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enclosed:- Further Submissions on
Proposed Plan Change 6.

114 Submissions

FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 6 TO THE PROPOSED CANTERBURY LAND AND WATER REGIONAL PLAN UNDER CLAUSE EIGHT OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

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I/We make the further submissions on the Proposed Plan Change 6 to the Proposed Canterbury Land and Water Regional Plan (PC6) set out in the **attached** document.

In accordance with Clause 7 of the First Schedule of the RMA I/we have an interest in the PC6 greater than the interest of the general public. I/we are directly affected by the matters addressed in this further submission.

I/we could not gain an advantage in trade competition through this submission.

I/we would like/~~not like~~ to be heard in support of its submission

If other persons make a similar submission then I/we would consider presenting joint evidence at the time of the hearing.

M. J. Stanbury

Signature

Date 9-12-2015.

FURTHER SUBMISSIONS

ORIGINAL SUBMISSION REFERENCE AND POINT ID	PROVISION	SUBMISSION	SUPPORT OR OPPOSE	REASONS
Sitarz K PC6 LWRP-61	Proposed Plan Change 6, Section 10	Submitter seeks that artificial lake openings be reinstated at mid beach to avoid discharge of canal algae pollutants in the coastal marine area	Support	There is also the need to programme mid beach openings to provide a rapid discharge method for extreme flood events. The existing canal is too small for the discharge rate required in a peak event, and requires two remote end openings in order to function.
Federated Farmers of NZ PC6 LWRP-15	Section 10 Banks Peninsula	Addressing the equitable balancing of cost for the key action projects, including additional fencing required by rules to achieve outcomes specific to this proposal	Support in Part	For small affected holdings in both Rural and Small Settlement zones in the Valley Floor Area, the implications of cost, if not addressed equitably, will put proposed key actions beyond the financial capacity of owners/occupiers. This risks the further fragmentation and abandonment of properties, which is a current issue in the Valley Floor Area.
Wairewa Runanaga Inc. and Te Runanaga O Ngai Tahu PC6 LWRP-101	Section 10 Banks Peninsula	Ensure the naming of the catchment throughout the plan is consistent and reads Te Roto o Wairewa/Lake Forsyth	Support	This name highlights the place and significance of the lake to this area and its people.
Federated Farmers of NZ PC6 LWRP-21	10.4 Policies	Submitter seeks further information about the cost of implementation of the policies and rules (particularly the cost of fencing)	Support	All cost implications need to be examined including fencing, stock water supply, water pumping, storage tanks and bridging. This potentially affects both Rural and Small Settlement zoned land.
Director general of Conservation PC6 LWRP-14	10.4.1 (c)	(c) encouraging the planting of appropriate native species in riparian margins where is compatible with achieving bank stabilization; and...	Support	Only consider plant species that won't impede river flow rates and that will remain stable under elevated flow velocities. Suggest deep rooted native grasses and tussocks. Woody plants (rigid stems and/or bushy) are problematic because they individually create resistance to flow, and also promote debris accumulation in the channel.

Federated Farmers of NZ PC6 LWRP-17	10.4.1	Amend Policy 10.4.1 condition (a) as follows: (a) excluding stock from the bed and riparian margins of the Okana, Okuti and Takiratawai river, ~~their tributaries~~ , and the lake within the valley Floor Area, in order to reduce the risk of bank erosion and collapse and avoid animal effluent entering water; and ... OR (a) excluding stock from the bed and riparian margins of the Okana, Okuti and Takiratawai river, and where practical, their tributaries, and the lake within the valley Floor Area, in order to reduce the risk of bank erosion and collapse and avoid animal effluent entering water; and ...	Support in Part	Tributaries in the Valley Floor Area are convoluted, changeable and many are just ephemeral drains or overland flow. Where and how it is practical to exclude stock will prove difficult to the point of being unrealistic. A number of tributaries extend through both Rural and Small Settlement zoned land and bisect already small titles. In many cases, exclusion by fencing would be bizarre and unsustainable for a number of reasons. Added to this is the very real risk of stock fencing becoming entangled in waterways during flood events, thus amplifying the hazard. Exclusion by wholesale prohibition of animals will amount to a severe loss of amenity value to owner/occupiers in planning zones that specifically permit keeping stock under the rural and rural transition planning objectives.
Federated Farmers of NZ PC6 LWRP-19	10.4.1 (f)	Clarify how preventing inundation of septic tanks with flood waters will be achieved and paid for in policy 10.4.1 condition (f)	Support	This is largely out of the owner/occupiers hands and will need to be addressed by Christchurch City Council through flood management programmes. It implies strategic lake openings prior to or during flood events. It is our understanding that, historically, the old Wairewa and Banks Peninsula councils had levied a rate for this purpose and a fund was once amassed accordingly.
Herlihy M and M PC6 LWRP-83 and Stanbury K PC6 LWRP-100	10.4.1 (a)	Clarify the definition of 'stock' in 10.4.1 (a) AND Amend 10.4.1 (a) from 'excluding' stock from the beds and riparian margins or rivers in the Valley Floor Area to being 'permitted for defined short periods pursuant to an acceptable Farm Environment Plan (FEP)'.	Support	Under the existing rules (5.71), 'stock' refers to farmed cattle deer and pigs; sheep have not been included as 'stock'. Farm Environment Plans (FEP's) appear to be successful in addressing the issue of stock management near waterways.

