

**From:** [Lionel Hume](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** Proposed Air Regional Plan  
**Date:** Friday, 1 May 2015 4:50:59 p.m.  
**Attachments:** [Proposed Air Regional Plan submission 2.pdf](#)

---

Dear Sir/Madam,

Attached is Federated Farmers' submission on the Proposed Air Regional Plan.

Yours sincerely,

**LIONEL HUME**  
SENIOR POLICY ADVISOR

Federated Farmers of New Zealand  
Box 414, Ashburton, New Zealand

**P** 03 307 8154  
**F** 03 307 8146  
**M** 027 470 9008  
[www.fedfarm.org.nz](http://www.fedfarm.org.nz)



This email communication is confidential between the sender and the recipient. The intended recipient may not distribute it without the permission of the sender. If this email is received in error, it remains confidential and you may not copy, retain or distribute it in any manner. Please notify the sender immediately and erase all copies of the message and all attachments. Thank you.



THINK BEFORE YOU PRINT

This email communication is confidential between the sender and the recipient. The intended recipient may not distribute it without the permission of the sender. If this email is received in error, it remains confidential and you may not copy, retain or distribute it in any manner. Please notify the sender immediately and erase all copies of the message and all attachments. Thank you.



# Federated Farmers of New Zealand

## Submission to Environment Canterbury on the Proposed Canterbury Air Regional Plan

1 May 2015



# **SUBMISSION ON THE PROPOSED CANTERBURY AIR REGIONAL PLAN**

To: *Environment Canterbury*

Name of submitter: Combined Canterbury Provinces, Federated Farmers of New Zealand

Contact person: Dr Lionel Hume  
Senior Policy Advisor

Address for service: Federated Farmers of New Zealand  
P.O. Box 414  
Ashburton 7740

Phone: 03 307 8154  
Mobile: 027 470 9008  
Email: lhume@fedfarm.org.nz

.

## Introduction

1. Federated Farmers thanks Environment Canterbury for the opportunity to submit on the Proposed Canterbury Air Regional Plan.
2. Federated Farmers of New Zealand is a voluntary primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand's farmers and their communities.
3. Federated Farmers aims to add value to its members' farming businesses by ensuring that New Zealand provides an economic and social environment within which:
  - Our members may operate their businesses in a fair and flexible commercial environment;
  - Our members' families and their staff have access to services essential to the needs of the rural community; and
  - Our members adopt responsible management and environmental practices.
4. The economic importance of the agricultural sector to New Zealand's economy is well recognised. Its direct and indirect contribution to New Zealand's economy is about 15%. Land-based primary sector exports comprise about 70% of New Zealand's total exports. Any plan provision which affects farm businesses has the potential to also impact, positively or negatively, on district, regional and national economies.
5. Because Federated Farmers' membership covers a broad spectrum of farming systems, we have sought the views of other primary sector groups while preparing the following submission on the Proposed Canterbury Air Regional Plan.

## Definitions

### Definition of *Intensive pig farming*

The definition refers to the keeping of more than 2 sows and 20 weaned pigs. These numbers are too small and will capture people raising a few pigs to provide meat for family and friends. The threshold numbers should be raised so that the definition targets pig farmers operating at a scale where potential odour nuisance needs to be managed.

### Decision Sought

Amend the definition as follows:

*Means the keeping, rearing or breeding for any purpose more than 2025 pigs that have been weaned, or more than ~~two~~six sows, .....*

## Policies

### Central Policies Applying to All Activities

#### Policy 6.1 b (p 6-1)

##### Submission

This policy states that discharges of contaminants into the air should not cause *significantly diminished visibility*. Firstly, significantly diminished visibility needs to be defined in a quantitative way, either in the policy or the relevant rule(s). Secondly, the policy and its application need to allow for physical circumstances. In many situations, where burning is taking place, there may be significantly diminished visibility close to the fire, particularly down-wind. The policy needs to be amended to qualify it with regard to both proximity to sensitive activities and prevailing wind conditions.

