

From: [Ruth Evans](#)
To: [Mailroom Mailbox](#)
Cc: [Poul Israelson](#); [Kelly Andrew](#)
Subject: Further Submission to Plan Change 5
Date: Friday, 13 May 2016 10:00:08 a.m.
Attachments: [image001.png](#)
[image002.png](#)
[FS001v2-PC5 to the ECan LWRP-kma.pdf](#)

Good morning,

Please find attached further submissions on Plan Change 5.

Regards,



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Further Submission

FURTHER SUBMISSION ON PLAN CHANGE 5 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN



Under Clause 8 of Schedule 1, to the Resource Management Act 1991

TO: ENVIRONMENT CANTERBURY REGIONAL COUNCIL

TO: Environment Canterbury Regional Council
NAME OF SUBMITTER: Egg Producers Federation of New Zealand ('EPFNZ'), and the Poultry Industry Association of New Zealand ('PIANZ')
SUBMITTER REFERENCE: 63228

1. These further submissions are in support or in opposition to (as specified in the attached table in **Appendix 1**) submissions on the following proposed plan (the proposal):

PLAN CHANGE 5 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

2. EPFNZ and PIANZ made an original submission on the proposal.
3. EPFNZ and PIANZ could not gain an advantage in trade competition through these submissions.
4. The attached table in **Appendix 1** sets out:
 - The submissions or parts of submissions that EPFNZ and PIANZ supports or opposes;
 - EPFNZ and PIANZ's reasons for support or opposition; and
 - The relief sought by EPFNZ and PIANZ in relation to those submissions or parts of submissions.
5. EPFNZ and PIANZ wish to be heard in support of their submissions.
6. If others make a similar submission, EPFNZ and PIANZ will consider presenting a joint case with them at the hearing.

SUBMITTER DETAILS

Date: 13 May 2016

Signed:

A handwritten signature in dark ink, appearing to read 'Ruth Evans', is placed above the 'Signed:' label.

Address for service: EPFNZ and PIANZ
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Appendix 1: Further Submissions



