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**From:** Sarah Drummond <sarah.drummond@ecan.govt.nz>  
**Sent:** Monday, 2 February 2015 7:56 a.m.  
**Subject:** FW: Proposed Variation 2 to the proposed Canterbury Land and Water Regional Plan  
**Attachments:** DHL further submission.pdf

EC298657

For trimming please

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**From:** Judy-Anne Stapleton [<mailto:Judy-Anne.Stapleton@chapmantripp.com>] **On Behalf Of** Ben Williams  
**Sent:** Friday, 30 January 2015 4:02 p.m.  
**To:** Sarah Drummond  
**Subject:** Proposed Variation 2 to the proposed Canterbury Land and Water Regional Plan

Sarah

We act for Dairy Holdings Limited (*DHL*).

We **attach**, for lodging, DHL's further submission on proposed Variation 2.

Regards,

Ben

BEN WILLIAMS  
SENIOR ASSOCIATE



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## Form 6

**FURTHER SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR  
PLAN, CHANGE OR VARIATION**

*Clause 8 of Schedule 1, Resource Management Act 1991*

**To** Canterbury Regional Council

Name of person making further submission: Dairy Holdings Limited (*DHL*)

- 1 This is a further submission on:
  - proposed Variation 2 to the proposed Canterbury Land and Water Regional Plan (*Variation 2*).
- 2 DHL is a person who has an interest greater than the interest the general public has. DHL is the largest closely held dairy farming business in New Zealand and it has significant interests in the Hinds/Hekeao Plains area.
- 3 Its further submissions and relief sought are set out in **Annexure 1**.
- 4 DHL wishes to be heard in support of the further submissions (and its original submissions).
- 5 If others make a similar submission, DHL will consider presenting a joint case with them at a hearing

**Signed** for and on behalf of Dairy Holdings Limited by its solicitors and authorised agents Chapman Tripp



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Jo Appleyard / Ben Williams  
Partner / Senior Associate  
30 January 2015

Address for service of submitter:

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c/- Ben Williams  
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**Annexure 1: Specific relief sought**

Note: Text from Variation/original submission point relevant to sought amends is set out in italics.

**Introduction and policies**

Point ID	Submission ID	Submitter Name	Submission / Variation 2 reference	Support/ Oppose	Reasons / Details	Relief Sought
V2pLWRP - 393	53274	Fish and Game Council Central North Island	New objective " <i>Where the quality and quantity of fresh water has been degraded by human activities to such an extent that the freshwater Objectives set out above and in table 13(a) are not being achieved, water quality and quantity shall not be allowed to degrade further and it shall be improved progressively over time so that the objectives set out above and in table 13(a) is achieved by 2050.</i> "	Support in part	DHL supports setting a date of 2050 by which to achieve the objectives in table 13(a) provided that the values set in table 13(a) are acknowledged as 'targets' rather than 'limits' as discussed in DHL's original submission.	DHL seeks that Fish and Game's submission be allowed in part.
V2pLWRP - 531	56731	Barrhill Chertsey Irrigation Limited	Amend plan to align with the NPS on Freshwater Management.	Support		DHL seeks that BCI's submission be allowed.

V2pLWRP - 534	56731	Barrhill Chertsey Irrigation Limited	New policy or rule that ensures reference to any load within new table x remains appropriate.	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 535	56731	Barrhill Chertsey Irrigation Limited	New rule providing that if OVERSEER is updated the most relevant version can be used to recalculate any N-loss limit/load and assess compliance against the re-calculated limit/load.	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 536	56731	Barrhill Chertsey Irrigation Limited	New rule providing that where a property is part of an irrigation scheme any reductions relevant to the N-loss allowance for the scheme shall be limited on a proportional basis to the amount of water supplied by the scheme.	Support		DHL seeks that BCI's submission be allowed.
V2 pLWRP - 388	51457	Federated Farmers Combined Canterbury Branch	The lack of appropriate economic impact analysis within the s32 evaluation report must be given due weight.	Support	DHL agrees that the lack of appropriate economic impact analysis within the section 32 Evaluation Report must be given due weight when determinations are made on the matters addressed in Variation 2.	DHL seeks that Federated Farmers' submission be allowed.
V2 pLWRP - 703	56723	Valetta Irrigation Limited	Amend Variation 2 by extending the 2035 timeframe.	Support	DHL supports extending the 2035 timeframe referenced throughout Variation 2. As set out in DHL's original submissions, DHL considers that a date of 2050 is	DHL seeks that Valetta Irrigation Limited's submission

					more likely to be appropriate than a date of 2035.	be allowed.
V2 pLWRP - 1067	56799	Eiffelton Community Group Irrigation Scheme Inc	Align all tables with the NPS on Freshwater Management	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2 pLWRP - 1073	56799	Eiffelton Community Group Irrigation Scheme Inc	New rule providing that if OVERSEER is updated the most relevant version can be used to recalculate any N-loss limit/load and assess compliance against the re-calculated limit/load.	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1074	56799	Eiffelton Community Group Irrigation Scheme Inc	New rule providing that where a property is part of an irrigation scheme any reductions relevant to the N-loss allowance for the scheme shall be limited on a proportional basis to the amount of water supplied by the scheme	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1139	53830	Bank of New Zealand, Christchurch	Give full consideration to the economic and social consequences for the community given the required N-loss	Support	DHL agrees that it is appropriate to give full consideration to the significant economic and social consequences for the community	DHL seeks that BNZ's submission

			reductions across the region.		of achieving the nitrogen discharge level reductions across the region.	be allowed.
V2pLWRP - 1143	53830	Bank of New Zealand, Christchurch	BNZ supports the primary sector view that proposed nitrogen discharge levels should be targets rather than limits.	Support	DHL agrees that the proposed nitrogen discharge levels should be viewed as 'targets' rather than 'limits'.	DHL seeks that BNZ's submission be allowed.
V2pLWRP - 1140	53830	Bank of New Zealand, Christchurch	Amend Variation 2 to give consideration to a wider range of actions (not just MAR) that could achieve similar outcomes.	Support	DHL agrees that Variation 2 should give consideration to a wider range of actions aside from MAR that could achieve similar outcomes.	DHL seeks that BNZ's submission be allowed.
V2pLWRP - 299	56730	Hinds Plains Land and Water Partnership	Amend Introduction so overall nutrient discharges reduction target is 26%.	Support	<p>DHL also submitted that the introductory text should state that the solutions package targets a 26% reduction in nitrogen losses rather than a 45% reduction. In addition, in its original submission, DHL also sought that the word 'requires' be replaced with the word 'targets'.</p> <p>It is not clear from the introduction that the sought 45% reduction is in fact a reference to both non-regulatory and regulatory matters (with the zone committee expecting that farming would contribute around 26% of the overall required reduction). The percentage target reduction needs to be confirmed through</p>	DHL seeks that Hinds Plains Land and Water Partnership's submission be allowed.

