
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: Eiffelton further submission.pdf

EC117173

For trimming please

From: Judy-Anne Stapleton [<mailto:Judy-Anne.Stapleton@chapmantripp.com>] **On Behalf Of** Ben Williams
Sent: Friday, 30 January 2015 4:11 p.m.
To: Sarah Drummond
Subject: Proposed Variation 2 to the proposed Canterbury Land and Water Regional Plan

Sarah

We act for Eiffelton Community Group Irrigation Scheme Incorporated (*ECGIS*).

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

Regards,

Ben

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Form 6

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

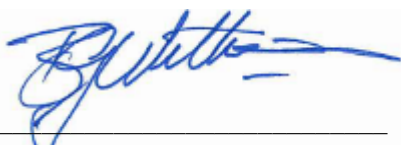
Clause 8 of Schedule 1, Resource Management Act 1991

To Canterbury Regional Council

Name of person making further submission: Eiffelton Community Group Irrigation Scheme Incorporated (*ECGIS*), submitter number 56799.

- 1 This is a further submission on:
 - proposed variation 2 to the proposed Canterbury Land and Water Regional Plan (*Variation 2*)
- 2 *ECGIS* wishes to note that the submission of Mr Ian Mackenzie (number 56798) was recorded in the Name of 'Eiffelton Community Group Irrigation Scheme'. *ECGIS* wishes to make it clear that this further submission is made by Eiffelton Community Group Irrigation Scheme Incorporated and that the submission of Mr Ian Mackenzie (chair of the *ECGIS*) is made in his personal capacity.
- 3 Its further submissions and sought relief are included in **Annexure 1**
- 4 *ECGIS* is a person who has an interest in the proposal greater than the interest the general public has. The Eiffelton Community Group Irrigation Scheme is located at Eiffelton in the eastern part of the lower Hinds/Hekeao Plains Area.
- 5 *ECGIS* wishes to be heard in support of the further submissions (and its original submissions).
- 6 If others make a similar submission, *ECGIS* will consider presenting a joint case with them at a hearing

Signed for and on behalf of the Eiffelton Community Group Irrigation Scheme Incorporated by its solicitors and authorised agents Chapman Tripp



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

Address for service of submitter:

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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	Relief Sought
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	ECGIS 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.	ECGIS seeks that Federated Farmers’ submission be allowed.
V2pLWRP - 531	56731	Barrhill Chertsey Irrigation Limited	Amend plan to align with the NPS on Freshwater Management.	Support		ECGIS 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		ECGIS 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		ECGIS 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		ECGIS seeks that BCI's submission be allowed.
V2 pLWRP - 703	56723	Valetta Irrigation Limited	Amend Variation 2 by extending the 2035 timeframe.	Support	ECGIS supports extending the 2035 timeframe referenced throughout Variation 2. As set out in ECGIS' original submissions, ECGIS considers that a date of 2050 is more likely to be appropriate than a date of 2035.	ECGIS seeks that Valetta Irrigation Limited's submission be allowed.
V2 pLWRP - 1009	53683	Dairy Holdings Limited	Align Variation 2 with the NPS on Freshwater Management where possible.	Support		ECGIS seeks that Dairy Holdings Limited's submission be allowed.
V2 pLWRP - 1012	53683	Dairy Holdings Limited	New table x with a fixed N-loss allocation for each irrigation	Support		ECGIS seeks that Dairy Holdings

			scheme.			Limited's submission be allowed.
V2 pLWRP - 1014	53683	Dairy Holdings 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		ECGIS seeks that Dairy Holdings Limited's submission be allowed.
V2 pLWRP - 1015	53683	Dairy Holdings 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		ECGIS seeks that Dairy Holdings Limited's submission be allowed.
V2 pLWRP - 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	ECGIS agrees that Variation 2 should give consideration to a wider range of actions aside from MAR that could achieve similar outcomes.	ECGIS seeks that BNZ's submission be allowed.
V2 pLWRP - 1139	53830	Bank of New Zealand, Christchurch	Give full consideration to the economic and social consequences for the community given the required N-loss reductions across the region.	Support	ECGIS agrees that it is appropriate to give full consideration to the significant economic and social consequences for the community of achieving the nitrogen discharge level reductions across the region.	ECGIS seeks that BNZ's submission be allowed.

