

From: [Eva Harris](#)
To: [Mailroom Mailbox](#)
Cc: [Steven Booker](#); [Dean Pye](#); ["Daniel Lovett daniel@lffl.co.nz"](#)
Subject: Plan Change 7 to the LWRP Submission
Date: Thursday, 12 September 2019 12:56:41 PM

Good Afternoon,

Please find attached the Acton Farmer's Irrigation Co-operative 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 Acton Farmers Irrigation Co-Operative (**AFIC**)
- Address: 326 Burnett St, Ashburton 7700
- Contact: Eva Harris, Environmental Manager
- Email: eva@irrigo.co.nz

Trade competition statement:

- 2 AFIC 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 AFIC 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 Barrhill-Chertsey Irrigation Limited

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) Policies 4.99 and 4.100 and Rules 5.189 to 5.190 (managed aquifer recharge);
 - (c) Rule 5.111 (small and community water takes);

- (d) Schedule 7 Farm Management Plan;
- (e) Schedule 7A Management Plan for Farming Activities;

Submission

Submission Structure

- 6 AFIC's submission is structured as follows:
 - 6.1 Background Acton Farmers Irrigation Co-operative (AFIC)
 - 6.2 AFIC's overall position on PC7;
 - 6.3 AFIC's specific submissions on PC7, including reasons and detailed relief sought.

Background

Acton Farmers Irrigation Co-Operative

- 7 AFIC owns and operates the Acton Farmers Irrigators Co-Operative, which delivers up to 3,000 l/s of water from the Rakaia River through a network of open channel and pipes to approximately 50 shareholders east of Rakaia. AFIC is owned by their shareholders, who cover approximately 20,000 ha in the area. The water is leased from Barrhill-Chertsey Irrigation Limited (BCIL), and all nutrients are managed through the BCIL nutrient discharge resource consent CRC162882.
- 8 AFIC shareholders are predominantly a mixture of arable (70%) and dairy (20%), with vegetable growing activities a significant part of the arable enterprises. Water was first delivered by the scheme in 2010, with most shareholders already irrigated with groundwater. A number of AFIC 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 AFIC 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 (15% in 2015-16 to 36% in 2018-19 season), a reduction of "C" audit grades (10% in 2015-16 to 0% in 2018-19), a reduction in fertiliser use (average 300 kg N/ha in 2015-16 to 200 kg N/ha 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.

AFIC's Overall Position on PC7

- 11 AFIC 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 AFIC generally supports the direction of PC7, particularly the intention to manage nutrient losses from vegetable growing activities differently to other land uses. However, AFIC believes the regime developed by ECan and included in PC7 is fundamentally flawed as it:
 - 12.1 Fails to consider the natural limitations of soil and climate for vegetable growing activities
 - 12.2 Fails to take into consideration the social importance of vegetable growing operations in supplying cost-effective fresh food for the domestic market
 - 12.3 Fails to take into consideration the importance of vegetable growing operations for addressing climate change
 - 12.4 Relies heavily on Overseer nutrient budgets for expanded vegetable growing operations
 - 12.5 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.

AFIC's Specific Concerns

- 14 Without limiting the generality of the foregoing, AFIC'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:** AFIC's submissions on Parts A of PC7

Summary of decisions sought by AFIC

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

Acton Farmer Irrigation Co-Operative

By its authorised Agents

Irrigo Centre Limited

Date: 12 September 2019

DRAFT

ANNEXURE A: PLAN CHANGE 7 - REASONS FOR SUBMISSION AND DECISIONS SOUGHT BY ACTON FARMERS IRRIGATION CO-OPERATIVE

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Section 2.9 Definitions, Translations and Abbreviations				
Page 12	<i>Definition</i> Baseline commercial vegetable growing area	Oppose	AFIC 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.
	<i>Definition</i> Commercial vegetable growing operation	Support in part	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include equivalent land use activities and exclude operations with a small proportion of vegetable activities. 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.	Amend definition to account for the following: <ul style="list-style-type: none"> - Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations. - Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.
	<i>Definition</i> 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.
	<i>Definition</i> Highest Groundwater Level.	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.
Section 4 Policies				
Page 17	Policy 4.36A	Support in part	AFIC supports recognition of the particular constraints applicable to commercial vegetable growing operations and the requirement for all growers to operate at Good	Amend Policy 4.36A as follows:

