing water permit will be subject to the minimum flow and allocation limits in</i></p> <p><i><u>(i) Table 13(e); or</u></i></p> <p><i><u>(ii) any replacement to Table 13(e) that has been collaboratively developed and included in this Plan through a Schedule 1 RMA process.</u></i></p> <p>Include advice note stating:</p> <p><i><u>The replacement of an existing water permit that complies with the minimum flow and allocation limits referred to in Policy 13.4.18 and Table 13(e) will be a restricted discretionary activity under Rule 5.132.</u></i></p>	Support in part	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Eiffelton Community Group Irrigation	56798 V2 pLWR	13.4.18	<p>Amend Policy 13.4.18 as follows:</p> <p><i>In the Lower Hinds/Hekeao Plains Area, with the exception of the Lower Hinds River/Hekeao, <del>and until</del></i></p>	Support	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-

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Scheme	P-1095		<i><u>30 June 2020</u>, any water permit granted to replace an existing water permit will be subject to the minimum flow and allocation limits in Table 13(e) <u>until there is a collaboratively developed flow and allocation regime that has been included in the plan through a schedule 1 RMA process.</u></i>		124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Director General of Conservation	53688 V2 pLWR P-429	13.4.19	Delete Policy 13.4.19	Support	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will

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					become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Fish and Game Council Central South Island	53274 V2 pLWR P-501	13.4.19	Retain Policy 13.4.19	Oppose	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Eiffelton Community Group Irrigation Scheme Inc	56799 V2 pLWR P-1039	13.4.19	Delete Policy 13.4.19	Support	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e)

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					prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Ashburton Hinds Drainage Rating District Liaison Committee	56687 V2 pLWR P-1079	13.4.19	Minimum flow and allocation limits should continue as listed in Table 13(e) until there is a collaborative agreement achieved on individual drains by the Working Drains Party.	Support in part	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only

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					applies to new takes.
Eiffelton Community Group Irrigation Scheme	56798 V2 pLWR P-1096	13.4.19	Delete Policy 13.4.19	Support	It is noted that Variation 2 as drafted will mean replacements of existing water permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Upper Hinds Plains Land User Group	56707 V2 pLWR P-966	Rule 13.5.8	Delete condition 2	Support	Water quality risks in the Upper Hinds are primarily related to sediment, phosphorus and E. coli inputs rather than nitrogen. The risks associated with nitrogen concentrations in-stream does need to be managed (alongside other contaminants that adversely affect values) but the main risks to water quality are from run-off and riparian management rather than nitrogen leaching.

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Upper Hinds Plains Land User Group	56707 V2 pLWR P-967	Rule 13.5.9	Delete condition 1.	Support	Nitrogen is not the main risk to water quality in the Upper Hinds/Hekeao Plains area. In the event that simple deletion of condition 1 is not accepted then introduce an appropriate flexibility as requested in Federated Farmers submission.
			Fed Farmers' sub is also a valid option i.e. delete condition 1 and introduce an appropriate flexibility threshold.		
DairyNZ	52271 V2 pLWR P-572	Rule 13.5.10	Delete Rule 13.5.10	Support	With the nitrogen baseline condition removed from Rules 13.5.8 and 13.5.9, Rule 13.5.10 is unnecessary and can be removed.
			Fed Farmers' sub is also a valid option i.e. delete condition 1 and introduce an appropriate flexibility threshold.		
Ravensdown Fertiliser Co-operative Limited	56708 V2 pLWR P-748	Rule 13.5.11	Amend Rule 13.5.11: The use of land for a farming activity that does not comply with conditions 2 or 3 of Rule 13.5.9 or condition 3 of Rule 13.5.10 is a restricted discretionary non-complying activity. Matters for discretion relate to nutrient management and the catchment load, including: 1. The quality of, compliance with and auditing of the Farm Environment Plan; and 2. The ability to meet the nitrogen load target for farming activities in Table 13(g); and 3. From 1 January 2017 the Good Management Practice Nitrogen Loss Rates to be applied- these Good Management Nitrogen Loss Rates are calculated based on the baseline land uses; and 4. The potential benefits of the activity to the	Support	The activity status requested by the submitter is more appropriate than that in the proposed plan.