V2 pLWRP - 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	ECGIS agrees that the proposed nitrogen discharge levels should be viewed as 'targets' rather than 'limits'.	ECGIS seeks that BNZ's submission be allowed.
V2pLWRP - 471	56731	Barrhill Chertsey Irrigation Limited		Support		ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 941	53683	Dairy Holdings Limited	Introduction	Support		ECGIS seeks that DHL'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	ECGIS does not support use of the natural capital model to calculate and allocate N loss reductions.	ECGIS seeks that this submission be disallowed.
V2pLWRP - 478	56731	Barrhill Chertsey Irrigation Limited	Definition 'target'	Support		ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 856 and V2pLWRP - 153	53678 and 56702	Bowden Environmental and Balance Agri-Nutrients Ltd	New definition: 'dairy support'	Support	ECGIS supports adding a definition of 'dairy support' to Variation 2.	ECGIS seeks that Bowden Environmental's and Balance Agri-Nutrients' submissions be allowed.

V2pLWRP - 614	52267	Horticulture New Zealand	New policy <i>"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."</i>	Support	ECGIS supports including this new policy.	ECGIS seeks that Horticulture New Zealand's submission be allowed.
V2pLWRP - 1118	56669	P Everest and Others	Policy 13.4.5	Support	ECGIS agrees that policy 13.4.5 should be amended to enable the transfer of surface water to groundwater.	ECGIS seeks that this submission be allowed.
V2pLWRP - 1117	56798	Eiffelton Community Group Irrigation Scheme	Policy 13.4.5	Support	ECGIS supports the intent of this submission.	ECGIS 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</i>	Support	ECGIS considers that this amendment allows for more effective management of the water resource. In the alternative, ECGIS would support the following wording of this policy: <i>"The water resulting from any</i>	ECGIS seeks that Irrigation New Zealand's submission be allowed or the alternative wording sought by ECGIS is

			<p><i>catchment is no longer over allocated <u>and in the Hinds/Hekeao Plains Area will not be reallocated and will be left in the river.</u></i></p>		<p><i>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 the surrendered takes are transferred to ground water and used for TSA."</i></p>	<p>allowed.</p>
V2 pLWRP - 172	52278	Irrigation New Zealand Inc	<p>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 <u>and in the Hinds/Hekeao Plains Area will not be reallocated and will be left in the river.</u>"</i></p>	Support	<p>ECGIS supports a policy that recognises that once a water body is no longer over allocated then any surrendered water can be reallocated. In the alternative, ECGIS would support the following wording of this policy:</p> <p><i>The water resulting from any surrendered surface water and stream depleting groundwater takes in the Hakatere/Ashburton River catchment <u>and in the Hinds/Hekeao Plains Area 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</u></i></p>	<p>ECGIS seeks that Irrigation New Zealand's submission be allowed or the alternative wording sought by ECGIS is allowed.</p>

