

From: [Emma-Jane Hayward](#)
To: [Sarah Drummond](#)
Cc: Alan@vandenbrinkgroup.co.nz; [Emma Coote](#); [Michael Brooks](#); [Mailroom Mailbox](#)
Subject: Further Submission on Canterbury Air Regional Plan
Date: Friday, 10 July 2015 4:25:22 p.m.
Attachments: [image001.png](#)
[image002.png](#)
[FSub001-ECAN-PIANZEPNZ-ejh.pdf](#)

EC297505

Good Afternoon Sarah,

I am working on behalf of the Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand. Submitter ID number 63228.

Please find attached, a the Further Submission on the Proposed Canterbury Air Regional Plan.

Can you please confirm acceptance by email once you have received the further submission.

Please do not hesitate to contact me if you have any questions.

Kind Regards,



EMMA-JANE HAYWARD

Planner

Level 1, Dilworth House
71 Great South Road
Newmarket, Auckland 1051
PO Box 5760, Wellesley Street
Auckland 1141

P +64 9 917 5000

**HARRISON
GRIERSON.
COM**

All our emails and attachments are subject to [conditions](#).

Form 3

FURTHER SUBMISSIONS ON THE CANTERBURY AIR REGIONAL PLAN

Section 123 and 125 Local Government (Auckland Transitional Provisions) Act 2010
Clause 8 of Schedule 1, Resource Management Act 1991

**TO: FREEPOST 1201 PROPOSED CANTERBURY AIR REGIONAL PLAN
ENVIRONMENT CANTERBURY
P.O. BOX 345
CHRISTCHURCH
8140**

FOR ENVIRONMENT CANTERBURY OFFICE USE ONLY	
Submission No:	
Receipt Date:	

TO: ENVIRONMENT CANTERBURY (ECAN)


**NAME: POULTRY INDUSTRY ASSOCIATION OF NEW ZEALAND (INC) (PIANZ)
EGG PRODUCERS FEDERATION OF NEW ZEALAND (INC) (EPFNZ)**

1. These are further submissions in support of or opposition to a number of submissions on the Proposed Canterbury Air Regional Plan (the Plan).
2. PIANZ and EPFNZ could not gain an advantage in trade competition through these submissions.
3. PIANZ and EPFNZ made an original submission on the Plan.
4. PIANZ and EPFNZ have an interest in the Plan that is greater than the interests of the general public. They are the organisations that represent the interests of numerous poultry companies and commercial egg producers nationwide. Specifically to the Canterbury Region, PIANZ and EPFNZ represent:
 - 12 meat chicken breeders;
 - 45 meat chicken growers;
 - 18 layer farms;
 - 3 rear farms;
 - 4 processing plants; and
 - 8 feed mills.
5. The further submissions are contained in Table 1 on the attached sheets.
6. PIANZ and EPFNZ wish to be heard in support of their submissions.
7. If others make a similar submission, PIANZ and EPFNZ will consider presenting a joint case with them at the hearing.

SUBMITTER DETAILS

Date: 10 July 2015

Signed:



Address for Service: Poultry Industry Association of New Zealand (Inc) (PIANZ) and Egg Producers Federation of New Zealand (Inc) (EPFNZ)