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			<p>Management Practice, complete Farm Environment Plans and to meet applicable nutrient loss reduction targets.</p> <p>However AFIC 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 (NPS-HPL), which aims to:</p> <ul style="list-style-type: none"> • Recognise the full range of values and benefits associated with the use of Highly Productive Land for primary production; • Maintain its availability for primary production for future generations; and • Protect it from inappropriate subdivision, use, and development. <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>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> <p>a. requiring commercial vegetable growing operations to operate at good management practice;</p> <p>b. 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;</p> <p>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;</p> <p>d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and</p> <p>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.</p>
page 19	Policies 4.99 and 4.100	Support	AFIC 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	<p>AFIC 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.</p> <p>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.</p>	<p>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:</p> <p>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.</p>
page 20	Policy 4.103	Support	AFIC 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.
Section 5				

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Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Region Wide Rules				
page 29	Rule 5.41	Support	<p>AFIC supports the inclusion of the commercial vegetable growing activities within the permitted activity rules for land otherwise managed under another consent.</p> <p>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.</p>	Retain Rule 5.41 as notified.
page 30	Rules 5.42CA – 5.42CD	Support in Part	<p>AFIC supports the principle of providing specific provisions for managing effects from commercial vegetable growing operations.</p>	Amend as described in the sections below.
page 30	Rule 5.42CA	Support in part	<p>AFIC 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.</p> <p>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.</p> <p>AFIC therefore recommend no restrictions on vegetable growing operations less than 4 ha.</p>	<p>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.</p>
page 30	Rules 5.42CA – 5.42CD	Oppose	<p>AFIC 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 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, AFIC 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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>

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			<p>AFIC 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>	<ol style="list-style-type: none"> 1. <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> 2. <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> 3. <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u> <ol style="list-style-type: none"> a. <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u> b. <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u> c. <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u> <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>AFIC 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, AFIC 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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <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</p>	<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"> 1. 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 2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and 3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and

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			<p>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>AFIC 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>2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and</p> <p>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</p> <p>4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and</p> <p>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</p> <p>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.</p>
page 30	Rule 5.42CC	Oppose	<p>AFIC 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>AFIC 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	AFIC 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	AFIC 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.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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.	<p>Amend Rule 5.62 to read as follows:</p> <p>The use of land for a farming activity 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</p>

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				farming activity permit will be an irrigation scheme or a principal water supplier, is a discretionary activity.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	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>AFIC supports the rules in 5.191 with two exceptions.</p> <p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</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 <u>further than up to</u> 1 kilometre beyond the discharge point; and</p> <p>6. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	AFIC 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.	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.

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			AFIC propose Schedule 7 property identification and nitrogen baseline requirements are updated to take into consideration short-term leases and the size of the operation. 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.	
page 195-196	Schedule 7a	Support in Part	AFIC 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.
(4) The specific provisions of PC7 that AFIC's submission relates to are:		(5) AFIC's submission is that:		(6) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
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Page 12	Definition Baseline commercial vegetable growing area	Oppose	AFIC 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	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include equivalent land use activities and exclude operations with a small proportion of vegetable activities. For instance, AFIC have a shareholder who grows tulip bulbs on leave arrangement, which is similar to that of 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	Amend definition to account for the following: <ul style="list-style-type: none"> - Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations. - Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.

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			<p>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>	
	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 Highest Groundwater Level.	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.
Section 4 Policies				
Page 17	Policy 4.36A	Support in part	<p>AFIC 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 AFIC 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 (NPS-HPL), which aims to:</p> <ul style="list-style-type: none"> Recognise the full range of values and benefits associated with the use of Highly Productive Land for primary production; Maintain its availability for primary production for future generations; and Protect it from inappropriate subdivision, use, and development. <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>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> <p>a. requiring commercial vegetable growing operations to operate at good management practice;</p> <p>b. 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;</p> <p>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;</p> <p>d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and</p>

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			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.	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.
page 19	Policies 4.99 and 4.100	Support	AFIC 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	AFIC 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. 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.	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: 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	AFIC 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.
Section 5 Region Wide Rules				
page 29	Rule 5.41	Support	AFIC 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	AFIC 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	AFIC 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	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.

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			<p>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.</p> <p>AFIC therefore recommend no restrictions on vegetable growing operations less than 4 ha.</p>	
page 30	Rules 5.42CA – 5.42CD	Oppose	<p>AFIC 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 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, AFIC 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>AFIC 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. 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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"> 4. <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> 5. <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> 6. <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u> <ol style="list-style-type: none"> a. <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u> b. <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u> c. <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u>

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
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				<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>
page 30	Rule 5.42CB	Support in part	<p>AFIC supports the inclusion of a discretionary activity rules for commercial vegetable growing activities which are of sufficient risk to ensure good management practice is implemented. However, AFIC 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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <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>AFIC 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>Further restrictions on area or reliance on Overseer will create unnecessary barriers to growth on land which is already limited in it's ability to grow vegetables. These</p>	<p><u>Amend Rule 5.42CB to state:</u></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"> 1. 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 2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and 3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and 2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and 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 4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and 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 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.

