

From: [Carey Barnett](#)
To: [Mailroom Mailbox](#)
Subject: Submission on Proposed Canterbury Regional Air Plan
Date: Thursday, 30 April 2015 9:13:49 a.m.
Attachments: [cover letter for subs PCRAP 300415.pdf](#)
[Submissions on Air Plan final 300415.pdf](#)

Hello

Please find attached submissions from a group of Ellesmere Farmers on Proposed Canterbury Regional Air Plan. A hard copy will follow by post.

Regards
Carey Barnett

Ms C M Barnett
Lakeside, R D 3, Leeston 7683
Ph: 03 3243429
Email: carey.barnett@xtra.co.nz

30 April 2015

Freepost 1201
Proposed Canterbury Regional Air Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH 8140

Dear Sir/Madam

Submissions on the 'Proposed Canterbury Regional Air Plan'

Please find attached submissions on the 'Proposed Canterbury Regional Air Plan' from those parties listed in Annexure A of the submission.

If you have any queries then please do not hesitate to contact Ms Carey Barnett – phone 3243429.

Yours faithfully

C M Barnett

SUBMISSIONS

ON THE

PROPOSED CANTERBURY REGIONAL AIR PLAN

NAMES OF SUBMITTERS:

See names and contact details of submitters attached in Annexure A to this submission.

ADDRESS and CONTACT DETAILS FOR SERVICE: See names and contact details of submitters attached in Annexure A to this submission.

SIGNATURE OF SUBMITTER (or person authorised to sign on behalf of all submitters stated in Annexure A attached)

Carey Barnett

Authorised on behalf of submitters listed in Annexure A attached.

Background of the Submitters

The submitters as listed in Annexure A attached are made up of farmers located between the Rakaia and Selwyn Rivers and east of State Highway 1 to the east coast. This area is located within the Selwyn - Waihora Sub Region of the Proposed Canterbury Land and Water Regional Plan (hereafter referred to as 'PCLWRP'). This area is also subject to the provisions of the Proposed Canterbury Regional Air Plan (hereafter referred to as 'PCRAP').

These farmers share a common interest in all matters that affect their farming entities and the protection of the economic, social, cultural and physical environments within the Ellesmere area of the Canterbury Region.

The submitters have a significant interest in the PCRAP and would be agreeable to engaging in any discussions relating to the matters raised in the following submissions.

The submitters do wish to be heard in relation to this submission.

The submitters could not gain an advantage in trade competition through this submission.

30 April 2015

SUBMISSIONS ON THE PROPOSED CANTERBURY REGIONAL AIR PLAN

Section	Page Number	Specific Policy/Rule/Part of Provisions	Support/Oppose	Decision Requested	Reason
Section 6 - Policies					
Outdoor Burning	6-2	Policy 6.15	Oppose	<p>Amend policy 6.15 to read:</p> <p>“Provide for the outdoor burning of organic material, in rural areas, where undertaken in accordance with <u>a Farm Environment Plan or</u> Schedule 3.”</p> <p>And make any consequential amendments.</p>	<p>The provisions of Schedule 3 are excessive and onerous for both those needing to undertake a burn-off and those having to regulate it. As an example, it is unlikely that the NZ Fire Service would be amenable at the local level of being contacted every time someone was thinking of having a burn off or then having to receive calls of any changes to that burn-off time or operation. This would be frustrating and a misuse of the volunteer fire service.</p> <p>Also, given that the Proposed Canterbury Land and Water Regional Plan is to require the implementation of Farm Environment Plans, it makes sense from a farming perspective and a regulatory one to have burn-off management contained in these documents rather than have to enforce an individual burn-off plan every time one is undertaken. This would be a much more efficient and effective way to deal with this issue by both the farming community and regulating authorities.</p>
Outdoor Burning	6.16	Policy 6.16	Oppose	<p>Amend policy 6.16 to read:</p> <p>“Minimise Avoid the outdoor burning of non-organic material in rural areas”</p> <p>And make any consequential amendments.</p>	<p>In many rural areas there are no recycling or rubbish collection facilities or operations available and the only realistic option for disposing of non-organic material is to burn it. For the most part those in rural areas responsibly dispose of non-organic matter but on the occasion there are no possible alternatives that have a reduced effect on the environment.</p>