##### Decision Sought:

1. Define *significantly diminished visibility* in a quantitative way, either in the policy or the relevant rule(s).
2. Amend the policy to allow for circumstances such as proximity and prevailing wind conditions, as follows: b Significantly diminished visibility, allowing for proximity to sensitive activities and prevailing wind conditions;

#### Policy 6.5 (p 6-1)

##### Submission

Policy 6.5 requires that the frequency, intensity, duration, offensiveness and location of discharges into air must be identified and managed. Criteria for assessing offensive or objectionable smoke, dust or odour are set out in Schedule 2. Care must be taken to align the Odour Management Plan requirements in Schedule 2 with the Farm Environment Plan structure and format. Odour management must be able to be incorporated into Farm Environment Plans.

##### Decision Sought

Retain the ability for an Odour Management Plan to form part of a Farm Environment Plan prepared and implemented in accordance with Schedule 7 Part A of the Canterbury Land and Water Regional Plan.

#### Policy 6.10 (p 6-1)

##### Submission

Policy 6.10 refers to 'best practicable option' which is relevant for industrial or trade process discharges. The phrase 'good management practices' would be more appropriate for rural activities consistent with primary industry programmes and initiatives, the proposed Canterbury Land and Water Regional Plan and the Matrix of Good Management Project.

##### Decision Sought

Amend policy 6.10 and add a new policy 6.10a as follows:

*6.10 ~~All activities~~ Industrial and trade process that discharge into air apply, at least, the best practicable option so that cumulative effects are minimised.*

6.10a Good management practice is adopted by rural activities that discharge odour, dust or smoke in the rural environment.

**Policy 6.13 (p 6-2)**

**Submission**

Policy 6.13 provides for “discharge of contaminants into air necessary for the protection of production species and other biodiversity from biosecurity risks”. Presumably this means the burning of infected plant or animal material, including animal carcasses? Federated Farmers supports the policy but recommends that it should be expanded to illustrate its meaning.

**Decision Sought**

Expand the policy to illustrate its meaning i.e. that it provides for the burning of infected plant or animal material, including animal carcasses, as follows:

Provide for the discharges of contaminants into air necessary for the protection of production species and other biodiversity from biosecurity risks such as from the burning of infected plant or animal material, including animal carcasses.

**Outdoor burning**

**Policy 6.16 (p 6-2)**

**Submission**

Policy 6.16 states that the burning of non-organic material is to be avoided in rural areas. Small quantities of non-organic material (e.g. empty plastic containers) can be burnt, on a hot fire, with minimal adverse environmental effect. If burning is prevented there needs to be cost-effective alternative means of disposal.

**Decision Sought**

Amend the policy to enable limited burning of non organic materials where it can be done safely, because it is impractical to totally avoid burning these materials, as follows:

~~Avoid~~Minimise the outdoor burning of non-organic material in rural areas.

**Policy 6.17 (p 6-2)**

**Submission**

Federated Farmers supports the management of large-scale outdoor burning of organic material, in rural areas, to minimise adverse effects on townships. However, we are opposed to the identification and imposition of crop residue burning buffer areas. No objective measurements of smoke intensity or duration are given to justify this policy or the rules that flow from it. There is also no acknowledgement or assessment of the costs that buffer zones will impose on the farms within them. Careful thought needs to be given to the perceptions and issues around crop residue burning in order to adopt the most cost-effective ways of addressing these. Simply requiring farmers within a 5 km buffer zone to apply for a consent will not, of itself, reduce the incidence of burning or improve practice. If poor practice is the major issue, the best way to address this in to collaborate with farmers rather than regulate against them, given that there are valid agronomic

reasons to justify crop residue burning<sup>1</sup>. Careful consideration needs to be given to the relative merits of crop residue burning compared with alternative options<sup>1</sup>.

The Ashburton District Council/Federated Farmers Crop Residues Burning Code of Practice provides an alternative management strategy which could form a basis for collaboration between farmers, council and the community.

It should also be noted that well managed/controlled crop residue burning may reduce the fire risk adjacent to towns.