c/- Harrison Grierson
P O Box 5760, Wellesley Street
Auckland 1141

Attention: Emma-Jane Hayward

Email: e.hayward@harrisingrierson.com

Telephone: 09 9175000

U:\1020\136878_01\500 Del\510 Reports\FSub001-ECAN-PIANZEFPNZ-ejh.docx

TABLE 1: PIANZ AND EPFNZ's FURTHERS SUBMISSIONS					
PROVISION	SUBMITTER	SUBMISSION REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT / OPPOSE	REASONS / RELIEF SOUGHT
1 Introduction	New Zealand Pork Industry Board	pCARP-392	Amend the Introduction section of the proposed plan, by removing the historical negative reference to pig and poultry farming and replace with the following: " <u>Discharges of odour in rural areas can be associated with a variety of farming practices, including land use intensification.</u> " Provide reference to evidence supporting any claims of historical cause, for example environmental incident or complaint reports. State actual activities causing odour discharge rather than general farming activity, for example, effluent application.	Support	PIANZ and EPFNZ support the proposed amendment to the introduction with the removal of the negative references directed at both Pig and Poultry farming.
1 Introduction	Mrs Jackie Wright	pCARP-354	Amend Introduction: Outdoor burning and rural discharges of contaminants to recognise airborne contaminants associated with the rural environment and to protect the community wellbeing to read: "Outdoor burning of household, garden and farm rubbish can cause nuisance problems..... Burning of inorganic waste has also been phased out in rural areas. Burning of organic matters is still practised, and <u>although considered by some to be a in some instances is a crucial land management tool, it but often</u> results in nuisance and <u>potential health effects</u> . Discharges of odour in rural areas have, in the past, been associated mainly with the intensive pork, poultry farming, <u>and meat processing facilities</u> . Discharges of odour from dairy practices is an emerging issue as land use intensifies in Canterbury's rural areas. <u>Agricultural sprayers and powder spreaders also disseminate chemical dust and droplets of varying chemical composition which drift across rural areas with potential health effects.</u> "	Oppose	PIANZ and EPFNZ consider that the additional wording is inappropriate and not required. As stated above regarding the removal of the negative reference directed at both Pig and Poultry farming, a more positive approach is supported.
1 Introduction	Horticulture New Zealand	pCARP-1054	Insert additional bullet point to Introduction, Paragraph 2 bullet point list as follows: <u>Provides for rural production activities in rural areas, including the adoption of the best practicable option and best practice.</u>	Support in Part	In general, PIANZ and EPFNZ support the intent of the proposed wording providing. However, PIANZ and EPFNZ consider that the new bullet point should just state " <u>provides for all rural production activities in rural areas</u> "
2 General Definitions	Horticulture New Zealand	pCARP-1062	Amend the definition of "offensive and objectionable" as follows: <u>Offensive and objectionable effects are effects that cause significant discomfort and need to be assessed in the context of the discharge, in particular the nature, frequency, duration, intensity and location of the discharge to determine the extent to which it may be considered offensive or objectionable. Offensive and objectionable effects will be assessed as set out in Schedule 2.</u>	Oppose	PIANZ and EPFNZ consider that the proposed definition is unnecessary. Through case law it has been established that what may be offensive or objectionable under the Resource Management Act can't be defined or prescribed except in the most general terms. Therefore, the need to take account of case law precedent as it develops. Offensive or objectionable varies from case to case, and through case law this is constantly evolving, also each case will depend upon its own circumstances.
2 General Definitions	Horticulture New Zealand	pCARP-1065	Insert a definition for "reverse sensitivity" as follows: <u>Reverse Sensitivity - Means the vulnerability of an existing lawfully established activity to compliant from other activities located in the vicinity which are sensitive to adverse environmental effects that may be lawfully generated by the existing activity, thereby creating the potential for the operation of the existing activity to be constrained</u>	Support in Part	In general, PIANZ and EPFNZ support the proposed definition of "Reverse Sensitivity", particularly the intention of protecting rural production activities from reverse sensitivity effects. However, the proposed wording should be altered to be more concise.
2 General Definitions	Melrose Limited	pCARP-2288	Amend the definition for "free range poultry farming" as follows: "Means the keeping, rearing or breeding of poultry, whether for the purpose of production of poultry for human consumption or for the purpose of egg production, where: (a) all of the birds farmed have access to open air runs; and (b) permanent <u>reasonable</u> vegetation	Support in Part	PIANZ and EPFNZ agree with the removal of "permanent" in sub-point b. However, PIANZ and EPFNZ consider that it would be more appropriate to retain the wording in sub-point c as stated in the notified version of the Plan.