					comprehensive and detailed investigation (and potentially a further plan change).	
V2pLWRP - 471	56731	Barrhill Chertsey Irrigation Limited	Introduction	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 290	56730	Hinds Plains Land and Water Partnership	Seeks plan change to introduce a formal Good Management Practice regime	Support	DHL supports the introduction of a formal good management practice regime via a full Schedule 1 process.	DHL seeks that Hinds Plains Land and Water Partnership's submission be allowed.
V2pLWRP - 475	56731	Barrhill Chertsey Irrigation Limited	Definition 'baseline land use'	Support		DHL seeks that BCI's submission be allowed.
V2 pLWRP - 228	56727	Beef + Lamb New Zealand Limited	Delete definition of baseline land use, following adoption of the natural capital (LUC) based N loss allocation model	Oppose	DHL does not support use of the natural capital model to calculate and allocate N loss reductions.	DHL seeks that this submission be disallowed.
V2pLWRP - 478	56731	Barrhill Chertsey Irrigation Limited	Definition 'target'	Support		DHL seeks that BCI's submission be allowed.

V2pLWRP - 856 and V2pLWRP - 153	53678 and 56702	Bowden Environmental and Balance Agri- Nutrients Ltd	New definition of 'dairy support'	Support	DHL supports adding a definition of 'dairy support' to Variation 2.	DHL seeks that Bowden Environmental's and Balance Agri-Nutrients' submissions be allowed.
V2pLWRP - 1031	56799	Eiffelton Community Group Irrigation Scheme Inc	Definition of 'good management practice'	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 614	52267	Horticulture New Zealand	New policy:  <i><u>"Targets and limits set in this variation will be reviewed before 2017 to ensure that the refinements in methodology and models used are reflected in the allocation and targets and limits set and changes notified in a plan change once the MGM (matrix of good management) outcomes are known."</u></i>	Support	DHL supports including this new policy.	DHL seeks that Horticulture New Zealand's submission be allowed.



V2pLWRP - 1076	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 13.4.5	Support	DHL agrees that it should be clear that an application to which policy 13.4.5 applies is not caught by transfer provisions.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1117	56798	Eiffelton Community Group Irrigation Scheme	Policy 13.4.5	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2 pLWRP - 172	52278	Irrigation New Zealand Inc	Amend Policy 13.4.6: <i>"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 and in the <del>Hinds/Hekeao Plains Area will not be reallocated and will be left in the river.</del>"</i>	Support in part	DHL considers that this amendment allows for more effective management of the water resource. In the alternative, DHL would support the following wording of this policy:  <i>"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 and in the Hinds/Hekeao Plains Area will not be reallocated and will be left in the river unless</i>	DHL seeks that Irrigation New Zealand's submission be allowed or the alternative wording sought by DHL is allowed.

					<u><i>the surrendered takes are transferred to ground water and used for TSA.</i></u>	
V2 pLWRP - 549	52271	Dairy NZ	Amend Policy 13.4.9(b) as follows: <i>"...Improving management of microbes, <u>nitrogen</u>, phosphorous, and sediment in both areas."</i>	Support	DHL supports management of N loss (and other contaminants) through use of Farm Environment Plans, adoption of GMPs and in-stream contaminant (including DIN) concentration limits.  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.	DHL seeks that Dairy NZ's submission is allowed.
V2 pLWRP - 962	56707	Upper Hinds Plains Land Users Group	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	DHL supports a policy that recognises that water quality risks in the Upper Hinds area are primarily from sediment, P and E. coli inputs rather than nitrogen leaching and therefore managing these risks via controls on nitrogen losses is unnecessary and is not likely to effectively manage the risks.  DHL supports the management of N loss (and other contaminants) through use of Farm Environment Plans, adoption of GMPs and in-stream contaminant (including DIN) concentration limits.	DHL seeks that UHPLUG's submission be allowed.

V2 pLWRP - 171	522278	Irrigation New Zealand Inc	Policy 13.4.9(d)	Support	<p>DHL supports amending Policy 13.4.9(d) to replace '45%' with '26%' and further amending the wording to refer to 'catchment scale mitigations' to ensure that the plan contemplates a wider range of further mitigation measures than just "managed aquifer recharge and targeted stream augmentation".</p> <p>It is not clear that the sought 45% reduction is in fact a reference to both non-regulatory and regulatory matters (with the zone committee expecting that farming would contribute around 26% of the overall required reduction). The percentage target reduction needs to be confirmed through comprehensive and detailed investigation (and potentially a further plan change).</p>	DHL seeks that Irrigation New Zealand's submission be allowed.
V2pLWRP - 229	54491	Synlait Milk Ltd	Policy 13.4.9(d)	Support in part	<p>DHL supports an amendment to Policy 13.4.9(d) reducing the 45% value in reference to nitrogen loss targets.</p> <p>It is not clear that the sought 45% reduction is in fact a reference to both non-regulatory and regulatory matters (with the zone committee</p>	DHL seeks that Synlait Milk Ltd's submission be disallowed and that the relief sought by DHL in its original

					expecting that farming would contribute around 26% of the overall required reduction). The percentage target reduction needs to be confirmed through comprehensive and detailed investigation (and potentially a further plan change).	submission be granted.
V2pLWRP - 196	522233	Nga Runanga and Te Runanga O Ngai Tahu	<p>Delete Policy 13.4.9 and replace with the following:</p> <p><i><u>"Improve the overall water quality in the Hinds/Hekeao Catchment by:</u></i></p> <p><i><u>(a) Minimising the potential of any land use to discharge contaminants to water by adopting the good management practices listed in Schedule 24a;</u></i></p> <p><i><u>(b) Reducing the amount of sediment, phosphorous and microbial contaminants entering water through the use of Farm Environment Plans and excluding stock from waterways;</u></i></p> <p><i><u>(c) In the Upper Hinds/Hekeao Plains Area, maintaining current low levels of dissolved nitrogen concentrations in water by avoiding new land uses with estimated N losses that exceed the levels for the A Band limit set out in Table XX; and</u></i></p>	Oppose	ECGIS opposes the amendments sought by Ngai Tahu and seeks that the relief sought in its original submission on Policy 13.4.9 is granted.	ECGIS seeks that Ngai Tahu's submission be disallowed.

