

**From:** [Eva Harris](#)  
**To:** [Mailroom Mailbox](#)  
**Cc:** [John Wright](#)  
**Subject:** Plan Change 7 to the LWRP Submission  
**Date:** Thursday, 12 September 2019 12:55:38 PM

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Good Afternoon,

Please find attached the Barrhill-Chertsey Irrigation Limited submission on PC7 of the Land and Water Regional Plan.

Regards,

Eva Harris  
Environmental Manager

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# **SUBMISSION ON PROPOSED PLAN CHANGE 7 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN**

*Clause 5 First Schedule, Resource Management Act 1991*

**TO:** Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Environment Canterbury  
PO Box 345  
Christchurch 8140

By email: mailroom@ecan.govt.nz

## **Name of submitter:**

- 1 Barrhill-Chertsey Irrigation Limited (**BCIL**)
- Address: 326 Burnett St, Ashburton 7700
- Contact: Eva Harris, Environmental Manager
- Email: eva@irrigo.co.nz

## **Trade competition statement:**

- 2 BCIL could not gain an advantage in trade competition through this submission.

## **Proposal this submission relates to is:**

- 3 This submission is on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan (**PC7**) (**Proposal**).

## **Other Interested Parties**

- 4 BCIL have developed this submission in collaboration of the following parties and express our support of their submissions:
- 4.1 Opuha Water Limited
  - 4.2 HortNZ
  - 4.3 DairyNZ
  - 4.4 Federated Farmers
  - 4.5 Rangitata South Irrigation Limited
  - 4.6 Acton Farmers Irrigation Co-operative

## **The specific provisions of PC7 that this submission relates to:**

- 5 This submission relates to:
- 5.1 The following provisions of Part A of PC7 (Region-wide component of PC7):
    - (a) Policies and rules related to commercial vegetable growing operations
    - (b) Rules 5.60-5.62 (irrigation schemes)
    - (c) Policies 4.99 and 4.100 and Rules 5.189 to 5.190 (managed aquifer recharge);

- (d) Rule 5.111 (small and community water takes);
- (e) Schedule 7 Farm Management Plan;
- (f) Schedule 7A Management Plan for Farming Activities;

## **Submission**

### Submission Structure

- 6 BCIL's submission is structured as follows:
  - 6.1 Background Barrhill-Chertsey Irrigation Limited (BCIL)
  - 6.2 BCIL's overall position on PC7;
  - 6.3 BCIL's specific submissions on PC7, including reasons and detailed relief sought.

### Background

#### *Barrhill-Chertsey Irrigation Limited*

- 7 BCIL owns and operates the Barrhill-Chertsey Irrigation scheme, which delivers up to 17,000 l/s of water from the Rakaia River through a network of pipes to approximately 140 shareholders between the Rangitata and Rakaia Rivers. BCIL is owned by their shareholders, who cover approximately 40,000 ha in the area. Approximately 3,000 l/s of water is leased to Acton Farmers Irrigation Co-Operative (AFIC), who deliver water to another 50 shareholders covering an additional 20,000 ha. All nutrients are actively managed through the BCIL nutrient discharge resource consent CRC162882.
- 8 BCIL shareholders are predominantly a mixture of arable (45%), dairy (30%) and dairy support (17%) operations, with vegetable growing activities a significant part of the arable enterprises. Water was first delivered by the scheme in 2010. A number of BCIL shareholders operate larger arable vegetable growing operations throughout the district and manage their nutrients under the scheme load, individual land use consents and vegetable lease arrangements.
- 9 All BCIL shareholders are required to hold Farm Environment Plans, which are audited to ensure everyone achieves Good Management Practice. Our focus on the implementation of Good Management Practice has been seen in the increased proportion of "A" grades (11% in 2015-17 to 45% in 2017-19 season), a reduction of "C" and "D" audit grades (9% in 2015-16 to 2% in 2018-19), and an increase in the uptake of irrigation scheduling tools.
- 10 Based on our experience with working with vegetable growers on nutrient management and the success we have seen with implementation of GMP, we have some concerns about the proposed vegetable growing operation rules and would like to contribute to their development.