TABLE 1: PIANZ AND EPFNZ's FURTHERS SUBMISSIONS					
PROVISION	SUBMITTER	SUBMISSION REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT / OPPOSE	REASONS / RELIEF SOUGHT
			exists on the land where the birds are permitted to range; and (c) the stocking rate of the runs and weatherproof shelter to which the birds have access does not exceed <u>meets</u> the industry standard for the relevant bird type; or (d) <u>the stocking rate of the runs and weatherproof shelter to which the birds have access to less than the industry standard for free range poultry farming.</u>		
2 General Definitions	Selwyn District Council	pCARP-1101	Amend the definition of "free range poultry farming" to include specific reference to an industry standard document to avoid confusion, and [include] a maximum number of birds per hectare to ensure ground cover is retained. Anything that is not free-range therefore becomes intensive.	Oppose	PIANZ and EPFNZ oppose the additional wording for the reason stated above under submission ref pCARP-2288.
2 General Definitions	Selwyn District Council	pCARP-1105	Amend definition of sensitive activity to include the following: b) add the words following " <u>residential area or zone as defined in a district plan.</u> " c) delete the words " including those parts of any building and associated outdoor area normally available for use by the general public, excluding any area used for services or access areas. "	Support	PIANZ and EPFNZ support the additional words in part (b) and the deletion of the words in part (c).
2 General Definitions	Horticulture New Zealand	pCARP-1063	Amend the definition of "sensitive activities" by adding the following: e) <i>Non target plants and/crops which may be damaged by a discharge to air.</i>	Oppose	PIANZ and EPFNZ oppose the additional wording, as it is unclear what is meant by the terms non-target plants and crops.
Central Policies Applying to All Activities	DairyNZ	pCARP-2545	Add a new policy after Central Policy 6.10 as follows: <u>Good management practice is adopted by rural activities that discharge odour, dust or smoke in the rural environment.</u>	Oppose	PIANZ and EPFNZ consider that the proposed addition of this new policy is inappropriate and there is no clarification of how to assess good management practice.
Central Policies Applying to All Activities	Combined Canterbury Provinces, Federated Farmers of New Zealand	pCARP-3038	Insert a new policy as follows: 6.10A. <u>Good management practice is adopted by rural activities that discharge odour, dust or smoke in the rural environment.</u> "	Oppose	PIANZ and EPFNZ consider that the proposed addition of this new policy is inappropriate and there is no clarification how to assess good management practice.
Policy 6.1	Horticulture New Zealand	pCARP-1069	Amend Policy 6.1 as follows: <u>Discharges of contaminants into air, either individually or in combination with other air discharges from the same property or operation, do not cause....</u>	Oppose	PIANZ and EPFNZ consider that the proposed amendment would undermine the intent of the policy regime of the Plan and the intention of the policy.
Policy 6.5	Horticulture New Zealand	pCARP-1070	Amend Policy 6.5 as follows: <u>Manage discharges to air by assessing frequency, intensity, duration and location of discharges to ensure that offensive and objectionable effects are avoided, remedied or mitigated".</u>	Support	PIANZ and EPFNZ support the proposed amendment and consider that the proposed wording would better align with the sustainable management purpose of the Resource Management Act 1991.
Policy 6.6	Horticulture New Zealand	pCARP-1071	Retain Policy 6.6.	Support	PIANZ and EPFNZ support the retention of policy 6.6.
Policy 6.6	Mr Lawrence John Manion	pCARP-659	Amend Policy 6.6 to promote the expansion of intensive chicken farms on sites greater than 20 hectares in size so that the discharge of contaminants (odour) from intensive chicken farms, pig farms, and mushroom farms can be contained within the boundary of the farms.	Oppose	PIANZ and EPFNZ consider that the proposed amendment would undermine the intent of the policy regime of the Plan. The addition of an arbitrary minimum size of farms is inappropriate within a policy statement. The size of a site in itself does not internalise effects, but a range of measures are required, and when using these in combination, potential adverse effects can still be avoided, remedied and mitigated, on smaller lot sizes. Furthermore, it limits where future rural production activities can establish and operate in the rural zone.