			<p><u>(d) In the Lower Hinds/Hekeao Plains Area reducing the concentrations of dissolved nitrogen in water by limiting the amount of N loss that can occur through changes in land use which exceed the A Band limits set out in Table XX; and requiring a reduction in N losses from existing land uses that exceed the B Band limit in accordance with Policy 13.4.10 (b)."</u></p> <p>Any consequential amendments.</p>			
V2 pLWRP - 403	53274	Fish and Game Council Central South Island	Policy 13.4.9	Oppose	<p>DHL does not support the replacement policy 13.4.9 requested by Fish and Game and seeks instead that the amendments requested in BCI's original submission are allowed.</p> <p>DHL supports a policy that recognises that water quality risks in the Upper Hinds area are primarily from sediment, P and E. coli inputs rather than nitrogen leaching and therefore managing these risks via controls on N-loss is unnecessary and not likely to effectively manage the risks.</p> <p>In addition, as set out in DHL's original submission, the 45% reduction target for N-loss is</p>	DHL seeks that Fish and Game's submissions be disallowed.

					misrepresentative. The actual reduction contemplated by the zone committee was 26%.	
V2pLWRP - 479	56731	Barrhill Chertsey Irrigation Limited	Policy 13.4.9	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 1032	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 13.4.9	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1087	56798	Eiffelton Community Group Irrigation Scheme	Policy 13.4.9	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.

V2pLWRP - 1033	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 3.4.10	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1088	56798	Eiffelton Community Group Irrigation Scheme	Policy 3.4.10	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2pLWRP - 1077	56687	Ashburton Hinds Drainage Rating District Liaison Committee	Policy 13.4.10	Support	DHL agrees that Policy 13.4.10 should be amended to clarify which drains stock is expected to be excluded from. As suggested in its original submission, DHL considers that a further definition of 'drain' should be included that limits the application of the rules to only the mainstems of the drains described in Table 13(e).	DHL seeks that this submission be allowed.
V2pLWRP - 170	52278	Irrigation New Zealand Inc	Amend Policy 13.4.11:  <i>"Maintain water quality in the Upper Hinds/Hekeao Plains Area by <del>capping discharges of nitrogen</del></i>	Support	DHL supports the intention of this submission. DHL supports good management practice at a general level. However, the need for formal compliance and the timeframes	DHL seeks that Irrigation New Zealand's submission

			<i>at 114 tonnes of nitrogen per year and requiring all farming activities to operate at good management practice to maintain current phosphorous losses."</i>		within which that should occur should however be left to a subsequent plan change. For the same reason, the starting point of any reduction regime will not be known until the MGM project is complete and the consequent plan change has occurred.	be allowed.
V2 pLWRP - 472	53274	Fish and Game Council Central South Island	Amend Policy 13.4.11 to read <i>"excluding cattle, pigs and deer from surface waterbodies including drains and ephemeral waterbodies"</i>	Oppose	DHL does not support a policy that requires stock exclusion from water bodies (natural or artificial) that are ephemeral in nature.	DHL seeks that Fish and Game's submissions be disallowed.
V2pLWRP - 473	53274	Fish and Game Council Central South Island	Delete policy 13.4.11 and replace with a new policy ensuring that land use is managed to ensure that the limits/targets in tables 13(a), 13(g) and 13(j) are met by 2030.	Oppose	DHL opposes a policy requiring that the loads in tables 13(g) and 13(j) are met by 2030.	DHL seeks that this submission be disallowed.
V2pLWRP - 480	56731	Barrhill Chertsey Irrigation Limited	Amend Policy 13.4.12: <i>"Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen to achieve with the goal of achieving a target load of 3,400 tonnes of nitrogen per year by <del>2035</del> 2050."</i>	Support	DHL supports a policy that does not lock in a catchment load limit when the achievability and appropriateness of such a target is not yet proven or when the calculation may change over time.	DHL seeks that BCI's submission be allowed.



V2pLWRP - 558	52271	Dairy NZ	<p>Amend Policy 13.4.12 as follows:</p> <p><i>"Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen from farming activities to achieve a target load of 3400 tonnes of nitrogen per year <u>70% of the catchment load contributed by farming activities as at 1 October 2014 by 2035.</u>"</i></p>	Support	<p>DHL supports 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). DHL considers that the catchment load should be expressed in policy as a formula rather than as a fixed tonnage.</p> <p>The percentage reduction needs to be amended over time as more information becomes available.</p>	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 768	52333	Fonterra Co-Operative Group Limited	<p>Amend Policy 13.4.12 as follows:</p> <p><i>"Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen from farming activities to achieve a target load of 3400 tonnes of nitrogen per year <u>70% of the catchment load contributed by farming activities as at 1 October 2014 by 2035.</u>"</i></p>	Support in part	<p>DHL supports 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). DHL considers that the catchment load should be expressed in policy as a formula rather than as a fixed tonnage.</p> <p>The percentage reduction needs to be amended over time as more information becomes available.</p>	DHL seeks that Fonterra's submission be allowed.

V2pLWRP - 1034	56799	Eiffelton Community Group Irrigation Scheme Inc	Amend Policy 13.4.12:  <i>"Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen <del>to achieve</del> <u>with the goal of achieving a target load of 3,400 tonnes of nitrogen per year by <del>2035</del> 2050.</u>"</i>	Support	DHL supports a policy that does not lock in a catchment load limit when the achievability and appropriateness of such a target is not yet proven or when the calculation may change over time.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1090	56798	Eiffelton Community Group Irrigation Scheme	Policy 3.4.12	Support	DHL supports a policy that does not lock in a catchment load limit when the achievability and appropriateness of such a target is not yet proven or when the calculation may change over time.  DHL supports the intention of this submission.	DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2 pLWRP- 559	52271	Dairy NZ	Amend Policy 13.4.13(a) 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 of 3400 tonnes of nitrogen per year</u></i>	Support in part	A catchment load limit should not be "locked in" when there is uncertainty as to its validity or when the calculation may change over time (due to, for example, updating of Overseer).  The catchment load should be expressed in policy as a formula rather than a fixed tonnage.  With particular respect to 13.4.13(a), it is not appropriate to imply that there are specific	DHL seeks that Dairy NZ's submission is allowed.