					<i>not be reallocated and will be left in the river.</i>	
V2 pLWRP - 171	52278	Irrigation New Zealand Inc	Policy 13.4.9(d)	Support	<p>ECGIS 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>The percentage target reduction needs to be confirmed through comprehensive and detailed investigation (and potentially a further plan change).</p>	ECGIS seeks that Irrigation New Zealand's submission be allowed.
V2pLWRP - 196	52233	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> <i>(a) <u>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>	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>(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> <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> <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> Any consequential amendments.</p>			
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V2pLWRP - 229	54491	Synlait Milk Ltd	Policy 13.4.9(d)	Oppose in part	ECGIS supports an amendment to Policy 13.4.9(d) requiring a 26% reduction in overall nitrogen loss percentage in the Lower Hinds/Hekeao Plains Area.	ECGIS seeks relief consistent with its original submission.
V2 pLWRP - 403	53274	Fish and Game Council Central South Island	Policy 13.4.9	Oppose	<p>ECGIS does not support the replacement policy 13.4.9 requested by Fish and Game and seeks instead that the amendments requested in ECGIS's original submission are allowed.</p> <p>ECGIS 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 ECGIS's original submission, the 45% reduction target for N-loss is misrepresentative. The actual reduction contemplated by the zone committee was 26%. The percentage target reduction needs to be</p>	ECGIS seeks that Fish and Game's submissions be disallowed.

					confirmed through comprehensive and detailed investigation (and potentially a further plan change).	
V2pLWRP - 479	56731	Barrhill Chertsey Irrigation Limited	Policy 13.4.9	Support		ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 985	53683	Dairy Holdings Limited	Policy 13.4.9	Support		ECGIS seeks that DHL's submission be allowed.
V2pLWRP - 1119	56669	P Everest and Others	Policy 13.4.9	Support	ECGIS agrees that it is important that full regard is had to the risk MAR could pose to groundwater levels and flooding in the lower catchment.	ECGIS seeks that this submission be allowed.
V2pLWRP - 1077	56687	Ashburton Hinds Drainage Rating District Liaison Committee	Policy 13.4.10	Support	ECGIS 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, ECGIS 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).	ECGIS seeks that this submission be allowed.

V2pLWRP - 282	51457	Federated Farmers Combined Canterbury Branch	Policy 13.4.10: delete part (a) unless it is accompanied by a satisfactory definition of what a drain is in the context of this rule.	Support	ECGIS 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, ECGIS 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).	ECGIS 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 capping discharges of nitrogen at 114 tonnes of nitrogen per year and requiring all farming activities to operate at good management practice to maintain current phosphorous losses."</i>	Support	ECGIS supports the intention of this submission. ECGIS supports good management practice at a general level. However, the need for formal compliance and the timeframes within which that should occur should 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.	ECGIS seeks that Irrigation New Zealand's submission 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	ECGIS does not support a policy that requires stock exclusion from water bodies (natural or artificial) that are ephemeral in nature.	ECGIS 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	ECGIS opposes a policy requiring that the loads in tables 13(g) and 13(j) are met by 2030.	ECGIS 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 <u>with the goal of achieving a target load of 3,400 tonnes of nitrogen per year by 2035 2050.</u>"</i>	Support	ECGIS 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.	ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 768	52333	Fonterra Co-Operative Group Limited	Amend Policy 13.4.12 as follows: <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>	Support	ECGIS 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). We consider that the catchment load should be expressed in policy as a formula rather than as a fixed tonnage.	ECGIS seeks that Fonterra's submission be allowed.

V2pLWRP - 558	52271	Dairy NZ	Amend Policy 13.4.12 as follows: <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>	Support	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.	DHL seeks that Dairy NZ's submission be allowed.
V2pLWRP - 986	53683	Dairy Holdings 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 <u>with the goal of achieving a target load of 3,400 tonnes of nitrogen per year by 2035 2050.</u>"</i>	Support	ECGIS 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.	ECGIS seeks that DHL'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</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	ECGIS seeks that Dairy NZ's submission is allowed.