### BCIL's Overall Position on PC7

- 11 BCIL recognises the significant challenges in putting in place a land and water management regime within the framework of the Canterbury Water Management Strategy, which seeks to maximise opportunities for the environment, economy and

communities within Canterbury, but at the same time ensuring alignment with the mandatory directives of the Resource Management Act 1991 (**RMA**) and higher order planning instruments such as the National Policy Statement for Freshwater Management 2014 (updated 2017) (**NPSFM**).

- 12 BCIL generally supports the direction of PC7, particularly the intention to manage nutrient losses from vegetable growing activities differently to other land uses. However, BCIL believes regime developed by ECan and included in PC7 is fundamentally flawed as it:
  - 12.1 Fails to take into consideration the principles of the National Policy Statement for Highly Productive Soil
  - 12.2 Fails to consider the natural, physical limitations of soil and climate for vegetable growing activities
  - 12.3 Fails to consider the social benefits of vegetable growing operations through the supply of cost-effective fresh food for the domestic market
  - 12.4 Fails to take into consideration the importance of vegetable growing operations for addressing climate change
  - 12.5 Relies heavily on Overseer nutrient budgets for expanded vegetable growing operations
  - 12.6 Creates a barrier to farmers wishing to diversify their operation into vegetable growing activities
- 13 As a consequence of the above, the proposed PC7 rules framework will increase barriers for vegetable growers to expand their operation in response to population growth and switches to plant-based diets in response to climate change. These barriers will limit production and increase prices for fresh vegetables on the domestic market as demand increases.

#### BCIL's Specific Concerns

- 14 Without limiting the generality of the foregoing, BCIL's specific concerns together with a summary of the decisions it seeks from ECan are set out in the following Annexures to this submission:
  - 14.1 **Annexure A:** BCIL's submissions on Parts A of PC7

#### **Summary of decisions sought by BCIL**

- 15 BCIL seeks the following decisions from Environment Canterbury:
  - 15.1 The alternative rules framework for vegetable growing operations is maintained
  - 15.2 That permitted activity rules for minor vegetable growing operations are included

- 15.3 That the alternative rules framework for vegetable growing operations require operation at Good Management Practice until Overseer can realistically model these farming operations.

**Wish to be Heard:**

- 16 BCIL wishes to be heard in support of this submission.
- 17 BCIL would be prepared to consider presenting a joint case with others making similar submissions at the hearing.

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**Barrhill-Chertsey Irrigation Limited**

By its authorised Agents

Irrigo Centre Limited

Date: 12 September 2019

## ANNEXURE A: PLAN CHANGE 7 - REASONS FOR SUBMISSION AND DECISIONS SOUGHT BY BARRHILL-CHERTSEY IRRIGATION LIMITED

(1) The specific provisions of PC7 that BCIL's submission relates to are:		(2) BCIL's submission is that:		(3) BCIL seeks the following decisions from Environment Canterbury (ECan) (Note: amendments sought to the text of PC7 are shown in tracked changes, with additions shown in <u>underline</u> and deletions shown in <del>strikethrough</del> ).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Section 2.9 Definitions, Translations and Abbreviations				
Page 12	Definition Baseline commercial vegetable growing area	Oppose	BCIL disagree with limiting commercial vegetable growing operations to a baseline area.	Remove the proposed definition of Baseline commercial vegetable growing area. Means the aggregated area of land used for a commercial vegetable growing operation in any 12 month consecutive period within the period of 1 January 2009 to 31 December 2013 and under the control (owned or leased) of a single grower or enterprise.
	Definition Commercial vegetable growing operation	Support in part	<p>BCIL supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. BCIL also recommends the expansion of this definition to include equivalent land use activities and exclude operations with a small proportion of vegetable activities.</p> <p>For instance, BCIL have a shareholder who grows tulip bulbs on leave arrangement, which is similar to that to potato growers. However, as tulips are not available in Overseer, onions are modelled instead to estimate N losses from this activity, which have a high calculated N loss. In this situation, they face the same challenges and limitations as commercial vegetable growers with their lease arrangements and should be able to utilise these rules for their operations.</p> <p>Furthermore, a significant number of arable farms incorporate process crops, such as peas, into their cropping rotations. The proportion of crop in rotation meeting the "commercial vegetable growing operation" definition is small, and they may find it easier to operate under the existing rules framework.</p>	<p>Amend definition to account for the following:</p> <ul style="list-style-type: none"> <li>- Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations.</li> <li>- Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.</li> </ul>
	Definition Managed Aquifer Recharge	Support	The definition concisely recognises the purpose of MAR and its potential for assisting in the management of water quality issues in Canterbury.	Retain as notified.
	Definition	Support	Given that MAR has the goal of lifting groundwater levels this definition identifying highest groundwater levels is appropriate to its outcomes.	Retain as notified.