### **Decision Sought**

Amend the Policy by removing the reference to Crop Residue Burning Buffer Areas because:

1. No objective measurements of smoke intensity or duration are given to justify this policy or the rules that flow from it;
2. There is also no acknowledgement or assessment of the costs that buffer zones will impose on the farms within them;
3. Simply requiring farmers within a 5 km buffer zone to apply for a consent will not, of itself, reduce the incidence of burning or improve practice.
4. In urban areas, potential reverse-sensitivity issues created when residential areas encroach into industrial zones are usually addressed by requiring the more sensitive activity to provide the buffer areas. Why in rural areas is the cost imposed on the activity that was located there first? Farmers should not have to pay the cost of poor town planning decisions.

Adopt an alternative management strategy based on the Ashburton District Council/Federated Farmers Crop Residues Burning Code of Practice. This would form a basis for collaboration between farmers, council and the community.

### **Space heating Region wide**

#### **Policy 6.27 (p 6-3)**

#### **Submission**

Federated Farmers supports the provision to use enclosed ultra-low emission enclosed (wood) burners. Wood is a renewable fuel source and its use should be able to continue. The Christchurch earthquakes have shown how vulnerable a population can be (physically as well as fiscally) that is totally reliant on electricity for heating and cooking.

#### **Decision Sought**

Retain Policy 6.27.

---

<sup>1</sup> Williams, R.; Poole, N.; Fraser, P.; Grant, D.; Hanson, N.; Orson, J.; Rolston, P.; and Sim, J. 2013: Review of the role and practices of stubble burning in New Zealand, including alternative options and possible improvements. A report prepared for the Canterbury Regional Council by the Foundation for Arable Research.

## **Space heating in Clean Air Zones**

### **Policy 6.35 (p 6-3)**

#### **Submission**

Policy 6.35 effectively bans the use of open fires in Clean Air Zones. The Clean Air Zones typically contain significant tracts of rural land. The use of existing open fires on such land is unlikely to increase the number of days on which the ambient air quality standard for PM<sub>10</sub>, in the National Environmental Standards for Air Quality, is exceeded. The policy should be amended to exclude rural dwellings. There is a greater incidence and duration of power cuts in rural areas as a result of storm-thrown trees or snowfall. Banning the use of existing open fires could present a public health issue in an adverse climatic event emergency.

#### **Decision Sought**

Amend the policy to exclude rural dwellings i.e. those on sites zoned Rural. There is a greater incidence and duration of power cuts in rural areas as a result of storm-thrown trees or snowfall. Banning the use of existing open fires could present a public health issue in an adverse climatic event emergency.

### **Rangiora, Kaiapoi or Ashburton**

#### **Policies 6.36, 6.37 and 6.38 (p 6-3)**

In these policies (and the rules which flow from them) where more stringent conditions apply to sites less than 2 ha, rural sites should be distinguished from urban sites. The Clean Air Zones typically contain significant tracts of rural land. The use of existing enclosed burners or open fires on such land is unlikely to increase the number of days on which the ambient air quality standard for PM<sub>10</sub>, in the National Environmental Standards for Air Quality, is exceeded. The policies should be amended to exclude rural dwellings.

#### **Decision Sought**

Amend the policies to exclude rural dwelling i.e. those on sites zoned Rural because the use of enclosed burners or even open fires on such sites is unlikely to increase the number of days on which the ambient air quality standard for PM<sub>10</sub>, in the National Environmental Standards for Air Quality, is exceeded.

### **Christchurch or Timaru**

#### **Policies 6.39, 6.40, 6.41 and 6.42 (p 6-4)**

In these policies (and the rules which flow from them) where more stringent conditions apply to sites less than 2 ha, rural sites should be distinguished from urban sites. The Clean Air Zones typically contain significant tracts of rural land. The use of existing enclosed burners or open fires on such land is unlikely to increase the number of days on which the ambient air quality standard for PM<sub>10</sub>, in the National Environmental Standards for Air Quality, is exceeded. The policies should be amended to exclude rural dwellings.