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			applicant, the community and the environment. (or similar wording)		
Hinds Plains Land and Water Partnership	56730 V2 pLWR P -322	Rule 13.5.15	Amend Variation 2 to provide for a flexibility cap (similar to the South Canterbury Coastal Streams proposal) and include in Rule 13.5.15.	Support	Farming activity that has a low nitrogen discharge is not contributing to the over-allocation (arguably any N discharge lower than the average per hectare required to meet the limit is within the assimilative capacity of the catchment) and should not be limited to its nitrogen baseline but be allowed some flexibility to increase up to a cap as a permitted activity to allow for seasonal variation and to help maintain viability as circumstances change.
Eiffelton Community Group Irrigation Scheme	56798 V2 pLWR P- 1295	Rule 13.5.15	Amend Rule 13.5.15: Immediately interpret and apply the baseline provisions in a realistic way, recognising that farming businesses need flexibility to adjust land use and practises and that many farm systems are cyclical in nature.  Medium term, replace the baseline provisions with a more equitable allocation strategy as soon as possible, such as the approach developed by the Land and Water Partnership.	Support	The approach developed by the land and water partnership provides for an equitable allocation of N discharge rights over time (see appendix 1).
Hinds Plains Land and Water Partnership	56730 V2 pLWR P -324	Rule 13.5.16	Amend Variation to provide for a flexibility cap (similar to the South Canterbury Coastal Streams proposal) and include in Rule 13.5.15	Support	With regard to the relationship between condition 1 and 2, a farming activity that has a low nitrogen discharge is not contributing to the over-allocation (arguably any N discharge lower than the average per hectare required to meet the limit is within the assimilative capacity of



Submitter Name	Sub No.	Section of Plan	Summary of relevant part of Submission	Support/ Oppose	Reason for submission
					<p>the catchment) and should not be limited to its nitrogen baseline but be allowed some flexibility to increase up to a cap as a permitted activity to allow for seasonal variation and to help maintain viability as circumstances change.</p> <p>With regard to condition 2, a 27kgs cap on an baseline N loss before resource consent is required to allow for:</p> <ul style="list-style-type: none"> <li>• Farming activities to remain at a relatively low nitrogen loss baseline within obligations to reduce further; and</li> <li>• The equal treatment of properties within and outside irrigation schemes</li> </ul>
Fish and Game Central South Island	52271 V2 pLWR P-578	Rule 13.5.16	Amend the Rule so that the activity status is controlled as the rule covers both s9 and s15 land use and associated discharges.	Oppose	Controlled activity status is unnecessary for low leaching activities.
DairyNZ	52271 V2 pLWR P-579	Rule 13.5.17	<p>Amend as follows:</p> <p><i>From 1 January 2017, the use of land for a farming activity in in the Lower Hinds/ Hekeao Plains Area is a restricted discretionary activity, provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <li><i>1. The nitrogen loss calculation for the property is greater than <del>2025</del> kgs per hectare per annum; and</i></li> <li><i>2. The nitrogen loss calculation for the property, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not increase above the nitrogen</i></li> </ol>	Support in part	<p>With regard to condition 1, a change to 27 kgs is required for equity</p> <p>With regard to matter of discretion 2, requiring compliance with a “locked in” load target is inappropriate when there is uncertainty as to its validity or when the calculation may change over time (due to, for example, updating of Overseer).</p> <p>With regard to matter of discretion 3, good management practice rates currently do not exist and their appropriateness</p>

