

From: [Graeme Spittle](#)
To: [Nancy Bonner](#)
Subject: FW: PC5 Submission
Date: Tuesday, 5 April 2016 10:04:34 a.m.
Attachments: [image.png](#)
[image.png](#)
[PC5_Submission - Bellfield.docx](#)

Hi Nancy

Thank you for your call this morning.

Please find the enclosed documentation relative to my submission. The original signed copy should be the initial application received.

I initially asked Haidee to assist in my application thus the original format received which I am emailing due to a problem with my scanner.

Trust this clarifies any earlier discussions.

Any queries please advise at your convenience.

Regards

Graeme Spittle

Bellfield Land Company

----- Forwarded Message

From: Haidee McCabe <haidee@irricon.co.nz>

Date: Thu, 10 Mar 2016 07:10:37 +0000

To: 'Graeme Spittle' <bellfield1@xtra.co.nz>

Cc: "'quailburn@xtra.co.nz'" <quailburn@xtra.co.nz>

Subject: FW: PC5 Submission

Graeme, please use this version with bit more clarification and clear opposition.



<http://irricon.co.nz/>



<https://www.facebook.com/>

Haidee McCabe | Environmental Consultant

p m f e w a 03 308 8587 extn 4 021 686 006 028 899 4423 haidee@irricon.co.nz
<mailto:haidee@irricon.co.nz> irricon.co.nz <http://irricon.co.nz> 32 Washdyke Flat Road,
PO Box 2193, Washdyke, Timaru

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From: Haidee McCabe
Sent: Thursday, 10 March 2016 5:39 PM
To: 'Graeme Spittle' <bellfield1@xtra.co.nz>
Cc: 'quailburn@xtra.co.nz' <quailburn@xtra.co.nz>
Subject: PC5 Submission

Hi Graeme

As per message, submission attached for your approval. I have kept the discussion on the properties fairly simple and irrigation related.

You need to complete the front page, print and sign with it being sent into **Ecan by 5pm tomorrow/Friday.**

-

I am available tomorrow from 8.30am – 1pm if you wish to discuss

THE CLOSING DATE FOR SUBMISSIONS IS 5:00 PM 11 March 2016

Please email submissions to: mailroom@ecan.govt.nz <mailto:mailroom@ecan.govt.nz>

Or post to:

Freepost 1201

Plan Change 5 to the Canterbury Land and Water Regional Plan
Environment Canterbury
PO Box 345
Christchurch 8140



<http://irricon.co.nz/>



<https://www.facebook.com/>

Haidee McCabe | Environmental Consultant

p m f e w a 03 308 8587 extn 4 021 686 006 028 899 4423 haidee@irricon.co.nz
<mailto:haidee@irricon.co.nz> irricon.co.nz <http://irricon.co.nz> 32 Washdyke Flat Road,
PO Box 2193, Washdyke, Timaru

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

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

Full Name:

Phone (Hm):

Postal Address:

Phone(Cell):

Email:

Contact name and postal address for service of person making submission (if different from above):

I wish to be heard in support of my submission.

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: _____
(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.

Our Submission:

- We wish to be heard in support of our submission.
- We submit in **opposition** on the following matters relating to the Plan Change 5. Please note that this submission encompasses any related objective, policy, or rule that alters as a result of our submission or any other submissions made. We therefore wish to be included in all matters related to the entire plan, but not specifically identified in my submission. Any aspects of the plan or proposed changes to the plan that do not support or achieve the outcomes sought by us are opposed. The rules and tables have been focused on and the policies will need to also reflect the outcome sought.
- Our principle reasons for taking this position are set out in our narrative discussion, below, with specific outcomes detailed in the table.
- Bellfield Land Company own Quailburn Downs located near the Ahuriri River within the Ahuriri Arm of Lake Benmore. We purchased a property with border dyke irrigation and went through a renewal consent process in the 2009 Upper Waitaki hearings plus obtaining a further small new irrigation consent. As a result of this we now have consents with a Nutrient Discharge Allowance (NDA) for both N and P and extensive water quality conditions on local water bodies and Lake Benmore. As a result, we operate our farming practice within Overseer (NDA) limits and according to a Farm Environmental Plan (FEP) as part of consent requirements. We also take water quality samples from the Henburn stream downstream and Quailburn both upstream and downstream of the irrigation area to monitor any effects of our irrigation practice on local water quality. Our consent currently sets water quality levels that need to be adhered to that were incorrectly set in the last hearing whereby the NRRP standards were used which unbeknown to us did not reflect actual water quality in the stream.
- To date we have spent excessive amounts of money obtaining these consents and subsequently improving or putting in new irrigation infrastructure. Protection of this is essential in PC5.