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Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
	Highest Groundwater Level.			
Section 4 Policies				
Page 17	Policy 4.36A	Support in part	<p>BCIL supports recognition of the particular constraints applicable to commercial vegetable growing operations and the requirement for all growers to operate at Good Management Practice, complete Farm Environment Plans and to meet applicable nutrient loss reduction targets.</p> <p>However BCIL oppose the limitations on growing areas or management to baseline nitrogen loss rates on new commercial vegetable growing land. These constraints implement barriers for growth to keep up with demand, particularly in the domestic market, and is inconsistent with the purpose of the proposed National Policy Statement for Highly Productive Land (<b>NPS-HPL</b>), which aims to:</p> <ul style="list-style-type: none"> <li>• Recognise the full range of values and benefits associated with the use of Highly Productive Land for primary production;</li> <li>• Maintain its availability for primary production for future generations; and</li> <li>• Protect it from inappropriate subdivision, use, and development.</li> </ul> <p>The requirement for expanded commercial vegetable growing operations to demonstrate compliance with a nitrogen baseline on the property is onerous in lease situations and will create a barrier for growth. Therefore, Policy 4.36A essentially prevents the full utilisation and conversion of rural, highly productive land to a commercial vegetable growing operation.</p> <p>Furthermore, only a small number of vegetable crops present a potential risk to the environment, which can be managed through robust guidance on Good Management Practice and it's effective implementation.</p>	<p>Amend Policy 4.36A as follows:</p> <p>Recognise the particular constraints that apply to commercial vegetable growing operations (including the need to rotate crops to avoid soil-borne diseases and for growing locations in close proximity to processing facilities) and provide a nutrient management framework that appropriately responds to and accommodates these constraints while improving or maintaining water quality by:</p> <ol style="list-style-type: none"> <li>a. requiring commercial vegetable growing operations to operate at good management practice;</li> <li>b. <del>avoiding the establishment of a new commercial vegetable growing operation, or any expansion of an existing commercial vegetable growing operation beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location;</del></li> <li>c. requiring commercial vegetable growing operations to demonstrate, at the time of application for resource consent and at the time of any Farm Environment Plan audit, how any relevant nutrient loss reduction set out in Sections 6 to 15 of this Plan will be achieved;</li> <li>d. <del>constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and</del></li> <li>e. requiring a Farm Environment Plan as part of any application for resource consent, and requiring that Farm Environment Plan to be prepared in accordance with Schedule 7 of this Plan.</li> </ol>
page 19	Policies 4.99 and 4.100	Support	BCIL supports the principle of management aquifer recharge and the inclusion of a bespoke set of planning provisions in PC7 to guide the further consenting of such activities.	Retain Policies 4.99 and 4.100 as notified.
	Policy 4.100 (b)	Support and extend	BCIL proposes that if, in situations where environmental flows or allocation limits exist, applicants holding existing water permits are to be permitted to use a portion of that water for MAR as long as benefits outweigh any adverse effects, then such applicants should also be permitted to use a portion of their water right for MAR where environmental flows or allocation limits are not over allocated.	That Ecan include a policy so that when considering applications to take surface water for managed aquifer recharge where the rate of take and/or volume of water sought for abstraction from that surface water body, in combination with other takes, will not exceed the environmental flows and/or allocation limits in Sections 6 to 15 of this Plan:

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Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
			Given the policy provision of 4.100(b), it follows that, where environmental flows or allocation limits are not exceeded those applicants should also be permitted to use a portion of their flows for MAR. In these situations, the risks to environmental flows or allocation limits are not present.	If the applicant holds an existing water permit that authorises the take and use of surface water for irrigation and proposes to use a portion of that water for managed aquifer recharge that this be permitted.
page 20	Policy 4.103	Support	BCIL accepts the need for water quality data supplied to ECan for consent compliance purposes to be in a form that is compatible with ECan's software.	Retain Policy 4.103 as notified.
<b>Section 5 Region Wide Rules</b>				
page 29	Rule 5.41	Support	BCIL supports the inclusion of the commercial vegetable growing activities within the permitted activity rules for land otherwise managed under another consent.  Appropriate rules for managing effects from commercial vegetable growing activities need to ensure the long-term supply of food on the domestic market is maintained. Excessive restrictions on commercial vegetables operations can result in reduced yields and less growth to feed a growing population, increasing the cost of food.	Retain Rule 5.41 as notified.
page 30	Rules 5.42CA – 5.42CD	Support in Part	BCIL supports the principle of providing specific provisions for managing effects from commercial vegetable growing operations.	Amend as described in the sections below.
page 30	Rule 5.42CA	Support in part	BCIL supports the inclusion of a permitted activity rule for small vegetable growing activities, however we oppose the minimum size limit as it introduces consent requirements on properties where the environmental impact is likely to be minimal and the scale of the operation is uneconomic to introduce further restrictions, such as on lifestyle properties with road-side stalls.  Furthermore, the proposed rules frame work requires nutrient budgets for expanded land. Overseer is designed to model N losses on a farm scale, and can produce erroneous results where there are a large number of blocks less than 1 ha in size, with more accurate analyses produced when block sizes are greater than 4 ha. Many smaller vegetable growing operations, such as market gardens, have small areas of vegetables and are not able to be modelled in Overseer.  BCIL therefore recommend no restrictions on vegetable growing operations less than 4 ha.	Amend Rule 5.42CA to state: The discharge of nutrients from a commercial vegetable growing operation on a property 0.5 <u>4</u> hectares or less in area is a permitted activity.
page 30	Rules 5.42CA – 5.42CD	Oppose	BCIL oppose the exclusion of an intermediate permitted activity rules. There is little evidence to suggest adverse effects from nitrogen losses on small commercial vegetable growing activities are any worse than other, currently permitted, small-scale land uses (such as winter grazing) and therefore applying similar nutrient	Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:



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			<p>management rules is equitable with the restrictions faced by other land uses in the region. Overseer can also produce erroneous results where there are very small blocks (less than 1 ha), which would be common in small-scale vegetable growing operations.</p> <p>However, BCIL recognise short rotations, regular cultivation and more regular periods in fallow may mean higher risks of sediment and phosphorus run-off into surface water, if present.</p> <p>BCIL therefore propose an additional two permitted activity rules for small commercial vegetable growing operations, which recognises the higher risks associated with having natural waterways on the land. The first recognises the low impact of commercial vegetable growing activities where there are no surface water bodies.</p> <p>The second proposed rules clearly sets out environmental expectations for small operators through implementation of FEPs and restrictions on other activities which may form part of the commercial vegetable operation, without the additional compliance burden related to obtaining and complying with a resource consent.</p>	<p><u>5.42 CAA The discharge of nutrients from a commercial vegetable growing operation on a property greater than 4 ha and less than 10 ha and has no natural waterways, springs or wetlands is a permitted activity.</u></p> <p><u>5.42CAAA The discharge of nutrients from a commercial vegetable growing operation which does not meet rule 5.42CAA a permitted activity provided the following conditions are met:</u></p> <ol style="list-style-type: none"> <li><u>The commercial vegetable growing operation is registered in the Farm Portal by 1 July 2020 and information about the farming activity is reviewed and updated by the commercial vegetable growing operator or their agent every 36 months thereafter, or whenever a material change in the land use associated with the commercial vegetable growing activity occurs</u></li> <li><u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u></li> <li><u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u> <ol style="list-style-type: none"> <li><u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u></li> <li><u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u></li> <li><u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u></li> </ol> </li> </ol> <p><u>A Management Plan has been prepared in accordance with Schedule 7A and is implemented within 12 months of the rule being made operative and supplied to the Canterbury Regional Council on request.</u></p>
page 30	Rule 5.42CB	Support in part	<p>BCIL supports the inclusion of a discretionary activity rule for commercial vegetable growing activities which are of sufficient risk to ensure good management practice is implemented. However, BCIL oppose restrictions on the growth area and obligation for the grower to ensure additional land meets nitrogen baseline losses for the property, particularly limiting rotations to within Nutrient Allocation Zones.</p> <p>The s32 report states the challenges faced by growers with meeting existing nutrient management rules, including;</p> <ul style="list-style-type: none"> <li>- Complicated rotations which are difficult and expensive to model in Overseer</li> </ul>	<p>Amend Rule 5.42CB to state:</p> <p>5.42 CB The discharge of nutrients from a commercial vegetable growing operation that does not meet Rule 5.42CA is a restricted discretionary activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> <li>A Farm Environment Plan has been prepared for the activity in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and</li> </ol>