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			<p><del>baseline; and/or</del></p> <p><u>3. The property is within that area shown as Green on the LWRP Planning Maps and the nitrogen loss calculation for the property, excluding any area of land subject to resource consent granted under Rule 13.5.14, does not exceed the nitrogen baseline plus 5kgs per hectare per annum, whichever is greater; and</u></p> <p>4 A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and supplied to Environment Canterbury on request.</p> <p>The exercise of discretion is restricted to the following matters:</p> <p>1. The quality of, compliance with and auditing of the Farm Environmental Plan; and</p> <p><del>2. The ability to meet the nitrogen load target for farming activities in Table 13(g); and</del></p> <p>3. From 1 January 2017 the implementation of <i>g</i>Good management <i>p</i>Practices <del>Nitrogen Loss Rates to be applied for the baseline land uses; and</del></p> <p><u>4. For the period after 1 January 2020, the matters listed in Policy 13.4.13. Any nitrogen loss rates to be applied in accordance with Table 13 (h); and</u></p> <p>5. The potential benefits of the activity to the applicant, the community and the environment.</p>		<p>therefore cannot be tested, however all farms should meet GMP N loss numbers once they are established.</p> <p>With regard to matter of discretion 4, a reduction methodology that requires a higher reduction rate for higher emitters and a lower reduction rate for lower emitters above the flexibility cap. Criteria are required to guide decision-making as to how this key discretion will be exercised.</p>
Eiffelton Community Group	56798 V2 pLWR	Rule 13.5.17	<p>Amend as follows:</p> <p><i>From 1 January 2017, the use of land for a farming activity in the Lower Hinds/ Hekeao Plains Area is a restricted</i></p>	Support in part	With regard to condition 1, a change to 27 kgs required for equity.

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Irrigation Scheme	P-1315		<p>discretionary activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. The nitrogen loss calculation for the property is greater than <del>2025</del> kgs per hectare per annum; and</li> <li>2. The nitrogen loss calculation for the property, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not increase above the nitrogen baseline; <del>and/or</del></li> <li>3. <u>The property is within that area shown as Green on the LWRP Planning Maps and the nitrogen loss calculation for the property, excluding any area of land subject to resource consent granted under Rule 13.5.14, does not exceed the nitrogen baseline plus 5kgs per hectare per annum, whichever is greater; and</u></li> <li>4 A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and supplied to the Canterbury Regional Council on request.</li> </ol>		
Fertiliser Association of New Zealand	56725 V2 pLWR P-865	Rule 13.5.17	<p>Delete reference to Table 13 (h) in condition 4 of Rule 13.5.17 until such time as Good Management Practice Nitrogen Loss Rates can be established. Amend condition 3 for Matter for Discretion under Rule 13.5.17 as follows:</p> <p>From 1st January 2017 the Good Management Practice Nitrogen Loss Rates be applied. These Good Management Practice Nitrogen Loss Rates are calculated based on to be applied for the baseline land uses under Good Management Practice .</p>	Support in part	
Fish and Game Central	53274	Rule 13.5.17	Include within the rule requirements to achieve the	Oppose in	The timing of N loss reductions is an appropriate matter over which to exercise

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South Island	V2 pLWR P-543		nitrogen reductions set out in table 13(h). Deletion of clause 3 and 4.	part	discretion given the wide range of circumstances that will determine what is appropriate in any individual case.
DairyNZ	52271 V2 pLWR P-580	Rule 13.5.18	Amend Rule 13.5.18: The use of land for a farming activity as part of a farming enterprise in the Lower Hinds/Hekeao Plains Area is a discretionary activity, provided the following conditions are met: 1. The farming enterprise is solely in the Lower Hinds/Hekeao Plains Area; and 2. The nitrogen loss calculation for the farming enterprise, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not increase above the nitrogen baseline; and or 3. <u>The property is within that area shown as Green on the LWRP Planning Maps and the nitrogen loss calculation for the property, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not exceed the nitrogen baseline plus 5 kg per hectare per annum, whichever is greater; and</u> 3. A Farm Environment Plan has been prepared for the farm enterprise, or <u>for each parcel of land, property or land management unit, within the farm enterprise, in accordance with Schedule 7 Part A.</u> Any consequential amendments	Support in part	Provides recognition of land designated as part of green zones in the Canterbury LWRP.
Mayfield Hinds Irrigation Ltd	56723 V2 pLWR P-412	Rule 13.5.31 Matter of discretion 1.	Delete reference to "Method 1 in".	Support	Schedule 10 provides three accepted methods by which "reasonable use" can be calculated. It is inappropriate to limit this to method 1 in this rule.
Valetta	56723	Rule 13.5.32	Amend 13.5.32 by deleting "prohibited" and	Support	Discretionary is a more appropriate