Reasons for the Submission:

General

1. The Plan in its current form is complex and difficult to understand and there are concerns that parts are unworkable and not enforceable. Our expectation as farmers of the plan, is that we should be able to pick it up and determine on our own, where our farming operation fits in.
2. We have concerns that some parts of the plan are unenforceable.
3. GMP should be about actual on-farm practice and incorporated into Farm Environment Plans. The GMP practices that are appropriate for our catchment should be better defined in the plan. These are then easily monitored and enforced as well and the expectations of farmers is clear.
4. GMP numbers from the Farm Portal are generated using the Matrix of Good Management (MGM) narratives. There is concern around how the narratives have been used to create input rules in Overseer. There is also concern that the MGM narratives do not accurately represent some farming systems, particularly large high country stations in low rainfall environments and therefore require validation to give more confidence in the Farm Portal and the GMP outputs it produces.
5. We understand that we will require a consent to farm even though we have a water permit with a NDA which manages the N and P losses from our property along with extensive water quality monitoring conditions. This is another layer of consenting that

is considered to be totally unnecessary. There is no protection for these consents with an NDA, and this is a serious injustice to these consent holders who have spent a lot of time and money obtaining consents, and then implementing expensive irrigation or upgrading irrigation systems without the need to obtain another consent.

6. The use of the narratives of 50 hectares irrigated or 20 hectares of winter grazing are arbitrary, with no consideration of scale taken into account. In my view, percentages of total farm area would be a more appropriate mechanism (for example 25% irrigated and 10% winter grazing).
7. Local stream and river water quality limits appear to be set in policy and tables with no supporting rule framework to enforce this. The next question is whether these levels set in Table 15B a) b) and c) are being set on actual water quality data and whether they are realistic and achievable. Our consent currently sets trigger levels that need to be adhered to that were incorrectly set in the last hearing whereby the NRRP standards were used which unbeknown to us were incorrect. It is essential this time that they are determined correctly, and consent holders with incorrect trigger levels have a mechanism to amend the trigger levels in their consents to be consistent with PC5 tables.

Issues specific to the Ahuriri and Upper Waitaki Hill Zones

8. Our understanding of the objective of the PC5 provisions relating to the Ahuriri Arm was that if any nutrient headroom was to become available (due to the lake's TLI level reducing), it would first be available to the low emitters. The proposed rule framework does not address this clearly (Rules 15B.5.13A to 15B.5.18).
9. We are also concerned that if 'clawbacks' are required in the future, that all farmers in the zone will be required to then reduce N & P losses. There is no rule or policy relevant to this, but discussions occurred during the community process in development of PC5. The lack of clarity around this leaves those in the Ahuriri Zone vulnerable.
10. Table 15B(d) – water quality limits for lakes in the Upper Waitaki Freshwater Management unit, sets a TLI for the Ahuriri Arm of Lake Benmore of 2.9. This is not the same as the TLI imposed as a condition on consent holders following the 2009 Upper Waitaki consent hearings, which has a trigger of 2.75 but does not exceed 3.0 then the NDA's need to be reduced by 5%. These consent holders are therefore subject to a more stringent TLI trigger level, with specific responses required at this TLI level. This creates an equity issue in the zone that must be sorted out and clear direction set within the plan that consents can easily be changed into line with the agreed level set in PC5.
11. There appears to be no policies and rules linking the catchment loads for the Ahuriri Zone in Table 15 B (f) and therefore how are these going to be managed and enforced under the current framework
12. Rule 15B.5.13A condition 3 a) specifies a date of consents granted prior to 13 February 2016. What does this mean for any subsequent variations or replacements to consents that occur after this date? At present they will fall into non-complying which is not appropriate.
13. Rule 15B.5.13A condition 3 b) requires the consent to have commenced, and it is our understanding re the RMA that this refers to consents granted whom were in appeal rather than physical irrigation occurring. Clarification is sought.