TABLE 1: EPFNZ AND PIANZ – FURTHER SUBMISSIONS					
PROVISION	SUBMITTER	SUBMITTER REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT/OPOSE	REASONS / RELIEF SOUGHT
Policy 4.11	Hunter Downs Development Company Limited	PC5LWRP-89	Oppose Delete 4.11.	Support in part	Support the proposed amendments in principal as they remove reference to the non-statutory document (Council’s progressive Implementation Programme), which is subject to change. Rather than limiting the consent duration to five years, the amendments are supported in that they provide for consideration of review conditions where appropriate which could go some way to reduce the potential for consent durations to be unduly restricted when plan changes are delayed.
	Dairy Holdings Limited	PC5LWRP-173	OR		
	Barrhill Chertsey Irrigation Scheme	PC5LWRP-395	If retained, amend as follows:		
	Central Plains Water Ltd	PC5LWRP-605	The setting and attainment of catchment specific water quality and quantity outcomes and limits is enabled through limiting the duration of any resource consent granted under the region wide rules in this Plan to a period not exceeding five years past the expected notification date (as set out in the Council’s Progressive Implementation Programme) of any ensuring that any consent granted under the region wide rules in this Plan includes appropriate review conditions to assist in meeting any catchment specific water quality and quantity outcomes introduced by way of future plan change plan change that will introduce water quality or water quantity provisions into Sections 6 – 15 of this Plan.		
	Barton N	PC5LWRP-139			
Policy 4.11	Opuha Water Limited	PC5LWRP-834	Oppose: Amend Policy 4.11 to include the following: <u>(b) Allowing a longer duration where the resource consent includes conditions that enable a review of the resource consent under section 128(1)(a)(iii) of the RMA when a subregional section of the Plan has been made operative.</u> Or words to similar effect and any consequential amendments.	Support in part	Support the amendment in principal to allow a longer duration whereby a consent is not unduly restricted when plan changes are delayed.
Policy 4.11	Ellesmere Sustainable Agriculture Inc	PC5LWRP-270	Oppose: Delete Policy 4.11, and make any consequential amendments.	Support in part	Support the amendment in principal to allow a longer duration to be considered through the resource consent process so that a consent is not unduly restricted when plan changes are delayed.
	Rangitata Diversion Race Management Limited	PC5LWRP-480	In particular, Amuri Irrigation Co Limited in their submission note that ‘A preferable approach, and one that better accords with good planning and resource management practice and the RMA’s purpose is to enable the term of a resource consent to be determined on the basis of the information that is before the Council when it considers a resource consent application’.		
	Amuri Irrigation Co Limited	PC5LWRP-974			
	Federated Farmers of New Zealand & Others	PC5LWRP-2238			
Policy 4.11	Irrigation New Zealand Inc & Others	PC5LWRP-2075	Support: Retain Policy 4.11 as notified.	Oppose	For reasons outlined in original submission, EPFNZ and PIANZ do not support the retention of this policy as notified.
	Nga Rūnanga and Te Rūnanga O Ngāi Tahu	PC5LWRP-767			
Policy 4.11	Sloss K	PC5LWRP-2097	Oppose:	Support in part	Support the need for farmers to retain flexibility. Support alternative farm management programmes and not just the industry agreed ‘Good Management Practices’, especially when the Good Management Practices do not cover poultry farm management.
	Forrester K	PC5LWRP-2431	Delete all Part A policies excluding 4.24 and replace with policies which:		
	Maungatahi Farm Limited	PC5LWRP-2518	(i) Recognize the need for farmers to retain flexibility in their land uses to provide for their economic well-being and the economic well-being of New Zealand, and to ensure any regime provides for flexibility in land uses within limits for N loss that are appropriate considering both the need for farmers to make reasonable use of their interests in their land, and the sensitivity of the receiving environment. (ii) Promote that all farming activities should use the industry agreed Good Management Practices or other appropriate farm management programmes to minimize the risk of N or P/sediment losses to water. (iii) Specify that any management of existing farming activities that is necessary to manage N losses or P/sediment losses beyond adopting GMPs is done as part of catchment planning processes.		