			<p><i>activities as at 1 October 2014 of 3400 tonnes of nitrogen per year by:</i></p> <p><i>a) Requiring existing farming activities to <u>implement</u> meet good management practices nitrogen loss rates from 1 January 2017, calculated on the baseline land uses;</i></p>		<p>tonnage.</p> <p>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 submission/hearing process.</p> <p>The Dairy NZ submission proposes a more credible and workable approach.</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><i>"(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. 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</i></p>	Oppose	<p>ECGIS opposes the amendments sought by Ngai Tahu. ECGIS has sought amendments to Policy 13.4.13 and it requests that those be allowed.</p>	<p>ECGIS seeks that Ngai Tahu's submission be disallowed.</p>

			<p><u>for N losses in this B band to be operating at best management practice from the outset. 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 27th 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 27th 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 27th 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	Policy 13.4.13	Support	ECGIS supports the amendments to Policy 13.4.13	ECGIS seeks that BCI's submission be

		Limited			sought by BCI. Reduction obligations should be shouldered across all contributors with the highest reductions to be achieved proportionally by the highest emitters regardless of the land use type/ farming system.	allowed.
V2 pLWRP - 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, ECGIS 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 ECGIS' 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).	ECGIS seeks that Fish and Game's submissions be disallowed.

V2pLWRP - 987	53683	Dairy Holdings Limited	Policy 13.4.13	Support	<p>ECGIS supports the amendments to Policy 13.4.13 sought by DHL.</p> <p>Reduction obligations should be shouldered across all contributors with the highest reductions to be achieved proportionally by the highest emitters regardless of the land use type/ farming system.</p>	ECGIS seeks that DHL's submission be allowed.
V2 pLWRP- 566	52271	Dairy NZ	<p>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></p> <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"</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 make proportionally greater N loss reductions than lower emitters.</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 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</p>	ECGIS seeks that Dairy NZ's submission is allowed.

			<p><u>by:</u></p> <p><u>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.</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</u></p>		<p>which a departure from the reduction schedule of Table 13(h)</p> <p>In our view, departure from the reduction schedule of Table 13(h) may be appropriate in the circumstances described.</p>	
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			<p><u>on-farm that are outside of a farmer's 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 - 274	52233	Nga Runanga and Te Runanga O Ngai Tahu	<p>Delete policy 13.4.14 and replace with:</p> <p><u>"Allow the use of targeted stream augmentation or managed aquifer recharge to improve flows in the Hinds/Hekeao springfed waterbodies and groundwater levels in the Lower Hinds/Hekeao Plains Area provided all of the following effects are avoided, remedied or mitigated:</u></p> <p><u>(a) Any adverse effects on cultural values including mahinga kai and any unnatural mixing of</u></p>	Oppose	ECGIS opposes the wording sought by Ngai Tahu. For the reasons set out in its original submission, ECGIS seeks that the amendments it sought to Policy 13.4.14, or words having the same effect as those sought by ECGIS, are preferred.	ECGIS seeks that Ngai Tahu's submission be disallowed.

			<u>waters;</u> <u>(b) Any adverse effects on community drinking water supplies;</u> <u>(c) Any adverse effects on fish passage;</u> <u>(d) Any adverse effects on people and property from raised groundwater levels and higher flows; And</u> <u>(e) The inundation of natural wetlands is avoided or where it cannot be avoided is offset by wetland restoration or enhancement so there is no net loss of biodiversity habitat or significant indigenous biodiversity.”</u>			
V2pLWRP - 483	56731	Barrhill Chertsey Irrigation Limited	Policy 13.4.14	Support		ECGIS seeks that BCI's submission be allowed.
V2 pLWRP- 564 and 566	52271	Dairy NZ	Add a new Policy 13.4.14A as follows: <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>	Support in part	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. Further, the purpose of MAR and TSA should include	ECGIS seeks that Dairy NZ's submission is allowed.

