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Subject: "Further Submission" to Plan Change 5
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Attachments: [20160513 B+LNZ Further submission Ecan_PC5.pdf](#)

Hello,

Thank you for the opportunity to provide a further submission to Plan Change 5. Attached is Beef+Lamb New Zealand's contribution to this process. Please let me know if you would like to receive a MS word version of this report. We are more than happy to provide this to Environment Canterbury, if it will help with your analysis process.

Happy to discuss or clarify further should you have any queries.

Kindest regards,

Julia

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SUBMISSION

13 May 2016

TO:
Environment Canterbury

ON:
Plan Change 5

BY:
Beef + Lamb New Zealand

Contact for service

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Further Submission

A. Introduction

1. Thank you for the opportunity to make a further submission to Plan Change 5.
2. B+LNZ is an industry-good body, funded under the Commodity Levies Act through a levy paid by producers on all cattle and sheep slaughtered in New Zealand. Our mission is to deliver innovative tools and services to support informed decision making and continuous improvement in market access, product positioning and farming systems.
3. B+LNZ is actively engaged in environmental issues that affect the pastoral production sector. We are committed to supporting farmers with the tools and services they need to adopt sustainable business practice. In addition, B+LNZ's environment programme aims to build farmer leadership and capability in environmental management within the sheep and beef sector.

B. General Comments

4. B+LNZ notes Councils' considerable effort to summarise and report on the 188 submissions received. We thank you for preparing this comprehensive document as it has helped us to better understand the other stakeholders' view points, and provide additional comment back to Council.
5. While reviewing comments, we note submissions and some of the proposed changes. B+LNZ welcomes any future opportunity to work closely with Council to develop alternative options, specifically around schedule 7, and the modelling proxies used within the farm portal.
6. The following table outlines B+LNZ's further submissions to the other submissions made on Plan Change 5.

C. B+LNZ's Further Comments on PC5

Submitter name	Point ID	Section of Plan	Support/ Oppose	Reason for submission
Canterbury District Health Board	PC5LW RP-1351	Plan Change 5 to the Canterbury Land and Water Regional Plan	Oppose	<p>Overarching comments</p> <p>The Canterbury District Health Board said "replace [the word] 'avoiding' with stronger terminology, e.g 'preventing' across all policies".</p> <p>B+LNZ oppose this point. The word 'avoiding' is a more appropriate term as it is achievable, and is within greater control of the Council. Having the word 'preventing' is potentially setting Council up to fail.</p>
Hoban J K W and Others	N/A	Plan Change 5 to the Canterbury Land and Water Regional Plan	Support	<p>Overarching comments</p> <p>In their overarching comments, Hoban J K W and Others said "To survive we must retain flexibility in our land use. To live in harmony as rural communities, we need activities that are having like effects to be treated consistently. We expect the extent of any management or regulatory intervention to be commensurate with the contribution an activity is making to the problem; and to be focused on dealing with the issue at hand. We fully support planning regimes that are based on these principles.</p> <p>We do not support planning regimes that:</p> <ul style="list-style-type: none"> - Require farmers to comply with a lot of bureaucracy where it is not going to result in any improvements in environmental outcomes on the ground; - Assume all farming is the same and that the worst examples of poor practice are representative of all or the majority of farmers; - Do not take into account the activities and practices being carried out on farm to promote good land husbandry and environmental management; or - Rely on poor quality information, no information, or disregard the scientific information available in coming to a position. <p>We believe the combination of flexibility caps for nitrogen loss for permitted activities in every zone and the provisions for resource consents and Farm Environment Plans for higher nitrogen loss activities is a workable approach and to that end support the approach in the partially operative Canterbury Land and Water Regional Plan (LWRP) to manage water quality."</p> <p>B+LNZ supports these comments, as they are effects based, prioritised, logical, pragmatic and will lead to positive environmental outcomes.</p>
Rangitata Dairies	PC5LW RP-761	Section 2 - How the Plan Works & Definitions	Oppose in part	<p>Winter Grazing definition</p> <p>Rangitata Dairies said "Amend the definition of Winter Grazing as follows: means the <i>intensive grazing of cattle within</i> dry stock (cattle, deer, pigs and sheep) between the period of 1 May to 30 September, where the cattle-stock are contained for break-feeding of are break fed in-situ forage crops or supplementary feed that has been brought onto the property and root vegetable crops."</p> <p>B+LNZ oppose broadening this definition to include other stock classes. These animals are lighter weight, and produce a different size and shaped urine patch compared with cattle. ECan recognise the comparatively minimal impacts of winter grazing sheep, pigs and deer in their report Estimating nitrogen-nitrate leaching rates under rural land uses in Canterbury.</p>
Forest and Bird NZ	PC5LW RP-1794	Section 2 - How the Plan Works & Definitions	Oppose	<p>Winter Grazing definition</p> <p>Forest and Bird said "amend the definition of ' Winter Grazing' to include all activities that would increase nutrient loss risk including (a) break feeding grass; (b) feeding supplementary feed that was grown on the property; AND Amend to clarify the word 'contained' ."</p>