TABLE 1: EPFNZ AND PIANZ – FURTHER SUBMISSIONS

PROVISION	SUBMITTER	SUBMITTER REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT/OPOSE	REASONS / RELIEF SOUGHT
			[However Plan Change 5 should be sending a signal that those catchment process but should follow a principle that any management of N or P/sediment losses should be commensurate with the amount of N or sediment/P an activity is contributing to the problem; and should consider both the sensitivity of the receiving environment and appropriate timeframes for people to adjust their land uses or invest in additional infrastructure where necessary.] – (Forrester and Sloss only) (iv) To manage changes to land uses in the interim to avoid people shifting from relatively low to relatively high N loss land uses within Red, Orange and Lake Sensitive zones; and to ensure any change for land use in Blue or Green zones will not affect water quality in those catchments. and any consequential amendments.		
Policy 4.34	Maungatahi Farm Limited	PC5LWRP-2789	Oppose: Delete Policy 4.34 and replace with a policy that addresses the relief sought in PC5 LWRP-2518. And any consequential amendments.	Support in part	Support the need for farmers to retain flexibility. Support alternative farm management programmes and not just the industry agreed ‘Good Management Practices’, especially when the Good Management Practices do not cover poultry farm management.
Policy 4.34	Sloss K	PC5LWRP-2807	Oppose: Delete all Part A policies excluding 4.24 and replace with relief sought in PC5 LWRP-2097. and any consequential amendments.	Support in part	
Policy 4.34	Forrester K	PC5LWRP-2890	Oppose: Delete all Part A Policies excluding Policy 4.24 and replace with relief sought in PC5 LWRP-2437 (Policy 4.11). and any consequential amendments.	Support in part	
Section 5 – Region-wide Rules	Banks B	PC5LWRP-1029	Oppose: Amend Section 5 Rules to allow properties irrigating more than 50 hectares, but with very low nitrogen losses, more flexibility, considering the requirements to operate within their nitrogen baseline or baseline GMP loss rate - see original submission for detail. <i>“it isn’t clear why people who are already irrigating up to 50 hectares of land in a Red Zone may be a permitted activity, but those irrigating less than 50ha can only increase their land irrigation by 10ha and remain a permitted activity. I do not believe this is a logical approach to resolving problems”.</i>	Support in part	Submission #: 67146 – raises general concerns regarding approach of model and rules in Plan Change 5. The submission is supported in part as it recognises that a 10ha area requirement to remain permitted is arbitrary and does not consider the actual effects of the farming activity (including poultry farming) on the environment.
Section 5 – Region-wide Rules	Amuri Irrigation Co Limited	PC5LWRP-1210	Oppose: Insert a new [region wide] rule as follows: Within the Red, Orange, Green, Light Blue or Lake Zone nutrient allocation zones, the use of land for a farming activity is a discretionary activity provided the following conditions are met: <ol style="list-style-type: none">1. The nitrogen loss is to be managed by an irrigation scheme or principal water supplier;2. A Environment Management Strategy that accords with Policy 4.41D has been prepared and lodged with the resource consent application;3. The timeframes for achieving the Good Management Practices Loss Rate or Baseline GMP Loss Rate are set out in the resource consent application lodged with the CRC. AND make any similar and/or consequential amendments that stem from the changes and/or additions.	Oppose	Oppose the proposed new rule as it is not designed or relevant to the poultry industry. It has the potential to create serious implications and restrictions on the on-going and future operation of poultry farms for no sound resource management purpose.
Section 5 – Region-wide Rules	Claremont Farms Ltd	PC5LWRP-1221	Oppose: Amend rules to exclude dry stock farms larger than 10 ha, who are not irrigating and fertilise at less than a reasonable prescribed average level of nitrates per hectare.	Support in part	The submission is supported in part as it recognises that certain farming operations on properties larger than 10ha do not create the same level of effects as those that irrigate and fertilise. The rules do not consider the effects of farming activity and uses an arbitrary area requirement that has the potential to create serious implications and restrictions on the on-going and future operation of poultry farms for no sound resource management purpose.

TABLE 1: EPFNZ AND PIANZ – FURTHER SUBMISSIONS					
PROVISION	SUBMITTER	SUBMITTER REF	SUMMARY OF RELIEF REQUESTED IN ORIGINAL SUBMISSION	SUPPORT/OPOSE	REASONS / RELIEF SOUGHT
Section 5 – Region-wide Rules	McFadden J R	PC5LWRP-1240	Oppose: Delete all mandatory portal and management plan requirements and replace with a working with landowner model based on the successful catchment board approach; And make any consequential amendments.	Support in part	The submission is supported as the OVERSEER and Farm Portal tools are not relevant to the poultry industry. The mandatory requirement to use these tools therefore has the potential to create serious implications and restrictions on the on-going and future operation of poultry farms for no sound resource management purpose.
Section 5 – Region-wide Rules	Arnstead Organic Farm	PC5LWRP-2725	Oppose: Submitter opposes reliance on numeric limits based on OVERSEER nutrient model. [See submission for details. No specific relief requested]	Support in part	The submission is supported as the OVERSEER and Farm Portal tools are not relevant to the poultry industry. The mandatory requirement to use these tools therefore has the potential to create serious implications and restrictions on the on-going and future operation of poultry farms for no sound resource management purpose.
Rule 5.44A	Fertiliser Association of New Zealand	PC5LWRP-1424	Amend Rule 5.44A(1) as follows: 1. The property is registered in the Farm Portal by 1 July 20 17 <u>18</u> and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 24 <u>36</u> months thereafter <u>or upon a significant farm system change</u> ; and... AND Delete 5.44A(3). AND Amend to provide an alternative pathway for farm systems which cannot use the Farm Portal.	Support in part	The submission is supported in that it requests an alternative pathway for farm systems which cannot use the Farm Portal. This is relevant for the poultry industry as the Farm Portal is designed or intended for their operations.

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