#### **Decision Sought**

Amend the policies to exclude rural dwelling i.e. those on sites zoned Rural because the use of enclosed burners or even open fires on such sites is unlikely to increase the number of days on



which the ambient air quality standard for PM<sub>10</sub>, in the National Environmental Standards for Air Quality, is exceeded.

#### **Policy 6.40 (p 6-4)**

##### **Submission**

Rule 6.40 effectively bans the use of open fires and enclosed burners more than 15 years old on sites less than 2 ha. Enclosed burners that are 15 years old or greater can burn efficiently if used appropriately. Also, dwellings on less than 2 ha may be surrounded by larger rural holdings and should not be caught by the policy. The policy should be amended to apply to urban dwellings only.

##### **Decision Sought**

Delete Policy 6.40 or amend to apply to urban dwellings only.

#### **Geraldine or Waimate**

#### **Policy 6.43 (p 6-4)**

##### **Submission**

Rule 6.43 effectively bans the use of open fires and enclosed burners more than 15 years old on sites less than 2 ha. Enclosed burners that are 15 years old or greater can burn efficiently if used appropriately. Also, dwellings on less than 2 ha may be surrounded by larger rural holdings and should not be caught by the policy. The policy should be amended to apply to urban dwellings only.

##### **Decision Sought**

Delete Policy 6.43 or amend to apply to urban dwellings only.

#### **Rules**

##### **All activities**

#### **Rule 7.4 (p 7-1 – 7-2))**

##### **Submission**

Rule 7.7 prohibits the burning of listed materials. Some of the materials listed would frequently be burned in small quantities on rubbish fires e.g. treated or glued timber, wood which is painted, stained or oiled or contains nails, plastic and agricultural containers (which could sometimes be deemed to be containers used for storing hazardous substances).

Federated Farmers supports recycling and the prevention of burning of harmful substances. All reasonable attempts should be made to recycle. However there are circumstances where recycling is not practical, or even possible. For example, bale wrap can only be recycled if it is clean. In a winter feeding regime this is not always possible because the bale wrap may become heavily soiled and be unsuitable for recycling. Even with the best of intentions farmers may end up with a stock-pile of wrap they are unable to recycle.

In addition, most farmers do not live anywhere near recycling facilities and certainly do not access to kerbside recycling or rubbish collection. Even where such facilities are available townships within a reasonable driving distance (say less than an hour) they are often restricted with regard to the materials that they will receive. Even when waste materials can be transported for safe disposal, the benefit of doing this needs to be weighed against the environmental disbenefits such as diesel consumption.

Federated Farmers recommend that the burning of small quantities of agricultural wrap (including baleage and silage wrap) is a permitted activity, with Council increasing non-regulatory actions such as education and information to farmers on recommended management practices. This approach should also be applied to the other materials cited above.

In addition, some plastic containers cannot be recycled. Those containers which are part of the Agrecovery programme (agrichemical containers) can be recycled, but some containers e.g. oil containers cannot be recycled and need to be disposed of in some other way. It would make sense to permit the burning of limited quantities of non recyclable plastic containers.

### **Decision Sought**

Review the list of materials in Rule 7.4 so that it only contains materials which are a significant threat to the environment or to human health. It must recognise that some plastics cannot be recycled, that the burning of small quantities of plastic, treated or glued timber, wood which is painted, stained or oiled, or wood that contains nails, on a hot fire, is not a significant threat to the environment or human health.

### **Outdoor burning**

#### **In rural areas**

#### **Rule 7.8 (p 7-2)**

#### **Submission**

Federated Farmers supports the underlying philosophy of Rule 7.8, that crop residue burning should be a permitted activity. However, the rule should not be confined to *standing crop residue*. All residue needs to be able to be burned. Straw remaining following the harvest (or attempted harvest) of a cereal or seed crop may not necessarily be able to be harvested. For example, a grass seed crop may be cut then be unable to be successfully headed because of weather conditions, eventually leaving straw which is totally unsuitable for baling and feeding to livestock. The only option when it finally dries is burning.

