

From: [Richard Draper](#)
To: [Mailroom Mailbox](#)
Subject: Variation 3 LWRP submission
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Attachments: [image001.png](#)
[RFL Submission V3 LWRP.pdf](#)

Please find attached submission on V3 LWRP.

Kind regards,

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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

25 May 2015

Form 5

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

To: *Environment Canterbury*

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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.

Rooney Farms Ltd 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.

Rooney Farms Ltd wishes to be heard in support of this submission.

Summary

We have significant concerns regarding the nutrient management provisions of Variation 3 and how the proposed plan does not reflect the intent of the consensus position on N-allocation that was developed and agreed to by the Nitrogen Allocation Reference Group (NARG), of which the submitter is a member.

The incorporation of rigid maximum cap and flexibility cap numbers for N-loss (kg/ha/yr) into the plan is inconsistent with both the NARG consensus position and recommendations, and also departs from the intent of the South Canterbury ZIP addendum.

Recent updates to Overseer and S-Map models have resulted in these 'Caps' becoming outdated and, in many cases unworkable, even before the plan becomes operative. This is clearly contrary to the intention expressed by NARG; that both catchment loads and flexibility and maximum caps would evolve with subsequent iterations of the models. This is a critically important component of the framework, as an updates to Overseer that result in a hypothetical 20% increase in 'estimated' N-loss clearly do not also result in an increase in actual N-loss.

Rooney Farms 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). These sections of the plan are based on data we now know to be erroneous. Not revising the figures has the potential force farmers into either costly resource consent processes and/or compromise the viability of many farming operations within the South Canterbury region.

Nitrogen Allocation Reference Group Framework

The Nitrogen Allocation Reference Group was set up by the LWSCC Zone Committee and Environment Canterbury in response to community and farmer concerns over perceived inequity in original proposals for N-allocation (as described in earlier drafts of the sub-regional ZIP addendum). The group, which included representative farmers from the local community from varied enterprises, was tasked to work toward a consensus position and framework for N-allocation in the region.

The group reached a consensus position on N-allocation for the region in July 2014 (see Appendix 1 below). This was subsequently incorporated into the final version of the sub-regional ZIP addendum.

Two key components of the NARG framework were: flexibility caps, designed to enable farmers with lower historical N-losses some flexibility to change land use in response to changing market conditions; and maximum caps, to reduce the N lost from of high emitting activities, particularly on lighter soils. Both caps were phased in, having a time component that was consistent with the other. Critically, these caps and the catchment load were to revised 'for consistency and intent' with new models of Overseer and when the MGM project numbers became available.

Specific Concerns

The following issues have emerged regarding Proposed Variation 3, particularly its incorporation of the agreed N allocation framework and the extent to which it now delivers on its original intentions:

- 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 (pd and pdl) 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 dischargers.

The proposed plan in its current form is based on erroneous data, and does not give effect to the intentions of the N Allocation Advisory Group or to key aspects of the ZIP Addendum.

Therefore, Rooney Farms 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.

We thank Environment Canterbury for the opportunity to submit on Proposed Variation 3 to the Proposed Canterbury Land and Water Regional Plan.

Richard Draper
Corporate Manager
Rooney Farms Ltd

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 Cap¹ 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 Sleigh
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

(Roger Small - absent but provided a written statement and consented via text message to Colin Hurst)

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.