What we seek from our submission

All points below are in **opposition** to the plan:

Plan Reference	Reason for Submission	Relief Sought
Nitrogen baseline definition (page 3-2)	Clause (b) of this definition still only refers to a building consent and effluent discharge consent being able to be modelled as if the dairy farming activity was operational. However, it should be extended to include all other consents granted during that period also.	Change clause b to read: <i>In the case where a consent has been granted in the period 01 January 2009 to 31 December 2013, the calculation under (a) will be on the basis that the activity is operational.</i>
Winter grazing definition (page 3-3)	The definition extends into spring. A more appropriate date is considered to be 31 August.	Amend the definition to read: <i>Means the grazing of cattle within the period 1 May to 31 August, where cattle are contained for break-feeding of in-situ forage crops or supplementary feed that has been brought onto the property.</i>
GMP numbers from the Farm Portal	We have concerns regarding the use of MGM narrative to determine the GMP Overseer input rules.	We consider more work needs to be completed to ensure the MGM narratives used to general the input rules in Overseer are robust and reflect actual farming systems throughout Canterbury.
Rule 15B.5.13A and Rule 15B.5.18A	Condition 3 a) means any change of conditions or new consent after 13 February 2016 becomes non-complying.	Add an additional rule that provides for changes/new consents providing an existing consented NDA is applied to the change or new consent. Permitted status is required for consents granted after this date with NDA
Rule 15B.5.13A and Rule 15B.5.18A	Condition 3 b), clarification is required regarding commencement is those granted or in appeal rather than physically irrigating.	Provide clarification sought as to the intention of this. Ensure those whom are still in appeal or have not commenced irrigation yet are not precluded from being permitted activities.
All Upper Waitaki rules	There is no protection for those who already hold irrigation permits with NDA's attached to them, they will require another consent under PC5.	Include provision for these consent holders to continue as a permitted activity.
Table 15 B a), b) and c)	Query whether the levels set are correct, based on actual data and achievable	Seek confirmation that levels set are correct and achievable and how they apply and integrate to the rules. Suggest Rule 15B.5.45 condition 12) for Whitneys Creek Zone is an example of how this

		can be achieved in rules
Table 15B(d)	Address the miss-match between consented TLI's and PC5 TLI's for the Ahuriri and Haldon Arms of Lake Benmore. Confirm what the appropriate levels should be for the lakes	Align the TLI for the Ahuriri and Haldon Arms of Lake Benmore to that imposed in conditions of consent, or create a consenting pathway as a controlled activity to enable those wish to change their NDA to align with PC5. Rules need to reflect this table to enable it to be enforced and the claw-back mechanism determined clearly for the Ahuriri catchment
Table 15 B (e)	Query whether the levels set are correct, based on actual data and achievable	Seek confirmation that levels set are correct and achievable and how they apply and integrate to the rules.
Table 15 B (f)	Query whether the loads have been correctly determined especially since a lot of modelling has been used rather than actual and estimates on lawful exceedance. How will these loads be managed and what happens if they are exceeded	Seek confirmation that the loads are correctly determined and the ability to enforce these are clearly achievable
Schedule 27: On-Land Nitrogen Load Conversion	Confirmation is required that this formula provides for existing and consented land use activities. In particular provision is made for those consents not yet granted and still in appeal or those not actually physically irrigating yet. This schedule must ensure equal allocation of the nitrogen head room and that over-allocation does not occur for those not first in.	Ensure the formula of Schedule 27 accurately reflects existing and consented land use, and those whom are still in appeal or not yet physically irrigating.

From: [Graeme Spittle](#)
To: [Mailroom Mailbox](#)
Subject: FW: [Scan] 2016-03-11 15:26:31
Date: Friday, 11 March 2016 4:15:23 p.m.
Attachments: [2016-03-11_15-26-31.pdf](#)

----- Forwarded Message

From: Graeme Spittle <bellfield1@xtra.co.nz>
Date: Fri, 11 Mar 2016 15:27:51 +1300
To: Graeme Spittle <bellfield1@xtra.co.nz>
Subject: [Scan] 2016-03-11 15:26:31

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

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

Full Name: BELLFIELD LAND CO LTD.

Phone (Hm):

Postal Address: 2 R.D. Te Anau 9612.

Phone (Cell): 0274 341 278

Email: bellfield1@xtra.co.nz.

Contact name and postal address for service of person making submission (if different from above)

Graeme Spittle.

I wish to be heard in support of my submission.

Trade Competition

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☐ 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: 11-03-16.

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

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