

From: [Mary Sparrow](#)
To: [Mailroom Mailbox](#)
Cc: ["David Ashby"](#)
Subject: Re: Submission to CLWRP Plan Change 5
Date: Thursday, 10 March 2016 9:34:27 p.m.
Attachments: [SUBMISSION TO ENVIRONMENT CANTERBURY Ashby.docx](#)

Please find the attached submission

For Dave Ashby
Dave Ashby Rural Consultants Ltd.

**SUBMISSION TO ENVIRONMENT CANTERBURY:
PROPOSED PLAN CHANGE 5
TO THE CANTERBURY LAND AND WATER REGIONAL PLAN**

**FROM: DAVE ASHBY RURAL CONSULTANTS LIMITED
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1 Submission: Amend Policy 4.40 (P. 4-5)

Amend Policy 4.40 to state that Farm Environment Plans (FEPs) are the primary means of identifying good environmental practice across a range of farming activities and to provide for “overseer” to be used as a tool to provide information about the loss of nutrients from the root zone and thus encourage overall efficiency in the use of resources.

This proposed amendment to Policy 4.40 is designed to provide the basis for a two stage implementation of a simplified Plan Change 5. The first stage would see all farmers concentrating on the development of FEPs, with these to be completed according to the time-table already in place. The second stage would involve the requirement for all farmers to meet Good Management Practice (GMP) based on the Matrix of Good Management (MGM) nutrient loss rates from 1 July 2020.

This would remove any consideration of historic nutrient loss rates based on four years from 2009 to 2013, or alternatives proposed in Plan Change 5. By doing this the Canterbury Land and Water Regional Plan (CLWRP) will provide an additional three years for the further refinement of “overseer”, before introducing this model as the basis for regulation. During the period until 1 July 2020 the Council’s Farm Portal and “overseer” would provide farmers with the opportunity to understand their various situations and work to optimise their management of available nutrients.

Given the current situation faced by many Canterbury farmers the transitional requirements in Proposed Plan Change 5 are not necessary to avoid the deterioration of water quality during the period until 2020. Any risks associated with nutrient discharged that might exceed baseline levels during the interim period are outweighed by the risks associated with imposing a complicated regulatory regime based on an unstable computer model.

Concerns about the current situation with respect to “overseer” which include the widely acknowledged margin for error at +/- 15 percent, and its inability to adequately represent the situation on approximately 20 percent of farms, threaten to undermine any existing farmer confidence in the CLWRP to provide an effective resource management framework within which they will be able to deliver the economic targets of the Canterbury Water Management Strategy.

Decision requested:

Amend Policy 4.40 to read:

Farm Environment Plans are used as a the primary means of identifying and delivering good environmental practice across a range of farming activities, including but not limited to nutrient loss management, efficient and effective use of water for irrigation, riparian management, stock movements across waterways, offal and farm rubbish pits, the storage and application of effluent and fertiliser use; and “overseer” is used as a tool to provide information about the merits of respective strategies for the use of nutrients and thus encourage overall efficient resource use.

Make consequential changes to the Rules.

2 Submission: Consequential on Submission 1 (pages: various)

The acceptance of a two-step approach to the implementation of GMP through FEPs in the first instance, and the controls on nutrient loss as calculated by “overseer” based on Good Management Practice Loss Rates to commence in 2020 would involve the removal of all references to *Baseline GMP Loss Rate* from Plan Change 5.