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				<p>B+LNZ oppose this statement. The current definition of winter grazing was included in PC5 because the activity of intensely stocking cattle on winter crops is a good proxy for potentially higher risk for nutrient (N & P), sediment or faecal losses to waterways. It is not an attempt to cover all of the activities that take place on farm during winter that may pose a risk of contaminant loss.</p> <p>Winter grazing is considered a high risk activity:</p> <ol style="list-style-type: none"> 1. When cattle are present. Cattle are heavy animals with large urine patches (relative to other grazing animals); 2. Because it occurs during generally wet periods, when soils are prone to pugging; 3. When stocking rates per area are high; and 4. When the crop area post grazing is left as bare soil, without any plant regrowth or nutrient uptake possible from the removed crop. This occurs primarily with brassica and root vegetable feed. <p>Activities that pose a lower risk and should not be included in a definition of winter grazing as they do not fit into the above criteria include:</p> <ol style="list-style-type: none"> 1. Break-feeding on pasture (soil is not left bare and exposed, and plants are still available for growth and nutrient uptake); 2. Break-feeding of cereal crops (soil is not left bare and exposed; plants still available for growth and nutrient uptake); 3. Feeding supplementary feed brought onto the property – this could be undertaken in many various ways and feed in appropriate facilities or methods that do not link to the high risk of N, P, sediment or faecal losses. This could be undertaken in an extensive and low risk farming operation which would cause confusion over exceedance of the areas set out in the rules associated to this definition. <p>Forest and Bird's suggested amendments are very broad and would capture farming activities that pose lower risk, whereas the primary reason for including this in PC5 is to better define where council should place its efforts on managing risk.</p>
North Canterbury Fish and Game & SI Fish and Game	PC5LW RP-690	Section 2 - How the Plan Works & Definitions	Oppose	<p>Winter Grazing definition</p> <p>North Canterbury Fish and Game & SI Fish and Game said "<i>amend the definition of 'Winter Grazing' as follows: means the grazing of cattle...or supplementary feed that has been brought onto the property <u>or from another part of the property</u>. AND further or alternative relief to the effect of that sought</i>"</p> <p>B+LNZ oppose this statement. Winter grazing was included in PC5 as it is a farming activity that poses higher risk for nutrient (N & P), sediment or faecal losses to waterways. The suggested amendment will unintentionally include low risk farming activities.</p> <p>The definition for winter grazing should focus on the high risk elements (as outlined in response to PC5LWRP-1794, above) rather than including broad requirements that will unintentionally restrict lower risk farming activities.</p>
Nga Rūnanga and Te Rūnanga O Ngāi Tahu	PC5LW RP-723	Section 2 - How the Plan Works & Definitions	Oppose	<p>Accredited Farm Consultant Definition</p> <p>Nga Rūnanga and Te Rūnanga O Ngāi Tahu said "<i>amend definition of 'Accredited Farm Consultant' to include an additional requirement as follows: Has completed a course approved by Te Rūnangao Ngāi Tahu and supplied to Environment Canterbury that addresses cultural competencies. And any consequential amendments.</i>"</p> <p>Whilst cultural awareness and understanding is important for all aspects of PC5 and Plan implementation, B+LNZ oppose this recommendation for two reasons.</p> <ol style="list-style-type: none"> 1. Any requirement for accreditation must carefully balance actual risks against regulation that restricts a reasonable supply of services. The definition for 'Accredited Farm Consultants' should not be overly prescriptive; the important issue is whether farm environment plans will lead to Good Management Practices being adopted on farm. <p>For example, B+L engage pre-approved consultants to provide farmer</p>