Wairewa Runanaga Inc. and Te Runanaga O Ngai Tahu PC6 LWRP-110	10.4.1	Delete policies 10.4.1 and 10.4.2 and replace with a policy that reads: Improve water quality in Te Roto o Wairewa/Lake Forsyth to achieve the targets set out in Table 10(e) and 10(f) by 2030 by: (a) Reducing the risk of bank erosion or collapse and associated loss or discharge of sediment into water; (b) Avoiding the direct discharge of animal or human effluent into water; (c) Encouraging the planting of indigenous vegetation species in riparian margins where this activity does not adversely affect bank stabilization works; (d) Encouraging people to minimize their wastewater discharges and the phosphorous content in their wastewater; (e) Managing on-site effluent treatment and disposal systems in areas prone to inundation; and (f) Maintaining current low levels of nitrogen concentrations in freshwater.	Support	This is a practical alternative policy wording. We believe that this amendment allows both Rural and Small Settlement owner/occupiers to work towards compliance in a less prescriptive manner. The proposed policy is consistent with the way in which owners/occupiers have established in the Valley Floor Area over time, and meets with the aspirations of those who live and work in this area.
Federated Farmers of NZ PC6 LWRP-20	10.4.3	Amend as follows: Improve the flood-carrying capacity of the Okana, Okuti, and Takiratawai rivers ~~and their tributaries~~ by excluding stock from the beds and riparian margins of those rivers,...	Support in Part	Tributaries may be fenced where practical, but there are some real limitations as to where this can be done sensibly and sustainably.
Herlihy M and M PC6 LWRP-84 And Stanbury K	10.4.3	Submitter states that the policy is technically flawed and animals are not the critical factor in [reducing] flood carrying capacities of rivers - see original submission for detail.	Support	A review of influence factors in the main surface water bodies of the Valley Floor Area by a Chartered Professional Engineer concludes that stock access to waterways under the current rules (5.68) has a less than minor impact on flooding. The critical component for flood

PC6 LWRP-100				control is channel congestion through the collective vegetation in riparian margins. Isolated stock access points have very little effect. In this regard, controlled stock grazing may actually be beneficial in keeping the riparian margins sufficiently open to reduce the flooding risk created by impeded flows. Request as a further action to remove the unsubstantiated direct association that is made between 'stock' and 'flooding' in Proposed PC6. This association is erroneous and overreaching.
Wairewa Runanaga Inc. and Te Runanaga O Ngai Tahu PC6 LWRP-112	10.4.3	Amend Policy 10.4.3 to read: Improve the flood-carrying capacity of the Ōkana, Ōkuti and Takiritawai rivers and their tributaries and avoid activities in the beds or margins of these rivers or their tributaries which may significantly reduce their flood carrying capacity ~~by excluding stock from the beds and riparian margins of those rivers, and by enabling bank stabilisation works, so that induced bank erosion and collapse is avoided.~~	Support	This amendment is workable and much more factual in effect. As noted, PC6 is erroneous with the direct association made between stock and flooding. Furthermore, bank stabilisation works not properly designed and managed will actually increase flooding potential. Currently this clause is promoting a public nuisance by presenting misleading and/or notional ideas on critical flood factors and in the methods for mitigating them. Flooding is a serious, costly issue and invokes concerns addressed by important Government Acts.
Little River Wairewa Flooding Committee PC6 LWRP-128	10.4.3	Amend as follows: Improve the flood-carrying capacity of the Okana, Okuti and Takiritawai rivers and their tributaries managing tree growth and removing tree and debris channel obstructions, by excluding stock from the beds and riparian margins of those rivers, and by enabling bank stabilisation works, so that induced bank erosion and collapse is avoided.	Support in Part	Managing tree growth and the removal of trees and debris channel obstructions is critical for flood mitigation. The activities of stock within the riparian margin are of minor concern to this process.
Wairewa Runanaga Inc. and Te Runanaga O Ngai Tahu	10.5 Rules	Insert a new rule that farming is a permitted activity in the Valley Floor Area provided that a farm environment plan is prepared and implemented by 01 January 2020. The farm environment plan shall:	Support	This is consistent with FEP's as proposed.

