

From: [Emma-Jane Hayward](#)
To: [Mailroom Mailbox](#)
Subject: Submission on Nutrient Management and Waitaki Plan Change (Plan Change 5)
Date: Friday, 11 March 2016 1:26:05 p.m.
Attachments: [image001.png](#)
[image002.png](#)
[S001v1-PC5 to the ECAN LWRP-ejh-FINAL.pdf](#)

Good afternoon,

Please find attached a submission on behalf of PIANZ and EPFNZ.

Kind regards,



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Planner

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ON A PUBLICLY NOTIFIED PROPOSED POLICY STATEMENT OR PLAN



Under Clause 6 of the First Schedule to the Resource Management Act 1991

TO	Environment Canterbury Regional Council
SUBMISSION ON	Plan Change 5 of the Canterbury Land and Water Regional Plan –Nutrient Management and Waitaki Plan Change
NAME OF SUBMITTER	Egg Producers Federation of New Zealand, Poultry Industry Association of New Zealand

This is a submission on Plan Change 5 of the Canterbury Land and Water Regional Plan – Part A Nutrient Management (Plan Change 5).

The Egg Producers Federation New Zealand (EPFNZ) and Poultry Industry Association of New Zealand (PIANZ) could not gain an advantage in trade competition through submission.

SUBMISSION IN SUPPORT SUBJECT TO THE FOLLOWING

1. The specific provisions of the proposal that my submission relates to are:

This submission relates to Part A – Region-wide Amendments, in particular Section 4: Policies, Section 5: Region-wide Rules, and Section 16: Schedules.

2. EPFNZ and PIANZ's submission is:

The submitters largely oppose the Council's attempt to fix implementation issues of the Canterbury Land and Water Regional Plan (LWRP) through Plan Change 5. Due to the lack of recognition of differences in farming practices and the restrictions this may cause the poultry industry.

3. The poultry industry is a dynamic and expanding sector of New Zealand's primary production, which includes that production of both meat and eggs.
4. The submitters represent a range of poultry farming activities in the Canterbury Region with a total of 111 farms. Their current operations in the Canterbury Region are as follows:
- 13 meat chicken breeders;
 - 43 meat chicken growers;
 - 5 non-chicken meat growers;
 - 4 processing plants;
 - 29 layer farms;
 - 3 rearer farms;
 - 1 hatcheries; and
 - 13 feedmills.
5. **The submitters concerns with Plan Change 5 Provisions**
6. Plan Change 5 has been developed for the purpose of implementing industry-agreed good management practices in the region.
7. As currently drafted, the changes apply to all farming activities. However, the submitters would like to emphasise that some farming activities, such as indoor poultry farming, result in different forms of discharge and have different good management practices under which they operate. For instance, most indoor poultry farming only operates within an enclosed environment and to industry good management practices. The management practices are fundamentally different to other farming practices.

8. The policy direction of the plan change and the resultant rules therefore do not give any consideration to the management practices of poultry farming.
9. This means the tools that have been referred to in the policies, rules, and schedules are not designed or relevant to the poultry industry. Furthermore, the Good Management Practices and Farm Management Plans in the proposed schedules do not cover poultry management. This has the potential to create serious implications and restrictions on the on-going operation of poultry farms.
10. For instance, the conditions of proposed Rule 5.44A, which need to be complied with in order for the use of land for a farming activity on a property greater than 10 hectares to be a Permitted activity, are not tailored towards the poultry industry. Because of this, compliance for poultry farms may be difficult/impossible to achieve. This means that poultry farming activities will default to a non complying activity while many other farming practices, which the conditions are tailored for, will be permitted.
11. As a consequence of the lack of consideration of the differing management practices of poultry farming the submitters are concerned that the auditing process to will also not be appropriate for poultry farming. This will have implications for the ongoing operations of poultry farms.
12. The specific aspects of greatest concern are discussed in the following section.
13. **Policies 4.34 to 4.41D – Nutrient Management**
14. The intention of the policies, as understood by the submitters, is to monitor and control discharge to land from farming activities and the subsequent nitrogen loss.
15. Due to the concerns outlined above about the differences in operation of poultry farming, the submitter requests that the nutrient management policies 4.34 to 4.41D exclude poultry farming.
16. **Rules 5.41A to 5.59A – Nutrient Management**
17. As the rules are derived from the proposed policies, the inconsistency with the policies in relation to the poultry industry are carried through to the rules. As stated above the submitter opposes the wording within the policies and has concerns on how the rules will relate and apply to the poultry industry.
18. Due to the concerns outlined above about the differences in operation of poultry farming, the submitter requests that the nutrient management rules 5.41A to 5.59A exclude poultry farming.
19. **Schedules 7, 7a and 28**
20. As expressed above by the submitter a farming activity needs to undertake OVERSEER and Farm Portal. Neither of these tools are designed or relevant to the poultry industry. The Farm Environment Plan and Good Management Practice modelling rules, have not been written for the poultry industry.
21. The submitter requests that schedules 7, 7a and 28 exclude poultry farming
22. **Policy 4.11**
23. The submitters understand the underlying intent of this policy; however, it creates a reliance on a non-statutory document, which is subject to constant change. This then has the potential for consent durations to be unduly restricted when plan changes are delayed.
24. Consents for both water allocation and discharge should be assessed on a case by case approach. Section 123 of the Resource Management Act 1991 (RMA) enables Council to set any duration of up to 35 years, based on the type of activity and the statutory landscape.
25. The submitters feel the policy could be simplified by noting that when the duration of a resource consent granted under the region-wide rules in this Plan is set, this duration will take into account any plan changes that are active.
26. Therefore the submitters request that policy be replaced with the following:
***Policy 4.11:** When determining a suitable duration of any resource consent granted under the region-wide rules in this Plan consideration shall be given to any plan change that introduces water quality or water quantity provisions into Sections 6 – 15 of this Plan.*
27. **EPFNZ and PIANZ seek the following decision from the regional authority:**
 - a) Reach agreement with ECAN over what is good management practice for the poultry industry, and a more relevant set of provisions to be prepared; and
 - b) Poultry to be excluded from the nutrient management policies, rules and schedule as identified in the submission; and

c) Amend policy 4.11 as identified in the submission.

Or

d) Such other alternative relief to satisfy the concerns of the submitters.

28. **The submitters wish to be heard in support of their submission.**

29. **If others make a similar submission we will consider presenting a joint case with them at a hearing.**

Signature:



Date: 11 March 2016

Address for Service of Submitter:

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