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				workshops to develop an FEP. These consultants provide a high quality service, and their work is producing positive on-ground outcomes. However, the B+LNZ consultants are unlikely to meet the 'accreditation' criteria outlined by Ngāi Tahu, even though they are already producing the intended outcomes of the Plan. 2. B+LNZ question whether third party approval of any required training is the most transparent and fair method of delivery.
Forest and Bird NZ	PC5LW RP-1781	Section 2 - How the Plan Works & Definitions	Oppose	Accredited Farm Consultant Definition Forest and Bird NZ said " <i>amend the definition of 'Accredited Farm Consultant' to clarify and include a schedule outlining the knowledge and competencies required for approval to be considered by the CE of Ecan.</i> " B+LNZ oppose this definition. Any requirement for accreditation must carefully balance actual risks against regulation that restricts a reasonable supply of services. The definition for 'Accredited Farm Consultants' should not be overly prescriptive. The important issue is whether the farm environment plan, is fit for purpose and ultimately will lead to Good Management Practices being adopted on farm.
Hoban J K W and Others	PC5LW RP-2230	4.34, 4.36 to 4.41D	Support	Hoban J K W and Others said " <i>Delete Policies 4.34, 4.36 to 4.41D, and replace with policies which:</i> <i>(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.</i> <i>(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.</i> <i>(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. However Plan Change 5 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.</i> <i>(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"</i> B+LNZ support this submission. The proposed policy conditions are logical, pragmatic and will lead to positive environmental outcomes.
Canterbury District Health Board	PC5LW RP-1272	Schedule 7 Farm Environment Plan	Oppose	The Canterbury District Health Board said " <i>Insert a new section in Part B(2), Schedule 7, requiring the identification of unprotected aquifers, direction of groundwater flow, and drinking water sources to be indicated on maps or aerial photograph accompanying the farm plan.</i> " B+LNZ oppose this recommendation. ECan's proposed amendments to schedule 7 already overly complicate Farm Environment Plans. The proposed changes outlined in PC5, coupled with the Canterbury District Health Board's recommendation are likely to place overly burdensome requirements on to sheep and beef farmers. BLNZ supports continual improvements and is open to changes to FEPs. However, B+LNZ does not support a piecemeal approach to amendments, with different stakeholder groups each adding their requirements to a list of criteria that farmers must satisfy. As an alternative, B+LNZ recommend that ECan develop a comprehensive and pragmatic schedule 7. As stated in our original submission, industry would welcome the opportunity to assist in this process. Industry helped to prepare the GMPs and is therefore best able to translate these in a way that will be effective and appropriate across all farming systems.

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Federated Farmers of New Zealand & Others	PC5LW RP-2325	Schedule 7 Farm Environment Plan	Support	<p>Federated Farmers of New Zealand & Others said "provide an alternative pathway for farm systems and individual situations where the Farm Portal is not capable or produces aberrant results."</p> <p>B+LNZ supports an approach that includes an alternative pathway to the farm portal and or improving the tests by which the farm portal acts as a drafting gate for determining higher risk properties.</p>
Fonterra Co-operative Group Ltd & Others	PC5LW RP-1853	Schedule 28 Good Management Practice Modelling Rules	Support in part	<p>Fonterra Co-operative Group Ltd & Others said "It may be that prior to the hearing of this submission the API tool is made available to Fonterra and further analysis of the appropriateness of Schedule 28 will be possible identifying specific areas of concern".</p> <p>B+LNZ support additional data being made available to all stakeholders before the hearing process. This will enable all stakeholders to complete further analysis of Schedule 28, and will lead to more accurate and robust end result.</p>
Federated Farmers of New Zealand & Others	PC5LW RP-2341	15B.4.20	Support in Part	<p>Federated Farmers of New Zealand & Others said "Amend Policy 15B.4.20 to provide a degree of flexibility to farming activities in the Ahuriri Zone or Upper Waitaki Hill Zone to accommodate the normal cyclical nature of farming and to enable adjustments of land use in response to physical conditions and markets.</p> <p>AND</p> <p>Provide a land use flexibility cap allowing N discharge of up to 10 kg/ha/year as a permitted activity."</p> <p>B+LNZ support using the use of flexibility caps within PC5. If farming activities are to be productive and profitable, land use must be able to adjust and develop over time and sheep and beef farmers have the confidence to continue to invest capital in their farms over time. One way to give this flexibility is via the use of flexibility caps, as used in Plan Changes 1, 2 and 3. This is effectively a permitted threshold for N loss, low N loss activities should not be restricted to lower flexibility caps but this approach provides for lower N loss activities as a permitted activity, and a consented approach over that lower threshold.</p> <p>B+LNZ supports Federated Farmers' request "that the hearing panel considers building the concept of flexibility caps into the region-wide provisions and specifically their incorporation into the Section 15B policies and rules."</p>