Decision requested:

Delete all references to *Baseline GMP Loss Rate* including:
Definition for *Baseline GMP Loss Rate* (p.3-1)
Reference to baseline GMP loss rate from the definition of *Farm Portal* (p.3-1)
Policies 4.37, 4.38, 4.38C, 4.38AA, 4.41C,
Rules 5.44B, 5.45A, 5.50A, 5.54B, 5.55A, 5.56AA, 5.57C, 5.58A, 5.58B
Schedule 7: 4.B

3 Submission: Amend by deleting a. from the definition “Accredited Farm Consultant” (p.3-1)

It is considered that specific reference to the *Certified Dairy Farm System consultant* as certified by the New Zealand Institute for Primary Industry Management is unnecessary, and should be subsumed under b. *other qualifications have been approved by the Chief Executive of Environment Canterbury as being of equivalent standard ...*

Decision requested:

Amend the definition of “*Accredited Farm Consultant*” to read:

“means a person that holds a Certificate of Completion in Advanced Sustainable Nutrient Management in New Zealand Agriculture from Massey University; or holds any other qualification, ...”

4 Submission: support definition Good Management Practice Loss Rate (p.3-2)

This concept is at the core of the ultimate application of GMP and is supported, despite the concerns that about the instability of successive versions of “overseer” to date. Given the current level of investment in “overseer” it is to be hoped that by 2020 it is a substantially more stable model.

5 Submission: support the proposed definition of *Certified Farm Environment Plan Auditor* with minor amendments (p.3-1)

The amended definition of *Certified Farm Environment Plan Auditor* is supported, particularly the introduction of the membership of a professional organisation that has a code of ethics, Part 2 of the definition should be qualified by either the addition of the word “*appropriate*” to the requirement relating to the code of ethics, or require that the professional institution has the endorsement of the Chief Executive of Environment Canterbury.

Decision requested

Retain the definition *Certified Farm Environment Plan Auditor* as proposed in Plan Change 5, with the addition of “*appropriate*” inserted before the words “*code of ethics*” in Part 2, and add the proviso that the professional institute referred to in Part 2 has the approval of the Chief Executive of Environment Canterbury as having suitable standards for membership as to guarantee the integrity of the people who qualify and *Certified Farm Environment Plan Auditors*, and have his/her approval of the procedures to be used to respond to complaints against members.

6 Submission: Amend Policy 4.38AA (p.4-4) or add new Policy and amend related Rules

Policy 4.38AA provides opportunities for farmers in areas zoned Green or Light Blue to increase nutrient losses beyond Baseline GMP Loss Rates by up to 5kg/ha/yr, and includes an opportunity to increase above this level with resource consent if the applicant can demonstrate that water quality will be maintained.

It is of concern that many of the areas zoned Green are either beside rivers or up-gradient of areas zoned Red or Orange and therefore an approach allowing the possibility of increases in nutrient loss from these properties is not appropriate. When ground water is moving down the Canterbury Plains it will be picking up contaminants as it goes and the outcome is that at the front of the plains both groundwater and spring water have elevated nitrate levels. The problem of nutrient contamination starts in the groundwater at the back of the plains even if, under the National Policy Statement for Freshwater Management the focus is on nitrate levels in surface water. The stricter controls proposed for Red and Orange zones should be reflected in the controls proposed for Green zones up-gradient of Red and Orange zones respectively.

Generally, across the plains the levels of nitrates in ground water are lower closer to the alpine and foothills rivers because these rivers are contributing water to ground that has low or no concentrations of nitrates. Again any nutrient loss from farming activity close to alpine rivers is likely to either contribute to the overall nitrate loading in the adjacent Red or Orange zones or even result in increasing levels of nitrates in the lower reaches of these rivers. A precautionary approach to the management of nutrient loss across the Canterbury Plains would therefore warrant the application of the same controls to these areas as for adjacent Red or Orange zones.

Decision requested

Amend Policy 4.38A, or add new Policy, so that the provisions as notified only apply in Green or Light Blue Zones that are not up-gradient from areas zoned Red or Orange or adjacent to alpine rivers that are not also adjacent to areas zoned Red or Orange, and that nutrient losses from farming activities in these zones that are either up-gradient or adjacent to a Red or Orange zone are constrained to the same extent as the adjacent zone.

Make consequential changes to Rules.

Dave Ashby Rural Consultants Limited wishes to be heard in support of this submission.