			<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>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> 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></p> <p><u>(a) Encourage consultation to be undertaken with affected communities and landholders before any application is</u></p>		<p>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. Consultation with the community and land owners during development of projects will be crucial.</p>	
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			<p><i>lodged for a MAR or TSA project; and</i></p> <p><i>(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.</i></p> <p><i>(c) Require that:</i></p> <ul style="list-style-type: none"> <i>i. adverse effects on cultural values, including those associated with unnatural mixing of water are satisfactorily avoided or mitigated;</i> <i>ii. adverse effects on the availability and quality of community drinking water supplies are avoided;</i> <i>iii. adverse effects on fish passage are avoided or mitigated;</i> <i>iv. Inundation of existing wetlands is avoided, remedied or mitigated through scheme design, constructions and operation;</i> 			
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			<p>v. <i>There is no net loss of significant biodiversity habitat of indigenous biodiversity; and</i></p> <p>vi. <i>Adverse effects on people and property from raised groundwater levels and higher flows are avoided; <u>and</u></i></p> <p>vii. <i><u>Adverse effects on farming activities and production are avoided.</u></i></p>			
V2pLWRP - 179	52278	Dairy NZ	<p>Amend Policy 13.4.16:</p> <p><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</i></p>	Support in part	ECGIS 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.	ECGIS seeks that Dairy NZ's submission is allowed.

			<i>Groundwater Allocation Zone."</i>			
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 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	ECGIS 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.	ECGIS seeks that Fonterra's submission is allowed.
V2pLWRP - 295	51457	Federated Farmers Combined Canterbury Branch	Amend Policy 13.4.16 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</i>	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.	ECGIS seeks that this submission is allowed insofar as it requests that all methods of Schedule 1 be available for the calculation of reasonable

			<i>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>"</i>			use.
V2pLWRP - 487	56731	Barrhill Chertsey Irrigation Limited	Amend Policy 13.4.18 <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> <i>i) <u>Table 13(e); or</u></i> <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>	Support	ECGIS agrees that the status quo flow allocation should apply until such time as a further table in introduced following the collaborative process referred to in the policies.	ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 487	56731	Barrhill Chertsey Irrigation	Delete policy 13.4.19	Support	The status quo flow allocation should apply until such time as a further table in introduced following the collaborative	ECGIS seeks that BCI's submission be

		Limited			process referred to in the policies.	allowed.
V2 pLWRP-429	53688	Director General of Conservation	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.	ECGIS seeks that DOC's submission be allowed.
V2 pLWRP-501	53274	Fish and Game Council Central South Island	Retain Policy 13.4.19	Oppose	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.	ECGIS seeks that Fish & Game's submission be disallowed.

Rules

Point ID	Submission ID	Submitter Name	Submission / Variation 2 reference	Support/ Oppose	Reasons	Relief Sought
V2 pLWRP - 231	56727	Beef + Lamb New Zealand Limited	Amend rules to reflect the revised approach to N loss allocation (natural capital LUC).	Oppose	ECGIS opposes the use of the natural capital model to calculate and allocate N loss reductions.	ECGIS seeks that this submission be disallowed.
V2pLWRP - 492	56731	Barrhill Chertsey Irrigation Limited	Index to rules table	Support		ECGIS seeks that BCI's submission be allowed.
V2pLWRP - 990	53683	Dairy Holdings Limited	Rules table	Support		ECGIS seeks that DHL'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 water quality are from run-off and riparian management rather than nitrogen leaching.	ECGIS seeks that Fonterra's submission be allowed.

V2pLWRP - 571	52271	Dairy NZ	Rule 13.5.9 delete condition 1	Support	ECGIS 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	ECGIS seeks that Dairy NZ's submission be allowed.
V2pLWRP - 784	52333	Fonterra Co-operative Group Limited	Rule 13.5.9 delete condition 1	Support	ECGIS 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	ECGIS seeks that Fonterra's submission be allowed.
V2pLWRP - 507	53274	Fish and Game Council Central South Island	<p>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.</p> <p>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.</p>	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.	ECGIS seeks that Fish and Game's submission be disallowed.