			<p>by:</p> <p>a) Requiring existing farming activities to <u>implement meet good management practices nitrogen loss rates from 1 January 2017, calculated on the baseline land uses;</u></p>		<p>quantified GMP rates that need to be complied with when these do not exist yet and hence their appropriateness cannot be tested through the submission/hearing process.</p> <p>The percentage reduction needs to be amended over time as more information becomes available.</p>	
V2pLWRP - 241	52233	Nga Runanga and Te Runanga O Ngai Tahu	<p>Delete Policy 13.4.13(c) and replace with the following:</p> <p><del>"(c) enabling, by way of resource consent process, land use intensification or changes in land use on a maximum of 30,000 hectares of land, provided the nitrogen loss calculation is limited to no more than 27 kg per hectare per year.</del></p> <p><u>Provide opportunities for changes in land use and associated increases in N loss above the A Band limits in the Lower Hinds/Hekeao Plains Area up to a maximum estimated nitrogen loss limit of 27kgN/ha/yr and a total cap of 214t N/yr; and require new land uses applying for N losses in this B band to be operating at best management practice from the outset.</u></p>	Oppose	<p>DHL opposes the amendments sought by Ngai Tahu. DHL has sought amendments to Policy 13.4.13 and it requests that those be allowed.</p>	<p>DHL seeks that Ngai Tahu's submission be disallowed.</p>

			<p><u>Allow N loss to be managed by irrigation schemes and principal water suppliers on behalf of their shareholders provided:</u></p> <p><u>(a) For any irrigation scheme or principal water supplier that exists as at 27 th September 2014 the N loss calculation for the total area shall be based on adopting best practicable option to mitigate N loss from the land uses occurring as at 27 th September 2014; and once the N reduction schedule is put in place in accordance with Policy 13.4.10</u></p> <p><u>(a) the N loss totals shall be reviewed to ensure compliance with the N reduction requirements.</u></p> <p><u>(b) For any irrigation scheme or principal water supplier established after 27 th September 2014 the N loss calculation for the total area shall not exceed the N load limits for new land uses in Band B of Table XX. "</u></p>			
V2pLWRP - 481	56731	Barrhill Chertsey Irrigation Limited	Policy 13.4.13	Support	DHL supports the amendments to Policy 13.4.13 sought by BCI.  Reduction obligations should be shouldered across all contributors	DHL seeks that BCI's submission be allowed.

					with 'equal pain' being shared regardless of the land use type/ farming system.	
V2pLWRP - 484	53274	Fish and Game Council Central South Island	Amend policy 13.4.13:  <i>"enabling by way of resource consent process land use intensification or changes in land use on a maximum of 30,000 hectares of land, provided the nitrogen loss calculation is limited to no more than 27kg per hectare per year <u>and provided the reduction of total load by 45% by 2030 is still achieved</u> "</i>	Oppose	For reasons set out in its original submission, DHL opposes the amendment sought by Fish and Game. The 45% reduction as applied to farming activities is misrepresentative; the actual reduction contemplated by the zone committee was 26%. The percentage target reduction needs to be confirmed through comprehensive and detailed investigation (and potentially a further plan change).  In addition, as was also detailed in DHL's original submission, a more appropriate date for the targeted reductions is 2050 (at least as a placeholder until the final date is confirmed through a comprehensive and detailed investigation).	DHL seeks that Fish and Game's submissions be disallowed.

V2pLWRP - 1035	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 13.4.13	Support	DHL supports the amendments to Policy 13.4.13 sought by ECGIS.  Reduction obligations should be shouldered across all contributors with 'equal pain' being shared regardless of the land use type/ farming system.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2 pLWRP- 566	52271	Dairy NZ	Amend Policy 13.4.14 as follows: <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>  And add a new related sub policy as follows  <i>"c) Determining the extent and timing of nitrogen loss reductions to be achieved on individual farm properties from 1 January 2020 by:</i>  <i>A. use of an expert farm</i>	Support	All farming activities should be treated the same i.e. there should be no land use discrimination when setting N loss requirements.  Regardless of the farming activity, higher emitters with more potential to reduce should make proportionally greater N loss reductions than lower emitters.  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 are 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)  In our view, departure from the reduction schedule of Table 13(h)	DHL seeks that Dairy NZ's submission is allowed.

			<p><u>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.</u></p> <p><u>B. having regard to the following matters in considering the individual circumstances of each farm property:</u></p> <p><u>i. The nitrogen baseline for the property and the level of any reductions already achieved from that baseline; and</u></p> <p><u>ii. Any natural or physical constraints to lower nitrogen leaching faced on-farm that are outside of a farmer's</u></p>		<p>may be appropriate in the circumstances described.</p>	
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			<p><u>control; and</u></p> <p><u>iii. The level of investment in farm infrastructure and where a farm might be in the cycle of infrastructure replacement; and</u></p> <p><u>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."</u></p>			
V2pLWRP - 483	56731	Barrhill Chertsey Irrigation Limited	Policy 13.4.14	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 1036	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 3.4.14	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.



V2pLWRP - 1276	56799	Eiffelton Community Group Irrigation Scheme Inc	Policy 3.4.14(f)	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2 pLWRP- 564 and 566	52271	Dairy NZ	<p>Add a new Policy 13.4.14A as follows:</p> <p><u>"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:</u></p> <p><u>(a) improving flows in the spring fed water bodies;</u></p> <p><u>(b) decreasing nitrate nitrogen concentrations in the Hinds River/Hekeao and spring fed waterbodies; or</u></p> <p><u>(c) enhancing in-stream habitat."</u></p> <p>And amend Policy 13.4.14 to state:</p> <p><u>"Improve the flows in spring fed waterbodies and/or decrease nitrate nitrogen concentrations in</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 and carefully managed.</p> <p>Consultation with the community</p>	DHL seeks that Dairy NZ's submission is allowed.

			<p><del>the Hinds/Hekeao spring-fed waterbodies and groundwater in the Lower Hinds/Hekeao Plains Area by enabling <u>Enable managed aquifer recharge (MAR) and targeted stream augmentation (TSA), where adverse effects can be appropriately managed. In determining whether adverse effects can be appropriately managed Canterbury Regional Council will:</u></del></p> <p><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></p> <p><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></p> <p><u>(c) Require that:</u></p> <p><i>i. adverse effects on cultural values, including those associated with unnatural</i></p>		<p>and land owners during development of projects will be crucial.</p>	
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			<p><i>mixing of water are <del>satisfactorily</del> avoided or mitigated;</i></p> <p><i>ii. adverse effects on the availability and quality of community drinking water supplies are avoided;</i></p> <p><i>iii. adverse effects on fish passage are avoided or mitigated;</i></p> <p><i>iv. Inundation of existing wetlands is avoided, remedied or mitigated through scheme design, constructions and operation;</i></p> <p><i>v. There is no net loss of significant biodiversity habitat of indigenous biodiversity; <del>and</del></i></p> <p><i>vi. Adverse effects on people and property from raised groundwater levels and higher flows are avoided; <u>and</u></i></p> <p><i><u>vii. Adverse effects on farming activities and production are avoided.</u></i></p>			
V2pLWRP	52278	Dairy NZ	Amend Policy 13.4.16:	Support in	DHL supports recognition that transfer is generally something to	DHL seeks that Dairy

- 179			<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 1 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>	part	be encouraged to provide for allocative efficiency. Prohibition would be contrary to Policy B3 of the NPS for Freshwater Management.	NZ's submission is allowed.
V2pLWRP - 782	52333	Fonterra Co-operative Group Limited	Amend Policy 13.4.16: <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 1 in Schedule 10 and prohibiting</i>	Support in part	DHL supports recognition that 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.	DHL seeks that Fonterra's submission is allowed.

