

From: [Lionel Hume](#)
To: [Mailroom Mailbox](#)
Subject: LWRP Var 3
Date: Monday, 25 May 2015 4:45:58 p.m.
Attachments: [NARG sub LWRP Var 3 2.pdf](#)

Dear Sir/Madam,

Attached is a submission by the Nitrogen Allocation Reference Group on Variation 3 of the Proposed LWRP.

Yours sincerely,

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Submission on Proposed Variation 3 to the Proposed Canterbury Land and Water Regional plan – Section 15 – Waitaki and South Coastal Canterbury

Form 5

Submission on publicly notified proposal for policy statement or plan
Clause 6 of First Schedule, Resource Management Act 1991

To: *Environment Canterbury*

Name of submitter: Nitrogen Allocation Reference Group

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This is a submission on the following proposed plan change – Proposed Variation 3 to the Proposed Canterbury Land and Water Regional Plan – Section 15 – Waitaki and South Coastal Canterbury.

The Nitrogen Allocation Reference Group could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that the submission relates to and the decisions we seek from Council are as detailed on the following pages.

The Nitrogen Allocation Reference Group wishes to be heard in support of this submission.

Nutrient Management Provisions of Variation 3

The Nitrogen Allocation Reference Group (NARG) makes this submission on Proposed Variation 3 because of some major issues regarding its incorporation of the N Allocation framework agreed by the Nitrogen Allocation Reference Group, and the extent to which it now delivers on the intentions of that group.

Nitrogen Allocation Reference Group (NARG)

Variation 3 applies to the area known as Waitaki and South Coastal Canterbury. As part of the process of setting water quality limits for that area, and following a consultation process, the Lower Waitaki South Coastal Canterbury Zone Committee developed draft N load limits and a draft N allocation framework and published these in a draft addendum to its Zone Implementation Programme (ZIP Addendum).

A large number of farmers protested to the Zone Committee about the process and timeframe for developing the ZIP Addendum, and about the inequity between high and low N emitters in the N allocation framework.

The Zone Committee and Environment Canterbury responded by setting aside the original proposal for N allocation and enabling the establishment of a Nitrogen Allocation Reference Group (NARG) to work towards reaching consensus on a nitrogen allocation framework.

The group was established from the local community and included a broad range of farming interests. The group was able to work through its competing interests and arrive at a consensus position, referred to here as the NARG Allocation Framework. This position is attached as Appendix 1.

Consensus position on N allocation

The NARG Allocation Framework contains flexibility caps for low N dischargers, to enable them a degree of flexibility to change land use in response to market and physical conditions, and maximum caps based on soil type, particularly focused on high N emitters, to be achieved over time to improve the performance of high emitting activities.

Concerns about Variation 3 in its current form

The NARG has concerns about Proposed Variation 3, particularly its incorporation of the agreed NARG Allocation Framework and the extent to which it now delivers on its original intentions. Specific concerns include:

- The plan does not take account of updated soil information (correction of an error in S-map) which substantially affects the appropriateness/achievability of numbers in the plan, particularly the maximum caps. There are also issues with how N discharge has been modelled for some soils (e.g. poorly drained and poorly drained light) compared with how it will be estimated on-farm using Overseer.
- The plan is inconsistent with the ZIP Addendum and the Section 32 Report particularly with regard to its lack of ability to accommodate new information, including new versions

of Overseer and updates of good management practice. The ZIP Addendum envisaged a 'live document'.

- The combined effect of soil mapping errors, modelling issues and lack of ability to adjust to new versions of Overseer mean that the Maximum caps specified in the plan may be unachievable and that the flexibility caps may not allow effective flexibility for low N emitters.

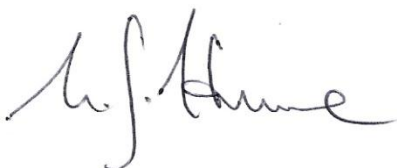
As a result, the proposed plan in its current form is based on erroneous data, and does not give effect to the intentions of the Nitrogen Allocation Reference Group or to key aspects of the ZIP Addendum.

Therefore, the Nitrogen Allocation Reference Group opposes the nutrient management provisions of Variation 3 including Policies 15.4.1 – 15.4.17, Rules 15.5.1 – 15.5.14 and Tables 15 (m) – 15 (p).