In addition, Federated Farmers strongly opposes the imposition of buffer areas within which consents will be required. There are valid agronomic reasons for crop residue burning and the effects from burning need to be considered alongside the potential consequences of not burning, such as greater diesel consumption/exhaust, greater agrichemical use and the build-up of diseases such as the cereal disease take-all which cannot be managed using agrichemicals. The issues around crop residue burning compared with alternative practices are thoroughly summarised in the FAR report prepared by Williams et al. 2013<sup>2</sup>.

---

<sup>2</sup> Williams, R.; Poole, N.; Fraser, P.; Grant, D.; Hanson, N.; Orson, J.; Rolston, P.; and Sim, J. 2013: Review of the role and practices of stubble burning in New Zealand, including alternative options and possible improvements. A report prepared for the Canterbury Regional Council by the Foundation for Arable Research.

Condition 1 states that the dispersal or deposition of particles does not cause an objectionable or offensive effect beyond the boundary of the property of origin. It is virtually impossible to reliably retain smoke within a boundary, so the condition must be interpreted to take into account of specific circumstances such as: what constitutes objectionable or offensive; how rapidly does the smoke become dispersed; what/who is on the other side of the boundary and how far from the boundary are they; was the initiator of the fire caught out by a wind-change; etc.

Condition 2: The smoke management plan should be developed with arable farmers as a voluntary good practice guide. Its development in collaboration with farmers will improve uptake.

### **Decisions Sought**

1. Amend the rule to refer to all crop residue, as follows: ...discharge into air from ~~standing~~ crop residue is a permitted activity...
2. Remove the provision for buffer areas because these will probably have no impact on air quality.
3. Qualify Condition 1 to take account of specific circumstances such as:
  - a. How rapidly the smoke is dispersed;
  - b. What/who is on the other side of the boundary and how far from the boundary they are;
  - c. Was the initiator of the fire surprised by a wind-change; etc.
4. The smoke management plan should be developed with arable farmers as a voluntary good practice guide. Its development in collaboration with farmers will improve uptake.

### **Rule 7.9 (p 7-2)**

#### **Submission**

Rule 7.9 states that the burning of *standing crop residue* within buffer areas, identified in Section 9 Map series, will have controlled activity status and therefore require a consent. Again, the rule should not be confined to *standing crop residue*. All residue needs to be able to be burned.

As stated above, there are valid agronomic reasons for crop residue burning and the effects from burning need to be considered alongside the potential consequences of not burning, such as greater diesel consumption/exhaust discharge and greater agrichemical use. Federated Farmers considers that it would be more effective to work collaboratively with farmers to minimise adverse effects than to regulate in the manner proposed. The new process (with controlled activity consents) is likely to result in the same number of fires, lit by the same people as previously. The end result is very likely to be the same, with the addition of another layer of bureaucracy and additional cost.

While crop residue fires may look spectacular, and may have a very localised effect on PM<sub>10</sub> for a short period, they have little effect on PM<sub>10</sub> averaged over a 24 hour period. The issue for urban dwellers is largely one of perception. Federated Farmers believes that the best way forward is to work with farmers to improve practice where this is necessary, impose and enforce appropriate permitted activity conditions, and educate the wider public about the issues surrounding crop residue burning, including comparison of the pro's and con's of burning compared with alternative practices.

Condition 1 states that the burning of crop residue must be undertaken in accordance with Schedule 3. With regard to Schedule 3, it is impossible to predict the date of a crop residue burn because of variations in weather, including wind direction, temperature and humidity. Such

matters have a direct effect on fire intensity and duration. Consent requirements that are too prescriptive may reduce the quality of a burn and generate safety issues for farmers and their staff.

Matter for control 1 refers to the management of the effects of dispersal or deposition of particles beyond the boundary of the property of origin. Again it must be acknowledged that it is virtually impossible to reliably retain smoke within a boundary, so the matter must be interpreted to take into account specific circumstances such as: what constitutes objectionable or offensive; how rapidly does the smoke become dispersed; what/who is on the other side of the boundary and how far from the boundary are they; was the initiator of the fire caught out by a wind-change; etc.