V2pLWRP - 785	52333	Fonterra Co-Operative Group Limited	Delete Rule 13.5.10	Support	ECGIS supports Fonterra's submission to delete Rule 13.2.10. 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.	ECGIS seeks that Fonterra's submission be allowed.
V2pLWRP - 572	52271	Dairy NZ	Delete Rule 13.5.10	Support	ECGIS 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.	ECGIS 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 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.	ECGIS seeks that Fish and Game's submission be disallowed.
V2pLWRP -	56731	Barrhill Chertsey	Rule 13.5.14	Support		ECGIS seeks that BCI's

491		Irrigation Limited				submission be allowed.
V2pLWRP - 754	56708	Ravensdown Fertiliser Co-operative Limited	Delete Rule 13.5.14	Support	The Rule potentially allows for further land use intensification when existing intensive farming activities are already faced with significant reduction expectations. Land that is already within the command area of a consented irrigation scheme should be provided for in the Variation (even where land use change has yet to occur) but this is adequately achieved by Rules 13.5.21 and 13.5.32.	ECGIS seeks that Ravensdown's submission be allowed.
V2pLWRP - 991	53683	Dairy Holdings Limited	Rule 13.5.14	Support		ECGIS seeks that DHL'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	ECGIS 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.	ECGIS 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.	ECGIS seeks that this submission be disallowed.
V2 pLWRP-579	52271	Dairy NZ	<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 activity, provided the following conditions are met:</i></p> <p><i>1. The nitrogen loss calculation for the property is greater than 2025 kgs per hectare per annum; and</i></p> <p><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; and/or</i></p> <p><i>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</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 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</p>	ECGIS seeks that Dairy NZ's submission be allowed.

			<p><u>to resource consent granted under Rule 13.5.14, does not exceed the nitrogen baseline plus 5kqs 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> <ol style="list-style-type: none"> 1. The quality of, compliance with and auditing of the Farm Environmental 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 implementation of gGood management pPractices Nitrogen Loss Rates to be applied for the baseline land uses; and 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> 5. The potential benefits of the activity to the applicant, the 		<p>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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			<i>community and the environment."</i>			
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 activity, provided the following conditions are met:</i></p> <p><i>1. The nitrogen loss calculation for the property is greater than 2025 kgs per hectare per annum; and</i></p> <p><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; 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 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></p> <p><i>4 A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and supplied to</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 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>	ECGIS seeks that Fonterra's submission be allowed.

			<p><i>Environment Canterbury on request.</i></p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <p><i>1. The quality of, compliance with and auditing of the Farm Environmental Plan; and</i></p> <p><i>2. The ability to meet the nitrogen load target for farming activities in Table 13(g); and</i></p> <p><i>3. From 1 January 2017 the implementation of gGood management pPractices Nitrogen Loss Rates to be applied for the baseline land uses; and</i></p> <p><i>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></i></p> <p><i>5. The potential benefits of the activity to the applicant, the community and the environment.”</i></p>			
V2pLWRP – 992	53683	Dairy Holdings Limited	Rule 13.5.18	Support		ECGIS seeks that DHL’s submission be allowed.
V2pLWRP –	56731	Barrhill Chertsey	Rule 13.5.19	Support		ECGIS seeks that BCI’s

490		Irrigation Limited				submission be allowed.
V2pLWRP – 995	53683	Dairy Holdings Limited	Rule 13.5.19	Support		ECGIS seeks that DHL’s submission be allowed.
V2pLWRP – 494	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.20	Support		ECGIS seeks that BCI’s submission be allowed.
V2pLWRP – 495	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.21	Support		ECGIS seeks that BCI’s submission be allowed.
V2pLWRP – 522	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.22	Support		ECGIS seeks that BCI’s submission be allowed.
V2pLWRP – 997	53683	Dairy Holdings Limited	Rule 13.5.22	Support		ECGIS seeks that DHL’s submission be allowed.
V2pLWRP – 529	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.23	Support		ECGIS seeks that BCI’s submission be allowed.