			<i>increased use arising from the transfer of consented volumes of water within surface water catchments and the Valetta Groundwater Allocation Zone."</i>			
V2pLWRP - 295	51457	Federated Farmers Combined Canterbury Branch	Amend Policy 13.4.16 as follows:  "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, <u>and</u> limiting the volume and rate of abstraction on replacement water permits to reasonable use calculated in accordance with method <u>set out</u> $\pm$ 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 <u>unless there is environmental benefit from doing so.</u> "	Support in part	All methods set out in Schedule 10 of the pLWRP should be available to calculate reasonable use. The reasonable use test methodologies of Schedule 10 were the result of considerable work during the development of the Natural Resources Regional Plan and there is no apparent reason why they should not be used under Variation 2.	DHL seeks that this submission is allowed insofar as it requests that all methods of Schedule 1 be available for the calculation of reasonable use.
V2pLWRP - 487	56731	Barrhill Chertsey Irrigation Limited	Amend Policy 13.4.18  "In the Lower Hinds/Hekeao Plains Area, with the exception of the Lower Hinds River/Hekeao, and until 30 June 2020, any	Support	DHL agrees that the status quo flow allocation should apply until such time as a further table is introduced following the collaborative process referred to in the policies.	DHL seeks that BCI's submission be allowed.

			<p><i>water permit granted to replace an existing water permit will be subject to the minimum flow and allocation limits in:</i></p> <p><i>i) Table 13(e); or</i></p> <p><i>ii) <u>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>			
V2pLWRP - 1040	56799	Eiffelton Community Group Irrigation Scheme Inc	<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, and until 30 June 2020, 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>iii) Table 13(e); or</i></p> <p><i>iv) <u>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>	Support	DHL agrees that the status quo flow allocation should apply until such time as a further table is introduced following the collaborative process referred to in the policies.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.

V2pLWRP - 487	56731	Barrhill Chertsey Irrigation Limited	Delete policy 13.4.19	Support	The status quo flow allocation should apply until such time as a further table is introduced following the collaborative process referred to in the policies.	DHL seeks that BCI's submission be allowed.
V2pLWRP - 1039	56799	Eiffelton Community Group Irrigation Scheme Inc	Delete policy 3.4.19	Support	The status quo flow allocation should apply until such time as a further table is introduced following the collaborative process referred to in the policies.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1096	56798	Eiffelton Community Group Irrigation Scheme	Delete policy 3.4.19	Support	The status quo flow allocation should apply until such time as a further table is introduced following the collaborative process referred to in the policies.	DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.

### Rules

Point ID	Submission ID	Submitter Name	Submission / Variation 2 reference	Support/ Oppose	Reasons	Relief Sought
V2pLWRP - 206	52233	Nga Runanga and Te Runanga O Ngai Tahu	Remove the rules for grandparenting N losses and replace with N loss limits to meet the catchment load and replace	Oppose	'Grand parenting' is an acknowledged and essential part of Variation 2. These rules should not be removed. Grandfathering	DHL seeks that Ngai Tahu's submission be

			with table of N limits or bands		gives greater flexibility of land use and the potential for generating higher income in the future.	disallowed.
V2 pLWRP - 231	56727	Beef + Lamb New Zealand Limited	Amend rules to reflect the revised approach to N loss allocation (natural capital LUC).	Oppose	DHL opposes the use of the natural capital model to calculate and allocate N loss reductions	DHL seeks that this submission be disallowed.
V2pLWRP - 492	56731	Barrhill Chertsey Irrigation Limited	Index to rules table	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 1042	56799	Eiffelton Community Group Irrigation Scheme Inc	Rules table	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1113	56798	Eiffelton Community Group Irrigation Scheme	Rules table	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.



V2pLWRP - 1114	56798	Eiffelton Community Group Irrigation Scheme	Rules table	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2pLWRP - 1042	56799	Eiffelton Community Group Irrigation Scheme Inc	Rules table	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1043	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.7	Support	DHL agrees that the rule will be very difficult to comply with where a water body flows along a public road as arguably the whole road would be a 'public access point' for the purposes of the rule.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.

V2pLWRP - 1097	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.7	Support	DHL supports the intent of this submission and agrees that the rule will be very difficult to comply with where a water body flows along a public road as arguably the whole road would be a 'public access point' for the purposes of the rule.	DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2pLWRP - 212	52233	Nga Runanga and Te Runanga O Ngai Tahu	Rule 13.5.8	Oppose	DHL opposes the replacement rule 13.5.8 proposed by Ngai Tahu.	DHL seeks that Ngai Tahu's submission be disallowed.
V2pLWRP - 570	52271	Dairy NZ	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.	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 783	52333	Fonterra Co-operative Group Limited	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	DHL seeks that Fonterra's submission be allowed.

					water quality are from run-off and riparian management rather than nitrogen leaching.	
V2pLWRP - 571	52271	Dairy NZ	Rule 13.5.9 delete condition 1	Support	DHL supports Dairy NZ's proposed amendments to Rule 13.2.9. Nitrogen is not the main risk to water quality in the Upper Hinds/Hekeao Plains Area	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 784	52333	Fonterra Co-operative Group Limited	Rule 13.5.9 delete condition 1	Support	DHL supports Fonterra's proposed amendments to Rule 13.2.9. Nitrogen is not the main risk to water quality in the Upper Hinds/Hekeao Plains Area	DHL seeks that Fonterra's submission be allowed.
V2pLWRP - 507	53274	Fish and Game Council Central South Island	Delete rule 13.5.9 and replace with a rule that requires farms to comply with a sustainable leaching rate on a basis of either a flat per hectare leaching rate or on the basis of LUC.  Also replace rule 15.5.9 with a rule that requires farms to comply with specified management practices which minimise or reduce the loss of nitrogen, phosphorus, sediment, and microbial contaminants, etc.	Oppose	This proposal does not recognise the different starting positions of farms or the differing abilities of farmers to comply. The costs of compliance would similarly be highly variable. No one farmer should be required to undertake fundamental system changes that might prevent an effective level of profitability being maintained.	BCI seeks that Fish and Game's submission be disallowed.
V2pLWRP - 785	52333	Fonterra Co-Operative Group Limited	Delete Rule 13.5.10	Support	DHL supports Fonterra's submission to delete Rule 13.2.10. With the nitrogen baseline condition removed from rules	DHL seeks that Fonterra's submission be

