



Submission on Proposed Plan Change 5 to the Canterbury Land and Water Regional Plan

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Submitter ID:

File No:

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 5.00pm Friday 11 March 2016 to:

Freepost 1201 Plan Change 5 to LWRP
Environment Canterbury
P O Box 345
Christchurch 8140

Full Name: Bary Shepherd Phone (Hm): 034389687
Organisation*: Benmore Irrigation Company Limited Phone (Wk): _____
* the organisation that this submission is made on behalf of
Postal Address: c/- Duncan Cotterill, PO Box 5 Phone (Cell): 0272389687
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Contact name and postal address for service of person making submission (if different from above):
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Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

- I could not gain an advantage in trade competition through this submission; or
- I could gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

- I am directly affected by an effect of the subject matter of the submission
- I am not directly affected by an effect of the subject matter of the submission

Signature: _____ Date: 10.3.2016

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

- I do not wish to be heard in support of my submission; or
- I do wish to be heard in support of my submission; and if so,
- I would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing

| (1) The specific provisions of the Proposed Plan that my submission relates to are | | (2) My submission is that: (include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.) | | (3) I seek the following decisions from Environment Canterbury. (Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.) |
|--|--------------------|---|--|---|
| Section & Page Number | Sub-section/ Point | Oppose/support (in part or full) | Reasons | |
| 15.5.18B | | Oppose | <p>BIC is opposed to the limit of 1.6kg/ha/yr allocation limit placed on the Haldon zone for the following reasons:</p> <ul style="list-style-type: none"> The spreading of a "headroom" allocation rateably across all properties does not reflect practice. There will be undoubtedly areas that meet the thresholds for irrigation (below 900m and at a slope of <25°) but will never in practice be irrigated – or developed further. The allocation of headroom needs to reflect prior applications to the notification of PC5 to ensure that the headroom allocation factors in the outcome of that application The allocation of headroom resource is contrary to the "first come-first served" principle of the RMA Applications for headroom in the Haldon catchment need to satisfy that it meets the purpose of sustainable management under the RMA – the arbitrary allocation under this section does not meet the Act's purpose | <p>BIC seeks a process whereby the allocation of available headroom is allocated by successive resource consents, with the Regional Council keeping a public register on the current state of headroom allocation in the Haldon Catchment.</p> <p>To do otherwise will lead to an overly conservative allocation model whereby all land users understand that there is available headroom but that it is "locked –up" in unusable portions of the catchment that are, because of physical and farming constraints unable to ever take up or use the allocation.</p> |
| Schedule 27 | | Oppose | <p>BIC opposes the unutilised portion of the Haldon Zone Load Limit on the basis that it has not factored in the allocations associated with applications currently before Ecan and awaiting processing.</p> | <p>S 88A preserves the status of an application on a first come first served basis to apply for and be granted an allocation for a particular project. BIC wants the plan changed to provide proof that the unutilised portion of 66Tonnes reflects</p> |

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|--------------------------|--|----------------|---|---|
| Consultation on PC5 | | Oppose | <p>BIC is a major irrigation scheme in the Omarama Basin. It appears that most of the consultation was carried out with Beef and Lamb, Fonterra and other large industry groups with little consultation with irrigation schemes that have the ability to manage nutrients as a whole within the command area.</p> <p>Farmers need practical guidelines of how GMP is to be applied in practice.</p> <p>GMP is not formulated to an extent that farmers can determine whether they are compliant with the plan or not – and whether resource consents are required or not.</p> <p>Specific practices will be more or less appropriate to each zone</p> <p>BIC traverses three zones and requires specific, tangible GMP's to be outlined in the plan or an associated document which is available at the same time as notification has occurred.</p> <p>No indication is given that the parameters for GMP implementation reflect the climatic / water usage practices in the Omarama basin – including precise rainfall and transpoevaporation data.</p> | <p>the prior application of BIC</p> <p>Consult on the specific numbers so that users of the plan have a clear understanding of their legal effect and the basis for calculation.</p> |
| Good Management Practice | | Oppose | <p>Farmers need practical guidelines of how GMP is to be applied in practice.</p> <p>GMP is not formulated to an extent that farmers can determine whether they are compliant with the plan or not – and whether resource consents are required or not.</p> <p>Specific practices will be more or less appropriate to each zone</p> <p>BIC traverses three zones and requires specific, tangible GMP's to be outlined in the plan or an associated document which is available at the same time as notification has occurred.</p> <p>No indication is given that the parameters for GMP implementation reflect the climatic / water usage practices in the Omarama basin – including precise rainfall and transpoevaporation data.</p> | <p>BIC requires greater specificity of what farmers need to undertake to meet GMP requirements now.</p> <p>BIC does not oppose the concept of GMP's but has no basis from the plan itself as to what measures are required.</p> <p>Clearly this is an issue because consent processes are dependent on whether GMP is meet on a case by case basis.</p> |
| 15B.4.18 | | Oppose in part | <p>The plan does not seem to recognise that irrigation schemes span several zones. In BIC's case it has groundwater paths to both the Haldon, Lake Sensitive and Ahuriri catchments</p> | <p>Correction of wording to recognise irrigations schemes that span zones</p> |
| 15B.5.6 | | Oppose in part | <p>BIC has current applications prepared in accordance with the relevant plans when submitted – these applications should proceed in accordance with the status at time of application</p> | <p>Amend wording to record 15B.5.6.b.ii reads An application was applied for prior to 13 February 2016</p> |
| 15B.5.8 and 15B.5.9 | | oppose | <p>There are a significant number of nutrient user groups which are supplied with water from an irrigation scheme. It appears that there is a wording inconsistency between the two clauses.</p> | <p>Delete prohibited use status from 15B.5.9</p> |