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Section 7 - Rules					
All Activities Rule 7.3	7-1	Rule 7.3	Oppose	<p>Delete or amend to reflect the concerns raised in the reasons for submission here.</p> <p>Change status of activity from 'non-complying' to 'discretionary'.</p> <p>And make any consequential amendments.</p>	<p>This rule is subjective in that it requires someone's consideration of the situation as to whether it is objectionable or offensive. This consideration varies distinctly between those who are making the objection, those that are assessing it, and those that may have caused it. To apply a 'non-complying' status here is excessive given the highly subjective nature of the wording of the rule. If deletion of the rule is not acceptable then a lower status of 'discretionary' should be more appropriately applied.</p>
Outdoor Burning In Rural Areas	7-2	Rule 7.8	Oppose	<p>Amend Rule 7.8.2 as follows:</p> <p>"2. The person responsible for the discharge holds a smoke management plan prepared in accordance with Schedule 3, <u>or smoke management is detailed in the Farm Environment Plan relevant to the site of the smoke emission</u>; and"</p> <p>Amend Rule 7.8.3 as follows:</p> <p>"3. The discharge is managed in accordance with the smoke management plan <u>or Farm Environment Plan</u>; and"</p> <p>Amend Rule 7.8.4 as follows:</p> <p>"4. The smoke management</p>	<p>The provisions of Schedule 3 are excessive and onerous for both those needing to undertake a burn-off and those having to regulate it. As an example, it is unlikely that the NZ Fire Service would be amenable at the local level of being contacted every time someone was thinking of having a burn off or then having to receive calls of any changes to that burn-off time or operation. This would be frustrating and a misuse of the volunteer fire service.</p> <p>Also, given that the Proposed Canterbury Land and Water Regional Plan is to require the implementation of Farm Environment Plans, it makes sense from a farming perspective and a regulatory one to have burn-off management contained in these documents rather than have to enforce an individual burn-off plan every time one occurs. This would be a much more efficient and effective way to deal with this issue by both the farming community and regulating authorities.</p>

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		Rule 7.9	Oppose in part.	<p>plan <u>or Farm Environment Plan</u> is supplied to the CRC on request.”</p> <p>And make any consequential amendments.</p> <p>Amend wording of this rule so that it reflects wording changes made in the above suggested amendments on rule 7.8.</p> <p>And make any consequential amendments.</p>	Amend so that the wording of this rule is consistent with amendments made to rule 7.8.
		Rule 7.10	Oppose in part.	<p>Delete point 9. of the rule and make any consequential amendments.</p>	Point 9 of the rule is subjective in that it requires someone’s consideration of the situation as to whether it is objectionable or offensive. This consideration may vary distinctly between those who are making the objection, those that are assessing it, and those that may have caused it. If the steps outlined in points 1 to 8 of the rule are adhered to then point 9 becomes redundant because they should not therefore be objectionable or offensive. If points 1 to 8 are not met then the activity is no longer permitted and therefore subject to resource consent requirements that would result in appropriate conditions of consent being applied or non-approval of the activity.
Rural Discharges to Air	7-22	Rule 7.70	Oppose in part.	Delete point 4. of the rule and make any consequential amendments.	Point 4 of the rule is subjective in that it requires someone’s consideration of the situation as to whether it is objectionable or offensive. This consideration may vary distinctly between those who are making the objection,

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					those that are assessing it, and those that may have caused it. If the steps outlined in points 1 to 3 of the rule are adhered to then point 4 becomes redundant because they should not therefore be objectionable or offensive. If points 1 to 3 are not met then the activity is no longer permitted and therefore subject to resource consent requirements that would result in appropriate conditions of consent being applied or non-approval of the activity.
Schedules					
Schedule 2: Assessment of offensive and objectionable effects Criteria for assessing offensive or objectionable dispersal or deposition of smoke particles	8-6	First 5 points of this section.	Oppose in part	Add in additional point 6: “6. The type of smoke event and the necessity for it to occur.” And any consequential amendments.	It is appropriate to consider also the type of smoke event and the necessity for that event. For example a crop residue burn off may be required as part of normal farming practice and has benefits to the environment. Some consideration must be given to beneficial aspects of some smoke activities e.g. assisting with crop rotations that help to ensure nutrient minimisation and effects on water quality.
	8-6	Point 3.(a) Outdoor Burning (i)	Oppose in part	Delete words: ‘the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3’ And replace with: (i) <u>“Minimising smoke emission effects as provided in Schedule 3 or any relevant provisions contained</u>	This point makes reference to ‘the Guide to Minimise Smoke Emissions from Outdoor Burning, in Schedule 3’ which is not specifically labelled as such a guide in that Schedule (3). The provision needs to use the correct terms referenced in Schedule 3 and also relate to any Farm Environment Plan that might be relevant to a property.