Matter for control 2 refers to the contents and application of a smoke management plan. The smoke management plan should be developed with arable farmers as a voluntary good practice guide. Its development in collaboration with farmers will improve uptake.

If it is finally decided that controlled activity consents will be required, they should be issued for a number of years, not per year or per fire.

### **Decisions Sought**

1. Amend the rule to refer to all crop residue, as follows: ...discharge into air from ~~standing~~ crop residue is a permitted activity...
2. Remove the provision for buffer areas because these will probably have no impact on air quality.
3. Amend condition 1 and/or Schedule 3 to avoid prescriptive conditions (such as specifying date of burn) which may lead to a less effective burn.
4. Qualify Condition 1 to take account of specific circumstances such as:
  - a. How rapidly the smoke is dispersed;
  - b. What/who is on the other side of the boundary and how far from the boundary they are;
  - c. Was the initiator of the fire surprised by a wind-change; etc.
5. The smoke management plan should be developed with arable farmers as a voluntary good practice guide. Its development in collaboration with farmers will improve uptake.
6. If it is finally decided that controlled activity consents will be required, they should be issued for a number of years, not per year or per fire.

### **Rule 7.10 (p 7-3)**

#### **Submission**

Rule 7.10 provides for the outdoor burning of vegetation, paper, cardboard and untreated wood as a permitted activity. Some of the conditions are unreasonable, unworkable and environmentally unsound.

Condition 1 requires that the material to be burnt is not *standing crop residue* subject to Rule 7.9. As argued above, Rule 7.9 should simply refer to *crop residue*.

Condition 4 sets wind a speed forecast requirement of between 1 and 15 km per hour (forecast by a "reputable weather service"). Federated Farmers agrees that it is unwise to light fires in high winds. However, from an environmental standpoint, the most important issue is not wind speed but how dry the material is, which is covered by condition 3. Condition 4 is probably unworkable in its present form because "reputable weather service" is undefined, and also because of the inherent variability of wind speed and the general lack of precision of weather forecasts. A more

effective approach would be to develop and refer to a code of practice along the lines of the Safe Conditions to Light a Fire section of the Agricultural Crop Residues Burning Code of Practice developed by the Ashburton District Council and Federated Farmers

Condition 5 is arbitrary, unnecessary in an environmental context and should be deleted.

Condition 6 requires that, if the discharge is likely to continue for 3 days or more, a smoke management plan must be prepared in accordance with Schedule 3 and that the discharge must be managed in accordance with that plan. In order to more effectively, the condition should be targeted to those situations more likely to result in nuisance. Therefore, Federated Farmers recommends that a smoke management plan is only required if the burn exceeds 14 days and if it is within 400 m of a neighbouring dwelling.

Condition 8 requires that, within a Clean Air Zone, burning does not take place during May, June, July or August. Good conditions for burning can occur during these months and burning should be permitted. The rule is arbitrary and should be deleted.

Condition 9 requires that the dispersal or deposition of particles does not cause an objectionable or offensive effect beyond the boundary of the property of origin. As discussed above, it is virtually impossible to reliably retain smoke within a boundary, so the condition must be interpreted to take into account specific circumstances such as: what constitutes objectionable or offensive; how rapidly does the smoke become dispersed; what/who is on the other side of the boundary and how far from the boundary are they; was the initiator of the fire caught-out by a wind-change; etc.

### **Decisions Sought**

1. Amend Condition 1 to refer to all crop residue, as follows: The material to be burnt is not ~~standing~~ crop residue...
2. Delete Condition 4 in its present form. A more effective approach would be to develop and refer to a code of practice along the lines of the Safe Conditions to Light a Fire section of the Agricultural Crop Residues Burning Code of Practice developed by the Ashburton District Council and Federated Farmers.
3. Delete Condition 5 because it is arbitrary and unnecessary in an environmental context.
4. Amend Condition 6 so that a smoke management plan is only required if a burn exceeds 14 days and is less than 400 m from a neighbouring dwelling.
5. Delete Condition 8 because it is arbitrary and may prevent burning under ideal conditions.
6. Qualify Condition 9 to take account of specific circumstances such as:
  - a. How rapidly the smoke is dispersed;
  - b. What/who is on the other side of the boundary and how far from the boundary they are;
  - c. Was the initiator of the fire surprised by a wind-change; etc.