					13.5.8 and 13.5.9, rule 13.5.10 is unnecessary and can be removed.	allowed.
V2pLWRP - 572	52271	Dairy NZ	Delete Rule 13.5.10	Support	DHL supports Dairy NZ's submission to delete Rule 13.5.10. 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.	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 509	53274	Fish and Game Council Central South Island	Delete rule 13.5.11 and replace with a rule that requires farms to comply with a sustainable nitrogen leaching rate which is based on allocating the total allowable load of nitrogen on either a flat per hectare allocation or based on an allocation on a land use capability class basis.  Require farms to comply with specified management practices which minimise or reduce the loss of nitrogen, phosphorus, sediment, and microbial contaminants.	Oppose	This proposal does not recognise the different starting positions of farms or the differing abilities of farmers to comply. The costs of compliance would similarly be highly variable. No one farmer should be required to undertake fundamental system changes that might prevent an effective level of profitability being maintained.	DHL seeks that Fish and Game's submission be disallowed.
V2 pLWRP- 748	56708	Ravensdown Fertiliser Co-operative Limited	Amend Rule 13.5.11:  <i>"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</i>	Support	The activity status requested by the submitter is more appropriate than that in the proposed plan.	DHL seeks that Ravensdown's submission be allowed.

			<p><i>13.5.10 is a <u>restricted discretionary non-complying activity.</u></i></p> <p><i><u>Matters for discretion relate to nutrient management and the catchment load, including:</u></i></p> <p><i><u>1. The quality of, compliance with and auditing of the Farm Environment Plan; and</u></i></p> <p><i><u>2. The ability to meet the nitrogen load target for farming activities in Table 13(g); and</u></i></p> <p><i><u>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</u></i></p> <p><i><u>4. The potential benefits of the activity to the applicant, the community and the environment.</u></i></p> <p>“</p> <p>(or similar wording)</p>			
V2pLWRP - 1098	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.13	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.

V2pLWRP - 491	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.14	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 322	56730	Hinds Plains Land and Water Partnership	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	DHL supports the implementation of a 'flexibility cap' system in Variation 2. Farming activity that has a low N discharge 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 economic viability as circumstances change.	DHL seeks that this submission be allowed.
V2 pLWRP- 578	52271	Fish and Game Central South Island	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. A flexibility cap of 20kgs (or less) as a permitted activity threshold is below the LUC leaching rates (promoted by the submitter) for the LUC classes predominant in the Hinds/Hekeao Plains Area.	DHL seeks that this submission be disallowed.
V2pLWRP - 543	53274	Fish and Game Council Central South Island	Include within rule 13.5.17 requirements to achieve the N-loss reductions set out in table 13(h). Delete clause 3 and 4.	Oppose	The extent and timing of N loss reductions is an appropriate matter over which to exercise discretion.	DHL seeks that this submission be disallowed.
V2 pLWRP-	52271	Dairy NZ	Amend Rule 13.5.17 as follows:	Support in	With regard to condition 1, a	DHL seeks that Dairy

579			<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 baseline; <del>and/or</del></i></li> <li><i><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></i></li> <li><i>4 A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and supplied to Environment Canterbury on</i></li> </ol>	part	<p>change to 25 kgs is consequential to the changes sought in respect of Rule 13.5.15.</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 therefore cannot be tested.</p> <p>With regard to matter of discretion 4, a single reduction target should apply equally to all farming activity above the flexibility cap. Criteria are required to guide decision-making as how this key discretion will be exercised.</p>	<p>NZ's submission be allowed.</p>
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			<p>request.</p> <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> <li>1. The quality of, compliance with and auditing of the Farm Environmental Plan; and</li> <li>2. <del>The ability to meet the nitrogen load target for farming activities in Table 13(g); and</del></li> <li>3. From 1 January 2017 the implementation of gGood management pPractices <del>Nitrogen Loss Rates to be applied for the baseline land uses; and</del></li> <li>4. <u>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></li> <li>5. The potential benefits of the activity to the applicant, the community and the environment."</li> </ol>			
V2pLWRP - 792	52333	Fonterra Co-Operative Group Limited	<p>Amend Rule 13.5.17 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</i></p>	Support in part	<p>With regard to condition 1, a change to 25 kgs is consequential to the changes sought in respect of Rule 13.5.15.</p> <p>With regard to matter of discretion</p>	DHL seeks that Fonterra's submission be allowed.



		<p>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 Environment Canterbury on request.</li> </ol> <p>The exercise of discretion is restricted to the following matters:</p>		<p>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 therefore cannot be tested.</p> <p>With regard to matter of discretion 4, a single reduction target should apply equally to all farming activity above the flexibility cap. Criteria are required to guide decision-making as how this key discretion will be exercised.</p>	
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			<p>1. <i>The quality of, compliance with and auditing of the Farm Environmental Plan; and</i></p> <p>2. <i><del>The ability to meet the nitrogen load target for farming activities in Table 13(g); and</del></i></p> <p>3. <i>From 1 January 2017 the implementation of gGood management pPractices <del>Nitrogen Loss Rates to be applied for the baseline land-uses; and</del></i></p> <p>4. <i><u>For the period after 1 January 2020, the matters listed in Policy 13.4.13. <del>Any nitrogen loss rates to be applied in accordance with Table 13 (h); and</del></u></i></p> <p>5. <i>The potential benefits of the activity to the applicant, the community and the environment."</i></p>			
V2 pLWRP-580	52271	Dairy NZ	<p>Amend Rule 13.5.18:</p> <p><i>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:</i></p> <p>1. <i>The farming enterprise is solely in the Lower Hinds/Hekeao Plains Area; and</i></p> <p>2. <i>The nitrogen loss calculation for the farming enterprise,</i></p>	Support in part	<p>This amendment provides recognition of land designated as part of green zones in the Canterbury LWRP.</p> <p>DHL sought relief in regards to this rule. DHL would be satisfied with the wording proposed by Dairy NZ in the alternative.</p>	DHL seeks that Dairy NZ's submission be allowed.