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	8-18	All wording on this page.	Support	<p><u>within a Farm Environment Plan for the subject property.”</u></p> <p>And make any consequential amendments.</p> <p>Retain existing wording.</p>	This is an appropriate way to manage and demonstrate good farming practice in relation to odour, dust and smoke; within a Farm Environment Plan.
Schedule 3: Content of smoke management plans for the outdoor burning of organic material in rural areas	8-19	Entire Schedule 3	Oppose	<p>Amend title of Schedule 3 as follows:</p> <p>“Schedule 3: Content of smoke management <u>plans or Farm Environment Plans relating for to</u> the outdoor burning of organic material in rural areas”</p> <p>Insert new heading immediately under the above stated Schedule 3 main heading:</p> <p><u>“Information for Smoke Management Plans where the property does not have a Farm Environment Plan”</u></p> <p>Insert the following wording as a new section in Schedule</p>	Farm Environment Plans (FEP) will be required under the provisions of the Canterbury Land and Water Plan. Therefore it makes sense to include any management of smoke to also be contained within those documents instead of having to have a daily burn management plan as suggested in the proposed Schedule 3 provisions. As long as there are safe and appropriate management techniques provided in the FEP then there should be no need to have smoke management plans of the type specified in Schedule 3.

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				<p>3:</p> <p><u>“Information for Farm Environment Plans relating to Smoke Management</u></p> <p><u>The Farm Environment Plan shall contain information and management strategies to minimise any potential adverse effects of outdoor burning of organic material as required by rules 7.8 and 7.10. The Farm Environment Plan shall contain the following information:</u></p> <ol style="list-style-type: none"> <u>1. A list of months in which burning might take place;</u> <u>2. A list of the type of material that might be burnt;</u> <u>3. A wind speed range within which burning would take place and restricted to. Ideally wind speed would be between 1 and 15km per hour.</u> <u>4. A statement as to the preferred state of the material to be burned. For example: it is green</u> 	

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				<p><u>or seasoned; wet or dry, size/area to be burned.</u></p> <p>5. <u>Identification of potentially affected parties and sensitive activities – including neighbours living close enough to be affected, Transit New Zealand if the burn is close to a State Highway, New Zealand Fire Service if it is likely the public will call to raise concerns about a fire.</u></p> <p>6. <u>List of methods to be used to minimise impacts on people that may be affected by the burning – for example:</u></p> <p>a. <u>Choosing a day to burn when neighbours are away or not likely to be affected;</u></p> <p>b. <u>Burning when wind is blowing away from effected people or sensitive activities;</u></p> <p>c. <u>Locating the fire in a remote area, or at a suitable distance</u></p>	

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				<p><u>from sensitive activities;</u></p> <p>d. <u>Having machinery available to keep the fire burning until completion, or extinguish if necessary;</u></p> <p>e. <u>Preparing the material so that it will burn fast and hot and not slowly smoulder;</u></p> <p>f. <u>Notify any neighbours that might be affected that you are going to burn;</u></p> <p>g. <u>Having traffic management in place if the burn cause reduced visibility on roads; and</u></p> <p>h. <u>Avoiding burning in cool and calm conditions when smoke is more difficult to disperse.”</u></p> <p>And make any consequential amendments.</p>	

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Section 11 – Crop Residue Burning Buffer Area Map Series and associated objectives, policies, rules and Schedules.	Various	All Section 11 – Crop Residue Burning Buffer Area Map Series and the associated objectives, policies, rules and Schedules.	Oppose	Delete these provisions.	Do not support the arbitrary regulation of crop residue burning in the vicinity of towns.

ANNEXURE A: LIST OF SUBMITTERS AND CONTACT DETAILS

Name of Submitter	Address	Contact	Wishes to be heard
Alastair and Carey Barnett	Lakeside, R D 3, Leeston 7683	3243429	Yes
Simon Osborne	Winfield, Beethams Road, R D 3, Leeston 7683	3243344	Yes
D P Birkett	Greenmeadows, Prossers and Pooles Roads, Killinchy, R D 2, Leeston 7682	3244499	Yes
G D and R A Heslop	1065 Selwyn Lake Road, R D 2, Leeston 7682	3291740	No
C Croft	Lakeside, R D 3, Leeston 7683	3242320	No
Carter Cropping Ltd, c/- D and A Carter	149 Harts Road, Lakeside, R D 3, Leeston 7683	3243206	No
A S McPherson	Southbridge Sedgemere Road, R D 3, Leeston 7683	3242791	No
Waipuna Enterprises Ltd c/o S Stephens	285 Lake Rd South Irwell, R D 3, Leeston 7683	3291770	No
R Heslop	Dalkeith, 361 Jollies Road, RD 3, Leeston 7683	3242880	Yes
J K and L H Lay	1041 Leeston Road, Irwell R D 3, Leeston 7683	3291617	No
Helston Partnership c/- F Gilbert	67 Alexanders Road, RD3, Leeston 7683	3242639	No
L and V McMillan	Altonbrook, R D 3, Leeston 7683.	3242530	No
C and M McEvedy	Wedderburn, 563 Jollies Road, R D 3, Leeston 7683	3242632	No
M Amyes	269 Leeston Lake Rd, R D 3, Leeston 7683	3243475	No
I and J Baxter	Blackwater Farm, 74 Mcevedy's Rd R D 3, Leeston 7683	3242735	No
D P McEvedy	Phoenix Park St John Street, Southbridge	3242572	No