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Irrigation Limited	V2 pLWR P - 681		substituting "discretionary" Any consequential amendments		activity status for an activity which needs to be facilitated/encouraged.
Irrigation NZ	52278 V2- pLWR P-198	Rule 13.5.33	Delete	Support	There are circumstances when transfer will not have negative effects on water usage and may have positive in-stream effects. Transfer is generally something to be encouraged to provide for allocative efficiency. Prohibition would be contrary to Policy B3 of the NPS for Freshwater Management 2014.
Irrigation NZ	52278 V2- pLWR P-204	Rule 13.5.34	Delete	Support	There are circumstances when transfer will not have negative effects on water usage and may have positive in-stream effects. Transfer is generally something to be encouraged to provide for allocative efficiency. Prohibition would be contrary to Policy B3 of the NPS for Freshwater Management 2014.
Fish and Game Council Central South Island	53274 V2 pLWR P-504	Table 13(d)	Amend Table 13(d) to ensure: - that if the minimum flow does not meet the depth predictions it will be reviewed within 5 years. - apply fair sharing of water between instream and out of stream users as flows approach the minimum. And Include a new column that specifies a reduced allocation goal.	Oppose	Any changes to the flow and allocation regime must be agreed with the relevant consent holders.
Fish and Game Council	53274 V2	Table 13(e)	Retain Table 13(e) and review in 2020.	Oppose	It is noted that Variation 2 as drafted will mean replacements of existing water

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Central South Island	pLWR P-505				permits processed under section 124-124C will be considered restricted discretionary activities in accordance with Rule 5.123, and until 2020 new takes not meeting the limits in Table 13(e) prohibited activities. However, by limiting the term of Table 13(e) to 2020 and including Policy 13.4.19 the Council appears to have inadvertently created a regime where new takes post 2020 become non-complying activities (under Rule 5.124) and existing takes, in accordance with Policy 13.4.19, will become subject to the default flow and allocation regime from the regional rules (in Rule 5.123(2)) that currently only applies to new takes.
Upper Hinds Plains Land User Group	56730 V2 pLWR P -973	Table 13(g)	Insert a new Table of concentration objectives/limits for the Upper Hinds/Hekeao Plains Area	Support	Specification of concentration objectives/limits is more appropriate in the Upper Hinds/Hekeao Plains Area than a nitrogen load limit.
DairyNZ	52227 1 V2 pLWR P-594, 595 & 596.	Table 13(g)	Delete the N load limit for the Upper Hinds/Hekeao Plains Area and replace the fixed load limit for the Lower Plains Hinds/Hekeao Plains Area with a formula of 70% of the current N load contributed from farming activities.  Include new proposed Table 13(ga) with concentration objectives/limits for the Upper Hinds/Hekeao Plains Area.	Support	Water quality issues in the Upper Hinds are related to sediment, phosphorus and E.coli issues rather than nitrogen. The risks associated with nitrogen concentrations in-stream do need to be managed (alongside other contaminants that adversely affect values) but the load limits approach is unnecessary as N loss risk can be managed through the

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					<p>Schedule 24a and Farm Environment Plan mechanisms and through specification of freshwater objectives (contaminant concentrations) in a new Table 13(ga).</p> <p>A “fixed” N load limit in the Lower Hinds/Hekeao Plains Area is inappropriate given that it is based on an assessment of current load that is uncertain and which may change over time (due to, for example, updating of Overseer). Because the understanding of the 2013-2014 load will evolve over time, the N load limit needs to be expressed in such a way that it may change.</p>
DairyNZ	52271 V2 pLWR P - 597	Table 13(h)	<p>Amend Table 13(h) so that:</p> <ul style="list-style-type: none"> <li>▪ Farming activities with a nitrogen loss calculation for a property of greater than 25kg/ha/yr are required to reduce N loss by 15%, 22% and 30% from GMP by 2025, 2030 and 2035 respectively; and</li> <li>▪ Farming activities with a nitrogen loss calculation for a property of less than 25kg/ha/yr are not required to reduce N loss beyond GMP.</li> </ul>	Support in part	<p>A 45% percent reduction is not required to meet desired water quality outcomes provided MAR and TSA are implemented. With those measures 30% reduction is sufficient to achieve water quality outcomes sought by the variation.</p> <p>Reduction obligations should be shouldered by those above 27kgN/Ha (the level to which new entrants or those seeking to intensify are restricted) with the highest percentage reductions to be achieved by the highest emitters regardless of the land use type/ farming system.</p>