			<p><i>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</i></p> <p><i>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></i></p> <p><i>3. A Farm Environment Plan has been prepared for the farm enterprise, or for each parcel of land, property or land management unit, within the farm enterprise, in accordance with Schedule 7 Part A.</i></p>			
V2pLWRP - 793	52333	Fonterra Co-Operative Group Limited	<p>Amend Rule 13.5.18:</p> <p><i>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:</i></p> <p><i>1. The farming enterprise is solely in the Lower Hinds/Hekeao Plains Area; and</i></p> <p><i>2. The nitrogen loss calculation</i></p>	Support in part	<p>This amendment provides recognition of land designated as part of green zones in the Canterbury LWRP.</p> <p>DHL sought relief in regards to this rule. DHL would be satisfied with the wording proposed by Fonterra in the alternative.</p>	DHL seeks that Fonterra's submission be allowed.

			<p><i>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</i></p> <p><i>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></i></p> <p><i>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></i></p>			
V2pLWRP – 490	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.19	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP – 494	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.20	Support		DHL seeks that BCI's submission be

						allowed.
V2pLWRP – 495	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.21	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP – 522	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.22	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP – 1048	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.22	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 529	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.23	Support		DHL seeks that BCI's submission be allowed.

V2pLWRP – 1046	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.23	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 1047	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.23	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 556	53274	Fish and Game Council Central South Island	Delete rule 13.4.24	Oppose	DHL strongly opposes deletion of rule 13.4.24.	DHL seeks that Fish and Game's submission be disallowed.
V2pLWRP – 585 and 586	52333	Dairy NZ	Add a new rule 13.5.29A to state: <i><u>"Despite Rule 5.114, the taking and using of groundwater for stock drinking or domestic needs is a permitted activity."</u></i>  Add a new rule 13.5.29B to state: <i><u>"Despite Rule 13.5.29, the taking and using of surface water for stock drinking or</u></i>	Support	DHL has recently received advice from the Council regarding the interpretation of section 14(3)(b) of the RMA in relation to stock drinking water. We understand that Council will not regard companies, corporate bodies, trusts or partnerships as being entitled to take water for stock	DHL seeks that this submission be allowed.

			<p><u>domestic needs is a permitted activity provided the following conditions are complied with:</u></p> <p><u>1. The rate of take is less than the rates specified in Rule 5.111</u></p> <p><u>1. (a)</u></p> <p><u>2. Fish are prevented from entering the water intake as set out in Schedule 2; and</u></p> <p><u>3. The take is not from a river subject to a Water Conservation Order.”</u></p>	<p>drinking (and/or domestic use) under section 14(3)(b) of the RMA. DHL notes that many of these entities have historically taken water under that provision and that such takes are critical and not otherwise authorised.</p> <p>DHL understands that water users may apply for a change of conditions to have their historic water take for stock water/domestic water authorised under the terms of an existing consent. If they do not do so, and attempt to have such takes authorised at the time of consent replacement, the annual volumes, instantaneous flow rates and return rate volumes will apply. Where these are already exceeded (as in the Hinds/Hekeao Plains Area) gaining consent for stock drinking water may be impossible (as it would constitute a prohibited activity).</p> <p>Although DHL acknowledges the opportunity for existing consent holders to apply now for a change of conditions, DHL is concerned that many farmers will be unaware</p>	
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					<p>of this situation or will not already hold an individual consent that may be changed. For those reasons we consider that a new rule be added to Variation 2 to authorise existing stockwater and domestic takes.</p> <p>DHL acknowledges that there is already opportunity for a permitted groundwater take under Rules 5.113 and 5.114 of the pLWRP. However, based on DHL’s direct experience the Council has interpreted these such that they are not available in addition to any consented groundwater take.</p> <p>Given the normal practice of a dairying entity receiving water from an irrigation scheme to take a small volume of groundwater for dairy shed purposes (noting that scheme water is not 100% reliable so a back-up supply is required in the event of restriction to ensure cows can continue to be milked), DHL also seeks that the rule be extended to dairy shed takes.</p>	
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V2pLWRP – 798 and 799	52333	Fonterra Co- operative Group Limited	<p>Add a new rule 13.5.29A to state: <i><u>"Despite Rule 5.114, the taking and using of groundwater for stock drinking or domestic needs is a permitted activity."</u></i></p> <p>Add a new rule 13.5.29B to state: <i><u>"Despite Rule 13.5.29, the taking and using of surface water for stock drinking or domestic needs is a permitted activity provided the following conditions are complied with:</u></i></p> <ol style="list-style-type: none"> <li><i><u>1. The rate of take is less than the rates specified in Rule 5.111 1. (a)</u></i></li> <li><i><u>2. Fish are prevented from entering the water intake as set out in Schedule 2; and</u></i></li> <li><i><u>3. The take is not from a river subject to a Water Conservation Order."</u></i></li> </ol>	Support	<p>DHL has recently received advice from the Council regarding the interpretation of section 14(3)(b) of the RMA in relation to stock drinking water. We understand that Council will not regard companies, corporate bodies, trusts or partnerships as being entitled to take water for stock drinking (and/or domestic use) under section 14(3)(b) of the RMA. DHL notes that many of these entities have historically taken water under that provision and that such takes are critical and not otherwise authorised.</p> <p>DHL understands that water users may apply for a change of conditions to have their historic water take for stock water/domestic water authorised under the terms of an existing consent. If they do not do so, and attempt to have such takes authorised at the time of consent replacement, the annual volumes, instantaneous flow rates and return rate volumes will apply. Where these are already exceeded (as in the Hinds/Hekeao Plains</p>	DHL seeks that this submission be allowed.
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				<p>Area) gaining consent for stock drinking water may be impossible (as it would constitute a prohibited activity).</p> <p>Although DHL acknowledges the opportunity for existing consent holders to apply now for a change of conditions, DHL is concerned that many farmers will be unaware of this situation or will not already hold an individual consent that may be changed. For those reasons we consider that a new rule be added to Variation 2 to authorise existing stockwater and domestic takes.</p> <p>DHL acknowledges that there is already opportunity for a permitted groundwater take under Rules 5.113 and 5.114 of the pLWRP. However, based on DHL’s direct experience the Council has interpreted these such that they are not available in addition to any consented groundwater take.</p> <p>Given the normal practice of a dairying entity receiving water from an irrigation scheme to take a small volume of groundwater for</p>	
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					dairy shed purposes (noting that scheme water is not 100% reliable so a back-up supply is required in the event of restriction to ensure cows can continue to be milked), DHL also seeks that the rule be extended to dairy shed takes.	
V2pLWRP – 1057	56799	Eiffelton Community Group Irrigation Scheme Inc	New Rule 13.5.29A	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 1059	56799	Eiffelton Community Group Irrigation Scheme Inc	New Rule 13.5.29B	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 1278	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.30	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be

						allowed.
V2pLWRP - 1101	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.30	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2pLWRP - 1062	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.31	Support	DHL considers that benefits can accrue even if the groundwater will be abstracted from a different property from that where the existing surface water take is to be surrendered.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1063	56799	Eiffelton Community Group Irrigation Scheme Inc	Amend Rule 13.5.32 to be a non-complying activity.	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.