### **Rule 7.11 (p 7-3)**

#### **Submission**

Rule 7.11 provides for the burning of animal carcasses and offal.

Condition 2 requires that the discharge does not occur within 100 m of a property boundary. Specific setbacks can be more specifically and appropriately set with regard to local circumstances via district plans. Therefore Condition 2 should be deleted.

Condition 3 requires that the dispersal or deposition of particles does not cause an objectionable or offensive effect beyond the boundary of the property of origin. As discussed above, it is virtually impossible to reliably retain smoke within a boundary, so the condition must be interpreted to take into account specific circumstances such as: what constitutes objectionable or offensive; how rapidly does the smoke become dispersed; what/who is on the other side of the boundary and how far from the boundary are they; was the initiator of the fire caught-out by a wind-change; etc. Therefore, the condition should be appropriately qualified, as discussed.

### **Decisions Sought**

1. Delete Condition 2 because specific setbacks can be more specifically and appropriately set with regard to local circumstances via district plans.
2. Qualify Condition 9 to take account of specific circumstances such as:
  - a. How rapidly the smoke is dispersed;
  - b. What/who is on the other side of the boundary and how far from the boundary they are;
  - c. Was the initiator of the fire surprised by a wind-change; etc.

### **Industrial, trade and large scale discharges to air**

#### **Rule 7.48 (p 7-15)**

##### **Submission**

The rule sets permitted activity thresholds, including rate of spray application of paint. Federated Farmers asks that the thresholds be reviewed to ensure that consents will not be required for routine paint jobs e.g. for painting a house or barn roof.

##### **Decision Sought**

Set permitted activity thresholds so that they do not catch routine maintenance jobs such as painting a house or barn roof.

### **Rural discharges to air**

#### **Rule 7.66 (p 7-21)**

##### **Submission**

Federated considers that Rule 7.66 focuses on managing the wrong activity. The issue will not necessarily be with the actual 'structure' (including stockholding areas), but the effluent containment associated with it and/or odour issues when that effluent is then spread onto land. It is noted that this issue is already being managed by Rule 7.68.

In addition, the buffer distances from a property boundary and from any land zoned for urban use are considered overly restrictive. This rule will cause particular difficulty for farms adjacent to towns.

##### **Decision Sought**

Delete Rule 7.66; or

Alternatively amend Rule 7.66 to focus on the activity which odour will arise from (the collection storage, treatment and application onto land of animal effluent associated with structures accommodating cattle for more than 12 hours at a time); and

Amend condition 1 as follows:

*...~~500-250~~m from the property boundary and 4500m from any land zoned for urban use.*

### **Rule 7.67 (p 7-21)**

#### **Submission**

As for Rule 7.66, Federated Farmers considers that this rule focuses on managing the wrong activity. The issue will not necessarily be with the actual 'structure', but the effluent containment associated with it and/or odour issues when that effluent is then spread onto land.

#### **Decision Sought**

Make consequential amendments to Rule 7.67 to reflect changes sought to Rule 7.66 above.

### **Rule 7.68 (p 7-21 – 7-22)**

#### **Submission**

Rule 7.68 requires the immediate preparation of an odour management plan in accordance with Schedule 2. Federated Farmers considers that the timing of the requirement for having an Odour Management Plan in place needs to be aligned with timing for Farm Environment Plans under the Proposed Land and Water Regional Plan (2017).

Conditions 4 and 5 require the monitoring of pH and dissolved oxygen in liquid or slurry effluent. These requirements are inefficient and excessive where an odour issues does not exist.