TABLE 1: PIANZ AND EPFNZ's FURTHERS SUBMISSIONS					
PROVISION	SUBMITTER	SUBMISSION REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT / OPPOSE	REASONS / RELIEF SOUGHT
Policy 6.7	Purata Farming Ltd	pCARP-2679	Delete Policy 6.7.	Support	PIANZ and EPFNZ support the deletion of this policy.
Policy 6.7	Mr Lawrence John Manion	pCARP-660	Amend Policy 6.6 to promote the expansion of intensive chicken farms on sites greater than 20 hectares in size so that the discharge of contaminants (odour) from intensive chicken farms, pig farms, and mushroom farms can be contained within the boundary of the farms.	Oppose	PIANZ and EPFNZ consider that the proposed amendment would undermine the intent of the policy regime of the Plan. The addition of an arbitrary minimum size of farms is inappropriate within a policy statement. The size of a site in itself does not internalise effects, but a range of measures are required, and when using these in combination, potential adverse effects can still be avoided, remedied and mitigated, on smaller lot sizes. Furthermore, it limits where future rural production activities can establish and operate in the rural zone.
Policy 6.8	Mr Lawrence John Manion	pCARP-661	Amend Policy 6.6 to promote the expansion of intensive chicken farms on sites greater than 20 hectares in size so that the discharge of contaminants (odour) from intensive chicken farms, pig farms, and mushroom farms can be contained within the boundary of the farms.	Oppose	PIANZ and EPFNZ consider that the proposed amendment would undermine the intent of the policy regime of the Plan. The addition of an arbitrary minimum size of farms is inappropriate within a policy statement. The size of a site in itself does not internalise effects, but a range of measures are required, and when using these in combination, potential adverse effects can still be avoided, remedied and mitigated, on smaller lot sizes. Furthermore, it limits where future rural production activities can establish and operate in the rural zone.
Rule 7.3	Selwyn District Council	pCARP-1137	Delete Rule 7.3	Support	PIANZ and EPFNZ support the deletion of this rule.
Rule 7.60	NZ Pork Industry Board	pCARP-398	Amend rule 7.60(1) to read: " <i>From 1 June 2002 there has been no increase in the scale of the effects of the farming activity where the discharge originates.</i> "	Support in Part	In general, PIANZ and EPFNZ support the intent of the proposed wording as an increase in the scale of an activity does not directly correlate to an increase in the scale of effects. However, clarification on how an increase in the scale of effects is measured would provide more clarity to this rule.
Rule 7.60	Mr Lawrence John Manion	pCARP-662	Amend Condition 2 of Rule 7.60 to the following: <i>The discharge of odour is within the boundary of the intensive poultry farm, pig farm and mushroom farm.</i>	Oppose	PIANZ and EPFNZ consider that the wording as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.
Rule 7.61	Mr Lawrence John Manion	pCARP-663	Amend Rule 7.61 to the following: <i>The discharge of contaminants into air from intensive poultry farming, intensive pig farming or mushroom farming that does not comply with one or more of the conditions in rule 7.60 is a prohibited activity at any point within 300m of neighbouring boundary [and] at any point beyond 300 metres it is a discretionary activity.</i>	Oppose	PIANZ and EPFNZ consider that the Rule 7.61 as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.
Rule 7.62	Mr Lawrence John Manion	pCARP-664	Amend Condition 1 of Rule 7.62 to include the following: <i>the discharge is located at least 300 metres from a neighbour's boundary</i>	Oppose	PIANZ and EPFNZ consider that the Rule 7.62 as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.

TABLE 1: PIANZ AND EPFNZ's FURTHERS SUBMISSIONS					
PROVISION	SUBMITTER	SUBMISSION REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT / OPPOSE	REASONS / RELIEF SOUGHT
Rule 7.63	Mr Lawrence John Manion	pCARP-665	Amend Rule 7.63 to the following: <i>The discharge of contaminants into air from intensive poultry farming, intensive pig farming or mushroom farming located less than 300 metres from [a] neighbouring boundary is a prohibited activity.</i>	Oppose	PIANZ and EPFNZ consider that the Rule 7.63 as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.
Rule 7.63	Mr Lawrence John Manion	pCARP-666	Clarify Rule 7.63 to ensure that the 200 metre set back distance from a sensitive activity is aligned with District Plan set back distances of 300 metres between new dwellings and chicken sheds.	Oppose	PIANZ and EPFNZ consider that the Rule 7.63 as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.
Rule 7.63	Mr Lawrence John Manion	pCARP-667	Amend Rule 7.63 to ensure that the 200 metre set back distance from a sensitive activity is aligned with District Plan set back distances of 300 metres between new dwellings and chicken sheds.	Oppose	PIANZ and EPFNZ consider that the Rule 7.63 as notified is more appropriate and should be retained as outlined in the PIANZ and EPFNZ's primary submission.