V2pLWRP - 1104	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.33	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2-pLWRP-204	52278	Irrigation NZ	Delete Rule 13.5.33	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.	DHL seeks that Irrigation NZ's submission be allowed
V2pLWRP - 530	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.34	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 1105	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.34	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.

V2pLWRP – 1064 and 1065	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.34	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc’s submission be allowed.
V2pLWRP – 1005 and 1006	53683	Dairy Holdings Limited		Support	DHL wishes to clarify a typographical error. When referring to ‘rule 13.5.34’ and ‘rule 13.5.35’ in its original submission, it was in fact referring to rules 13.5.33 and 13.5.34 respectively, as evidenced by the discussion on transfer of water permits.	DHL seeks that its submission be allowed.
V2pLWRP – 1066	56799	Eiffelton Community Group Irrigation Scheme Inc	Rule 13.5.36	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc’s submission be allowed.

V2pLWRP - 1106	56798	Eiffelton Community Group Irrigation Scheme	Rule 13.5.36	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
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### Tables and Schedules

Point ID	Submission ID	Submitter Name	Submission / Variation 2 reference	Support/ Oppose	Reasons	Relief Sought
V2pLWRP – 488	56731	Barrhill Chertsey Irrigation Limited	Table 13(e)	Support	The status quo flow and allocation regime should apply until such times as a collaboratively developed flow and allocation regime is included in the plan by way of the Schedule 1 RMA process.	DHL seeks that BCI's submission be allowed.
V2pLWRP – 1041	56799	Eiffelton Community Group Irrigation Scheme Inc	Table 13(e)	Support	The status quo flow and allocation regime should apply until such times as a collaboratively developed flow and allocation regime is included in the plan by way of the Schedule 1 RMA process.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 1068	56799	Eiffelton Community Group Irrigation Scheme Inc	Table 13(e)	Support	The status quo flow and allocation regime should apply until such times as a collaboratively developed flow and allocation regime is included in the plan by way of the Schedule 1 RMA process.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP – 1107	56798	Eiffelton Community Group Irrigation	Table 13(e)	Support	The status quo flow and allocation regime should apply until such times as a collaboratively developed flow and allocation	DHL seeks that Eiffelton Community Group Irrigation



		Scheme			regime is included in the plan by way of the Schedule 1 RMA process.	Scheme's submission be allowed.
V2pLWRP - 1108	56798	Eiffelton Community Group Irrigation Scheme	Table 13(e)	Support	The status quo flow and allocation regime should apply until such times as a collaboratively developed flow and allocation regime is included in the plan by way of the Schedule 1 RMA process.	DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.
V2pLWRP - 1070	56799	Eiffelton Community Group Irrigation Scheme Inc	Table 13(f)	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 532	56731	Barrhill Chertsey Irrigation Limited	Table 13(g)	Support	DHL supports the use of a target for the Lower Hinds/Hekeao Plains Area rather than the application of a hard limit. DHL also queries whether a better or additional alternative approach is for a concentration limit of nitrate-N.	DHL seeks that BCI's submission be allowed.

V2pLWRP – 1069	56799	Eiffelton Community Group Irrigation Scheme Inc	Table 13(g)	Support	DHL supports the use of a target for the Lower Hinds/Hekeao Plains Area rather than the application of a hard limit. DHL also queries whether a better or additional alternative approach is for a concentration limit of nitrate-N.	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2 pLWRP- 594, 595 & 596.	52271	Dairy NZ	<p>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.</p> <p>Include new proposed Table 13(ga) with concentration objectives/limits for the Upper Hinds/Hekeao Plains Area.</p>	Support	<p>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 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).</p>	DHL seeks that Dairy NZ's submission be allowed.

					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.	
V2pLWRP – 806 and 807	52333	Fonterra Co-Operative Group Limited	<p>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.</p> <p>Include new proposed Table 13(ga) with concentration objectives/limits for the Upper Hinds/Hekeao Plains Area.</p>	Support	<p>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 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</p>	DHL seeks that Fonterra’s submission be allowed.

					time, the N load limit needs to be expressed in such a way that it may change.	
V2pLWRP - 532	56731	Barrhill Chertsey Irrigation Limited	Table 13(h)	Support	<p>The 45% reduction as applied to farming activities is misrepresentative; the actual reduction contemplated by the zone committee was 26%. In addition, as was also detailed in DHL's original submission, a more appropriate date for the targeted reductions is 2050 (at least as a placeholder until the final date is confirmed through a comprehensive and detailed investigation.</p> <p>Reduction obligations should be shouldered across all contributors with 'equal pain' being shared regardless of the land use type/ farming system.</p>	DHL seeks that BCI's submission be allowed.
V2pLWRP - 1071	56799	Eiffelton Community Group Irrigation Scheme Inc	Table 13(h)	Support	<p>The 45% reduction as applied to farming activities is misrepresentative; the actual reduction contemplated by the zone committee was 26%. In addition, as was also detailed in DHL's original submission, a more appropriate date for the targeted reductions is 2050 (at least as a placeholder until the final date is confirmed through a</p>	DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.

					comprehensive and detailed investigation.  Reduction obligations should be shouldered across all contributors with 'equal pain' being shared regardless of the land use type/ farming system.	
V2 pLWRP - 597	52271	Dairy NZ	Amend Table 13(h) so that: <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	A 45% percent reduction is not required to meet desired water quality outcomes provided MAR and TSA are implemented. With those measures a lesser reduction is sufficient to achieve water quality outcomes sought by the variation.  Reduction obligations should be shouldered across all contributors with 'equal pain' being shared regardless of the land use type/ farming system.	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 808	52333	Fonterra Co-Operative Group Limited	Amend Table 13(h) so that: <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</li> </ul>	Support	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.  Reduction obligations should be shouldered across all contributors	DHL seeks that Fonterra's submission be allowed.

			property of less than 25kg/ha/yr are not required to reduce N loss beyond GMP.		with 'equal pain' being shared regardless of the land use type/ farming system.	
V2pLWRP - 525	56731	Barrhill Chertsey Irrigation Limited	Table 13(i)	Support		DHL seeks that BCI's submission be allowed.
V2pLWRP - 1072	56799	Eiffelton Community Group Irrigation Scheme Inc	Schedule 24a	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme Inc's submission be allowed.
V2pLWRP - 1109	56798	Eiffelton Community Group Irrigation Scheme	Schedule 24a	Support		DHL seeks that Eiffelton Community Group Irrigation Scheme's submission be allowed.