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			<p>- Management of N losses on leased land</p> <p>These challenges increase significantly if growers become responsible for ensuring N losses on new lease land also complies with property baseline. Furthermore, the primary tool for managing nitrogen losses on a property, Overseer, has limited data supporting the calculated N losses for many vegetable crops, with a number of crops modelled using proxies. Our growers are able to provide long-term deep N test results which demonstrate the N losses calculated in Overseer significantly overstate the N losses expected when Good Management Practice is implemented.</p> <p>The s32 report also notes vegetable growing operations contribute between 3-5% of nitrogen losses to the catchment, therefore the additional costs and time related to managing nutrient losses using Overseer is out of proportion to the risks to the environment from these activities. Secondly, commercial vegetable growing activities are naturally limited by availability of appropriate soils, climate, crop rotations and proximity to processing plants and main centres. For these reasons enabling lease arrangements to continue ensure localised effects are minimised and optimum yields, maximising the utilisation of inputs, are obtained.</p> <p>BCIL therefore recommend a rules framework which ensures commercial vegetable growers are subject to implementation of Good Management Practice, which is sufficient to manage adverse effects from these activities.</p>	<p><del>2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and</del></p> <p><del>3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone.</del></p> <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> <li>1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and</li> <li>2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and</li> <li>3. The commencement date for the first audit of the Farm Environment Plan and methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and</li> <li>4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and</li> <li>5. Reporting of progress made towards any nutrient loss reductions required by Sections 6 to 15 of the Plan, and any actions implemented to remedy issues identified in any audit of the Farm Environment Plan; and</li> <li>6. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan if the region-wide rules continue to apply in the sub-region.</li> </ol>
page 30	Rule 5.42CC	Oppose	<p>BCIL opposes limitations on the area of a commercial vegetable operation and it would be impossible to apply for resource consent as the land subject to the application may not have been leased at that point in time. These challenges are directly contrary to the intention of the NPS-HPL, which looks to prioritise the use of elite soils for the purpose of growing food.</p> <p>BCIL propose growth in vegetable growing operations is promoted, provided they are managed to Good Management Practice.</p>	Remove Rule 5.42CC
page 30	Rule 5.42CC	Neutral	BCIL supports the preparation of a Farm Environment Plan in accordance with Schedule 7 of the LWRP, however does not feel it is necessary to be included as part of the application as the grower must prepare and adhere to their FEP when they are audited.	
page 30	Rule 5.42CD	Oppose	BCIL oppose a prohibited activity rule based on a tool (Overseer) which requires extensive use of proxy crops, produces erroneous results when small blocks are modelled and is not an accurate representation of N loss for many crops.	Remove Rule 5.42CD.