V2pLWRP - 998	53683	Dairy Holdings Limited	Rule 13.5.23	Support		ECGIS seeks that DHL's submission be allowed.
V2pLWRP - 556	53274	Fish and Game Council Central South Island	Delete rule 13.5.24	Oppose	ECGIS opposes the deletion of rule 13.4.24.	ECGIS seeks that Fish and Game's submission be disallowed.
V2pLWRP - 585 and 586	52333	Dairy NZ	<p>Add a new rule 13.5.29A to state: <u>"Despite Rule 5.114, the taking and using of groundwater for stock drinking or domestic needs is a permitted activity."</u></p> <p>Add a new rule 13.5.29B to state: <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> <u>1. The rate of take is less than the rates specified in Rule 5.111 1. (a)</u> <u>2. Fish are prevented from entering the water intake as set out in Schedule 2; and</u> <u>3. The take is not from a river subject to a Water Conservation Order."</u></p>	Support	<p>ECGIS 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. ECGIS 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>ECGIS understands that water users may apply for a change of conditions to have their historic</p>	ECGIS seeks that this submission be allowed.

				<p>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 ECGIS acknowledges the opportunity for existing consent holders to apply now for a change of conditions, ECGIS 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>	
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					<p>ECGIS acknowledges that there is already opportunity for a permitted groundwater take under Rules 5.113 and 5.114 of the pLWRP. However, based on ECGIS'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), ECGIS also seeks that the rule be extended to dairy shed takes.</p>	
V2pLWRP – 798 and 799	52333	Fonterra Co-operative Group Limited	<p>Add a new rule 13.5.29A to state: <u>"Despite Rule 5.114, the taking and using of groundwater for stock drinking or domestic needs is a permitted activity."</u></p> <p>Add a new rule 13.5.29B to state: <u>"Despite Rule 13.5.29, the taking and using of surface water for stock drinking or</u></p>	Support	<p>ECGIS 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</p>	ECGIS 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 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>partnerships as being entitled to take water for stock drinking (and/or domestic use) under section 14(3)(b) of the RMA. ECGIS 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>ECGIS 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 ECGIS acknowledges</p>	
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					<p>the opportunity for existing consent holders to apply now for a change of conditions, ECGIS 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>ECGIS acknowledges that there is already opportunity for a permitted groundwater take under Rules 5.113 and 5.114 of the pLWRP. However, based on ECGIS'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</p>	
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					the event of restriction to ensure cows can continue to be milked), ECGIS also seeks that the rule be extended to dairy shed takes.	
V2pLWRP - 999	53683	Dairy Holdings Limited	New Rule 13.5.29A	Support		ECGIS seeks that DHL's submission be allowed.
V2pLWRP - 1000	53683	Dairy Holdings Limited	New Rule 13.5.29B	Support		ECGIS seeks that DHL'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.	ECGIS seeks that Irrigation NZ's submission be allowed
V2pLWRP - 530	56731	Barrhill Chertsey Irrigation Limited	Rule 13.5.34	Support		ECGIS seeks that BCI's submission be allowed.

V2pLWRP – 1005 and 1006	53683	Dairy Holdings Limited	Rule 13.5.34 and 13.5.35	Support		ECGIS seeks that DHL's submission be allowed.
V2pLWRP - 1007	53683	Dairy Holdings Limited	New Rule 13.5.35A	Support		ECGIS seeks that DHL's submission be allowed.

Tables and schedules

Point ID	Submission ID	Submitter Name	Submission / Variation 2 reference	Support/ Oppose	Reasons	Relief Sought
V2 pLWRP-504	53274	Fish and Game Council Central South Island	<p>Amend Table 13(d) to ensure:</p> <ul style="list-style-type: none"> 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. <p>And</p> <p>Include a new column that specifies a reduced allocation goal.</p>	Oppose	Any changes to the flow and allocation regime must be agreed with the relevant consent holders.	ECGIS seeks that Fish and Game's submission is disallowed.