It is noted that, in accordance with Rule 7.3, if the activity results in offensive or objectionable discharges of odour, dust or smoke beyond the boundary of the property of origin, the activity will be assessed as non-complying. In this instance it may be appropriate for the Council to include conditions on any consent, if granted, in line with conditions 4 and 5.

It is also noted that, the way Rule 7.68 is worded, the proposed requirements for pH and dissolved oxygen would also apply to raw effluent prior to any treatment (e.g. the collection and storage of liquid, slurry or solid animal effluent). This would be unworkable.

Condition 6 will require a duplication of record keeping that already forms part of any discharge permit (to land in circumstances where it may enter water) or could form part of the information collected as part of a Farm Environment Plan/Odour Management Plan.

#### **Decision Sought**

Amend Rule 7.68 as follows:

The discharge of contaminants into air from the collection, storage, treatment and application of liquid and slurry animal effluent or solid animal effluent onto production land, is a permitted activity provided the following conditions are met:

1. The discharge does not cause a noxious or dangerous effect; and
2. From 1 January 2017, An odour management plan prepared in accordance with Schedule 2 is held by the persons responsible for the discharge, and where a Farm Environment Plan is required pursuant to Rule 5.45 of the Land and Water Regional Plan, the odour management plan will be a component of that Plan; and
3. The odour management plan is supplied to the CRC on request; ~~and~~

- ~~4. The pH range of the liquid or slurry effluent is between pH6.5 and pH8; and~~
- ~~5. Dissolved oxygen is present in liquid or slurry effluent at concentrations greater than 1ppm; and~~
- ~~6. The persons responsible for the effluent application will keep a record for 3 months, to be provided to the CRC on request, of the effluent discharged including the following information:~~
  - ~~(a) the type of effluent applied to land; and~~
  - ~~(b) the estimated daily quantity of effluent applied to land in cubic metres; and~~
  - ~~(c) the location of the effluent application; and~~
  - ~~(d) the wind direction at the time of application.~~

## **Schedules**

### **Schedule 2: Assessment of offensive and objectionable effects (p 8-6 – 8-18)**

#### **Submission**

Federated Farmers supports the statement in Schedule 2 under *Content of dust, odour and smoke management plans* that an Odour Management Plan “can form part of a Farm Environment Plan prepared and implemented in accordance with Schedule 7 Part A of the Canterbury Land and Water Regional Plan”.

#### **Decision Sought**

Retain the ability for an Odour Management Plan to form part of a Farm Environment Plan prepared and implemented in accordance with Schedule 7 Part A of the Canterbury Land and Water Regional Plan.

### **Schedule 3: Content of Smoke management plans for the outdoor burning of organic material in rural areas (p 8-19)**

#### **Submission**

Schedule 3 lists the content of smoke management plans require by permitted activity Rules 7.8 and 7.10, and controlled activity Rule 7.9. The requirements are largely common sense but individual points are relevant for some situations but not others. Many of the points are unnecessary, especially for permitted activities e.g. notification of neighbours when there are no close neighbours and notifying the NZ fire service for burning of vegetation, paper, cardboard and untreated wood. For small scale burning of waste a smoke management plan is simply not necessary.

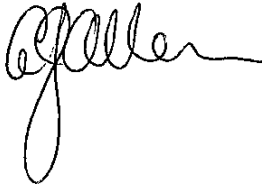
#### **Decision Sought**

Delete Schedule 3, or amend Schedule 3 and the relevant rules to state that the schedule only applies where there is potential for significant offensive and objectionable effects and that its individual requirements only apply where relevant.



## Conclusion

Federated Farmers thanks Environment Canterbury for the opportunity to submit on the Proposed Canterbury Air Regional Plan. We look forward to ongoing dialogue about the Air Regional Plan and continuing to work constructively with Council.

A handwritten signature in black ink, appearing to read 'Allen', with a long horizontal flourish extending to the right.

Chris Allen  
Chair, Canterbury Regional Policy Committee  
National Board Member  
Federated Farmers of New Zealand