Decisions sought

- 1) Amend Variation 3 to give effect to the NARG recommendations and to the ZIP Addendum.
- 2) Replace maximum cap numbers in Variation 3 with relevant good management practice benchmark N loss numbers from the MGM project.
- 3) Amend Variation 3 to enable N loads, flexibility caps and maximum caps to be adjusted to match new versions of overseer i.e. to retain their purpose, consistent with the intentions of the NARG and the ZIP Addendum.
- 4) Amend Variation 3 to correct modelling errors, to accommodate S-map updates and align modeled estimates with on-farm estimates of N loss.
- 5) Align Variation 3 with the Nutrient Management Variation (which will incorporate MGM N loss benchmarks and good management practices into the LWRP) to enable the incorporation of MGM benchmarks and practices into Variation 3.
- 6) Hold a meeting in accordance with section 8AA of the 1st Schedule of the RMA for the purpose of clarifying and facilitating resolution of these matters, prior to hearing.

The Nitrogen Allocation Reference Group thanks Environment Canterbury for the opportunity to submit on Proposed Variation 3 to the Proposed Canterbury Land and Water Regional Plan. We look forward to ongoing dialogue about Variation 3 and continuing to work constructively with Council.



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Colin Hurst
Chair
Nitrogen Allocation Reference Group

Appendix 1

Consensus Position on Nitrogen Allocation in South Coastal Canterbury

Nitrogen Allocation Reference Group – Agreed 9th of July

Framework = Good Management Practice with a Flexibility Cap and a Maximum Capⁱ Waihao Wainono and Northern Streams		
2015 Step 1	<p><i>Working to Good Management Practice</i> for all users as per the MGM Project</p> <p><i>Flexibility cap</i> of 10kgs/ha/yr for low emitters in Waihao Wainono and 15kgs in Northern Streams</p> <p><i>Maximum Cap</i> levels are clearly signalled and the timeframe for existing users to get there. New users meet the max cap from Step 1.</p> <p>(As per table below)</p>	Plan Operative
2020 Step 2	<p><i>Good Management Practice</i> for all users as per the MGM Project</p> <p><i>Flexibility Cap</i> in Waihao Wainono increases to 15kgs</p> <p>A plan must be produced by existing high emitters to show progress and methods to get down to <i>Maximum Cap</i> by 2025.</p> <p>(New scheme users and new conversions must meet the <i>Maximum Cap</i> immediately)</p>	If Hunter Downs and Augmentation have occurred
2025 Step 3	<p><i>Good Management Practice</i> for all users as per the MGM Project</p> <p>High emitters have reduced to the <i>Maximum Cap</i></p> <p>If water quality outcomes are being met, then the gains made from the <i>Maximum Cap</i> reductions are available to:</p> <ul style="list-style-type: none"> provide additional <i>flexibility</i> for low emitters to a target of 17kgs/ha/yr and provide for any existing high emitters on XL soils that are unable to meet the 35kgs maximum cap – by application for resource consent with a strong justification required 	Plan review

Maximum Cap for Waihao Wainono and Northern Streams	Soils	New Users (HDI + WD + any other new converters)	Existing Users	
35	XL, VL, L	Achieve immediately on conversion	Must prepare a plan by 2020 showing how to achieve	Achieve by 2025
25	M, H, D			
20	Pd, Pdl			

It was agreed that for **Morven and Sinclairs**, to protect water quality and provide flexibility for land use, this can be provided by ensuring land use is at GMP (as will be defined in the MGM project) and as any future N load reductions from border to spray occur these are managed by MGIS - as agreed already in the February 20th ZIP Addendum.

It was agreed to **no formalised trading** in this plan. It was recognised this may be a subject for the future. It was agreed that the **'farming enterprise'** provisions (i.e. managing N load across properties within the same operating unit) in the LWRP should be enabled in South Coastal Canterbury, provided that this occurs in the same sub-catchment. Moreover, there was agreement that these provisions should be extended to properties operating as a **formalised collective** (with multiple operating units), within the same sub-catchment.

It was agreed that the N allocation will need to be reviewed **in 2025 if water quality outcomes are not being met** (as per the current ZIP Addendum), moreover that there is no priority right implied to either high or low emitters as to where improvements beyond GMP would be required.

The following were present and part of the 9th July Consensus

John Linton	Colin Hurst
Keith Adams	John Hughes
John Gardner	Jeff Bleeker
Chrissy Adams	David Sleight
Ross Rathgen	Odette Alexander
John Gregan (left before agreement)	Rob McIlraith
Bruce Murphy	Alastair Boyce
Gert Van T'Klooster	William Rolleston
Martin Jensen	Lionel Hume

ⁱ NARG's consensus recognises that all above numbers are based on current look-up table Overseer 6, and would be re-visited for consistency of intent when future versions of Overseer and MGM come into play.