V2pLWRP – 309 and 380	51457	Federated Farmers Combined Canterbury Branch	Table 13(e)	Support	ECGIS agrees that the words “1 October 2014-30 June 2020” should be deleted from table 13(e).	ECGIS seeks that Federated Farmers’ submission be allowed.
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.	ECGIS seeks that BCI’s submission be allowed.
V2pLWRP – 532	56731	Barrhill Chertsey Irrigation Limited	Table 13(g)	Support	ECGIS supports the use of a target for the Lower Hinds/Hekeao Plains Area rather than the application of a hard limit. ECGIS also queries whether a better or additional alternative approach is for a concentration limit of nitrate-N.	ECGIS seeks that BCI’s submission be allowed.
V2pLWRP – 1010	53683	Dairy Holdings Limited	Table 13(g)	Support	ECGIS supports the use of a target for the Lower Hinds/Hekeao Plains Area rather than the application of a hard limit. ECGIS also queries whether a better or additional alternative approach is for a concentration limit of nitrate-N.	ECGIS seeks that DHL’s submission be allowed.
V2 pLWRP- 594, 595 &	52271	Dairy NZ	Table 13(g): Delete the N load limit for the Upper Hinds/Hekeao	Support	Water quality issues in the Upper Hinds are related to sediment,	ECGIS seeks that Dairy NZ’s

596.			<p>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>		<p>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 time, the N load limit needs to be expressed in such a way that it may change.</p>	<p>submission be allowed.</p>
V2pLWRP – 806 and 807	52333	Fonterra Co-Operative	Table 13(g): Delete the N load limit for the Upper Hinds/Hekeao Plains Area and replace the fixed	Support	Water quality issues in the Upper Hinds are related to sediment, phosphorus and E.coli issues	ECGIS seeks that Fonterra's submission be

		Group Limited	<p>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>		<p>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 time, the N load limit needs to be expressed in such a way that it may change.</p>	allowed.
V2pLWRP - 532	56731	Barrhill Chertsey Irrigation	Table 13(h)	Support	The 45% reduction as applied to farming activities is misrepresentative; the actual reduction contemplated by the	ECGIS seeks that BCI's submission be

		Limited			<p>zone committee was 26%. In addition, as was also detailed in ECGIS' 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>ECGIS considers that all farms should be treated equitably.</p>	allowed.
V2pLWRP – 1011	53683	Dairy Holdings Limited	Table 13(h)	Support	<p>For reasons set out in its original submission, ECGIS 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%. In addition, as was also detailed in ECGIS' 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 the highest reductions to be achieved proportionally by the</p>	ECGIS seeks that DHL's submission be allowed.

					highest emitters regardless of the land use type/ farming system.	
V2 pLWRP - 597	52271	Dairy NZ	<p>Amend Table 13(h) so that:</p> <ul style="list-style-type: none"> ▪ 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 ▪ 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. 	Support	<p>A 45% percent reduction is not required to meet desired water quality outcomes provided MAR and TSA are implemented. With those measures a much lower reduction is sufficient to achieve water quality outcomes sought by the variation.</p> <p>Reduction obligations should be shouldered across all contributors with the highest reductions to be achieved proportionally by the highest emitters regardless of the land use type/ farming system.</p>	ECGIS seeks that Dairy NZ's submission be allowed.
V2pLWRP - 808	52333	Fonterra Co-Operative Group Limited	<p>Amend Table 13(h) so that:</p> <ul style="list-style-type: none"> ▪ 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 ▪ 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. 	Support	<p>A 45% percent reduction is not required to meet desired water quality outcomes provided MAR and TSA are implemented. With those measures a much lower reduction is sufficient to achieve water quality outcomes sought by the variation.</p> <p>Reduction obligations should be shouldered across all contributors with the highest reductions to be achieved proportionally by the highest emitters regardless of the</p>	ECGIS seeks that Fonterra's submission be allowed.

					land use type/ farming system.	
V2pLWRP – 525	56731	Barrhill Chertsey Irrigation Limited	Table 13(i)	Support		ECGIS seeks that BCI's submission be allowed.
V2pLWRP – 1002	53683	Dairy Holdings Limited	New schedule	Support		ECGIS seeks that DHL's submission be allowed.