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page 31	Rule 5.60 and 5.61	Support	BCIL support the removal of rules 5.60 and 5.61 as it provides clarity around the land use activity status for scheme shareholders.	Support removal of 5.60 and 5.61
page 31	Rule 5.62	Support in Part	BCIL support the simplification of rule 5.62. However, from our experience the s15(1) reference to this rule is a historical oversight, which significantly complicates the consenting process when all other nutrient management rules are written to be a s9 authorisation. Scheme consents are simply aggregated land use consents and should be authorised under the same provisions of the RMA as all other nutrient management rules for consistency.	Amend Rule 5.62 to read as follows:  The use of land for a farming activity <del>discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) s9 of the RMA, where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge farming activity permit will be an irrigation scheme or a principal water supplier, is a discretionary activity.</del>
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	BCIL considers the proposed amendments are required to better align Rule 5.111 and the associated interpretation note with section 14(3)(b) of the Resource Management Act 1991 ( <b>RMA</b> ).	Retain Rule 5.111 and the associated "interpretation" note as notified.
Pages 52 - 53	Rules 5.191 – 5.193 (Managed Aquifer Recharge)	Support in part	<p>BCIL supports the rules in 5.191 with two exceptions.</p> <p>5.191.5. BCIL recognises that where there is no existing drinking water supply source within 1 km of the discharge, there may still be a need to demonstrate that there will be no degradation of groundwater quality.</p> <p>As the potential for degradation of water quality reduces with distance from the discharge, it follows that, if there is no demonstrable reduction in quality within 1 kilometre, there will be less risk over longer distances. This provision is open ended. There is no limit to the distance so could potentially cover the whole of the Hinds Plains. At distances greater than 1 kilometre the "noise" from other factors such as other contamination makes the task of demonstrating that the discharge will not reduce quality problematic.</p> <p>5.191.6(a). Remove the inclusion of "artificial watercourse". Possible potential sites for MAR identified by BCIL include irrigation races or stock water races that may now be redundant because of scheme piping. These would meet the classification of artificial water courses. BCIL may also uses artificial water courses such as irrigation races for the conveyance of water. These races commonly allow some water to leak into aquifers</p>	<p>Amend Rule 5.191 to state:</p> <p>...</p> <p>5. The application demonstrates the proposal will not reduce the quality of human and animal drinking water at any existing drinking water supply source within 1 kilometre of the point of discharge; and where there are no existing drinking water supply sources within 1 kilometre of the proposal the application demonstrates there will be no degradation in groundwater quality <del>further than up to</del> 1 kilometre beyond the discharge point; and</p> <p>6. The point of discharge is not:</p> <ol style="list-style-type: none"> <li>directly into the bed of a river or lake, an <del>artificial watercourse</del> or a wetland, excluding an artificial wetland; or</li> <li>onto or into contaminated or potentially contaminated land; or</li> <li>within 50 m of an existing bore used for water abstraction; or</li> <li>within a Community Drinking-water Protection Zone as set out in Schedule 1; and...</li> </ol>

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			and BCIL considers this leakage to be a legitimate part of their MAR project. This rule would prevent these uses for no recognisable benefit or reduction of risk.	
<b>Schedules</b>				
page 186 – 194	Schedule 7	Support in Part	<p>BCIL support the update of Schedule 7 to recognise the different rules framework proposed for commercial vegetable growing operations. However, these changes fail to adequately address the technical challenges of lease land or where no nitrogen baseline is available or required.</p> <p>BCIL propose Schedule 7 property identification and nitrogen baseline requirements are updated to take into consideration short-term leases and the size of the operation.</p> <p>Furthermore, the current requirements for Schedule 7 does not take into consideration any situation where multiple properties form part of an integrated farming enterprise, such as a dairy and support block or other arable operation.</p>	Amend Schedule 7 Default Content to give relief to other submissions sought, in particular bespoke requirements for identifying and managing risks on temporary lease blocks.
page 195-196	Schedule 7a	Support in Part	BCIL supports the inclusion of a new permitted activity rule requiring minor commercial vegetable growing operations to minimise their impact through implementation of Good Management Practice and a simplified Farm Environment Plan.	Amend Schedule 7a to give relief include minor commercial vegetable growing operations, in particular include a section which addresses actions required to minimise potential direct discharges of sediments and other contaminants to water.