PC6 LWRP-137		(i) Identify any potential critical sources of sediment and P loss or erosion on the farm and actions to minimise sediment and P losses; and (ii) Address the management of livestock grazing in proximity to waterways and when crossing waterways to avoid causing or exacerbating bank erosion or the direct discharge of animal effluent into water.		
Federated Farmers of NZ PC6 LWRP-28	10.5.2	Amend Rule 10.5.2 as follows: Within the Valley Floor Area, the use of land in the riparian margin or the disturbance of the bed and banks of the Okana, Okuti and Takaritawai rivers ~~and their tributaries~~, or Lake Forsyth / Te Roto o Wairewa, that includes:... OR Within the Valley Floor Area, the use of land in the riparian margin or the disturbance of the bed and banks of the Okana, Okuti and Takaritawai rivers and <u>where practical</u>, their tributaries, or Lake Forsyth / Te Roto o Wairewa, that includes:...	Support in Part	Support with the removal of 'tributaries'. This is due to difficulties with the extent of practical stock exclusion options available within Rural and Small Settlement zones.
Federated Farmers of NZ PC6 LWRP-31	10.5.2	Clarify that Environment Canterbury will assess an application using its own in-house experts and consulting with the land owner. If not, the submitter opposes the rule in its entirety as they consider it will place an intolerable burden on landowners and will defeat the aim of the plan change. The submitter seeks that all Environment Canterbury should require from the applicant is the Schedule 24c Erosion Plan (which the submitter also opposes), and that Environment Canterbury assess the proposal	Support	For the reasons as stated in the submission.

		based on the information it already holds about matters for discretion 1 to 11. This should be a two way process with the applicant who also may have useful information that Environment Canterbury is not aware of.		
Wairewa Runanaga Inc. and Te Runanaga O Ngai Tahu PC6 LWRP-117	10.5.4	Delete rules 10.5.4 and 10.5.5 and replace with a rule that reads: From 01 January 2020 within the Valley Floor Area, the following stock exclusion rules will apply: (i) All livestock shall be excluded from Te Roto o Wairewa/Lake Forsyth and from the Ōkana River and tributaries from Church Rd Bridge to the lake and the Ōkuti river and tributaries from Usshers Rd bridge to the lake.	Support in Part	Support with the removal of 'tributaries'. This is due to difficulties with the extent of practical stock exclusion options available within Rural and Small Settlement zones. This submission also appears to conflict with the intentions of submission PC6 LWRP-112.
Federated Farmers of NZ PC6 LWRP-33	10.5.5	No specific decision requested. Submitter seeks further discussion on feasibility of 2020 deadline for completing fencing [of Okana, Okuti, and Takaritawai rivers and their riparian margins in the Valley Floor Area]. [Note: submitter also referenced Rule 10.5.4]	Support	Compliance deadlines should be set to a reasonable period of at least five years from the date that plan changes are ratified and cited.
Herlihy M and M PC6 LWRP-85 And Stanbury K PC6 LWRP-104	10.5.5	Define what is meant by 'all stock' and 'surface water' - see original submission for detail.	Support	Under the existing rules (5.71), 'stock' refers to farmed cattle deer and pigs; sheep have not been included as 'stock'. Does 'all stock' now refer to all of the above plus horses, alpacas, domestic fowls, etc? If so, what consideration is given to the association between 'stock', 'surface water' and the basic amenity values of Rural and Small Settlement zones for keeping of animals? We request as a further action that 'surface water' be either amended to 'surface water bodies' or removed completely from the clause. This is because a concise definition of 'surface water' does not appear available. The term 'surface water' is a departure from the Section 32

				Report and from other parts of PC6 itself, where the correct reference is made to 'surface water bodies'. The term 'surface water' is also too broad and may be taken to include ephemeral 'overland flow' that occurs in a flood plain catchment that may often encompass the whole Valley Floor Area and extend across three planning zones. The "de minimis non curat lex" apparatus is not satisfactory, being a feudal law approach that gives weak assurance to important amenity values of the many and varied individual owner/occupiers that may collectively be regarded as not trivial.
Herlihy M and M PC6 LWRP-87 And Stanbury K PC6 LWRP-105	10.5.6	Clarify if obtaining small quantities of stock water from the river will remain a permitted activity.	Support	As for obvious reasons of stock management and welfare as stated in the submission.
Federated Farmers of NZ PC6 LWRP-51	10.10 (Insert heading) Schedules	Amend Schedule 24c item 5 as follows: 5. provide an assessment of the effects of the proposed activities, at a level of detail commensurate with the scale and significance of the effects, on: and using such information as the landowner can reasonably be expected to provide from his own knowledge and experience of the property. Environmental effects which ECan may choose to separately assess, in order to decide on an application , include the following: [Items (a) to (h) as listed]	Support	There is a low practical ceiling for compliance costs than can be borne by occupiers/owners in the Valley Floor Area.
Herlihy M and M Sub ID 66275	Entire submission	I support the entire submission.	Support	For the reasons given in the original submission.