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			restrictions will ultimately mean growers will need to shorten their rotations or cease growth of their activities which will increase the cost of food to the wider community.	
page 30	Rule 5.42CC	Oppose	AFIC 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. AFIC propose growth in vegetable growing operations is promoted, provided they are managed to Good Management Practice.	Remove Rule 5.42CC
page 30	Rule 5.42CC	Neutral	AFIC 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	AFIC 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.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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 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.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	Retain Rule 5.111 and the associated "interpretation" note as notified.
Pages 52 - 53	Rules 5.191 – 5.193	Support in part	AFIC supports the rules in 5.191 with two exceptions.	Amend Rule 5.191 to state: ...

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	(Managed Aquifer Recharge)		<p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</p>	<p>7. 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 <u>further than up to</u> 1 kilometre beyond the discharge point; and</p> <p>8. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	<p>AFIC 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>AFIC 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	AFIC 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.
(7) The specific provisions of PC7 that AFIC's submission relates to are:		(8) AFIC's submission is that:		(9) AFIC seeks the following decisions from Environment Canterbury (ECan)

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Section 2.9 Definitions, Translations and Abbreviations				
Page 12	Definition Baseline commercial vegetable growing area	Oppose	AFIC 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	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include similar land use activities which are modelled as commercial vegetables in Overseer as these activities face similar challenges and limitations. For instance, there are a small number of tulip bulb growers who need to lease land on long rotations, but are limited as Overseer does not model their crops as bulbs, but instead as onions which have a very high modelled 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.	Amend definition to the following: is a sub-set of 'farming activity' and means the growing, for the purpose of commercial gain, of vegetable crops for human consumption, <u>or other crops modelled as vegetable crops in Overseer</u> , and includes the full sequence of crops and pasture used as part of that rotation.
	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 Highest Groundwater Level.	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.
Section 4 Policies				

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Page 17	Policy 4.36A	Support in part	AFIC 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. However oppose the limitations on growing areas or management to baseline nitrogen loss rates on new commercial vegetable growing land.	Amend Policy 4.36A as follows: 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: a. requiring commercial vegetable growing operations to operate at good management practice; b. 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; 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; d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and 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.
page 19	Policies 4.99 and 4.100	Support	AFIC 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	AFIC 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. 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.	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: 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	AFIC 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.

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Section 5 Region Wide Rules				
page 29	Rule 5.41	Support	<p>AFIC supports the inclusion of the commercial vegetable growing activities within the permitted activity rules for land otherwise managed under another consent.</p> <p>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.</p>	Retain Rule 5.41 as notified.
page 30	Rules 5.42CA – 5.42CD	Support in Part	AFIC 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	AFIC 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.	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	<p>AFIC 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 management rules is equitable with the restrictions faced by other land uses in the region. However, 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>AFIC 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. 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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"> <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> <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u>

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				<p>a. <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u></p> <p>b. <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u></p> <p>c. <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u></p> <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>AFIC supports the inclusion of a discretionary activity rules for commercial vegetable growing activities which are of sufficient risk to ensure good management practice is implemented. However, AFIC oppose restrictions on the growth area and obligation for the grower to ensure additional land meets nitrogen baseline losses for the property.</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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <p>These challenges increase significantly if growers become responsible for ensuring N losses on new lease land also complies with property baseline.</p> <p>Furthermore, the primary tool for managing nitrogen losses on a property, Overseer, has limited data supporting the calculated N losses for many vegetable crops. 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>Commercial vegetable growing activities are also naturally limited by soils, climate, crop rotations and proximity to processing plants. 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>AFIC therefore recommend a rules framework which ensures commercial vegetable growers are subject to implementation of Good Management Practice is sufficient to manage adverse effects from these activities.</p>	<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"> 1. 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 2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and 3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and 2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and 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 4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and 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

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
			Further restrictions on area or reliance on Overseer will create unnecessary barriers to growth on land which is already limited in its ability to grow vegetables. These restrictions will ultimately mean growers will need to shorten their rotations or cease growth of their activities which will increase the cost of food to the wider community.	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.
page 30	Rule 5.42CC	Oppose	AFIC 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. Provided all vegetable growing activities are managed to Good Management Practice, effects on the environment will be minimised.	Remove Rule 5.42CC
page 30	Rule 5.42CC	Neutral	AFIC 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	AFIC oppose a prohibited activity rule based on a tool (Overseer) which is not suitable for many vegetable crops.	Remove Rule 5.42CD.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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 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.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	Retain Rule 5.111 and the associated "interpretation" note as notified.
Pages 52 - 53	Rules 5.191 – 5.193 (Managed	Support in part	AFIC supports the rules in 5.191 with two exceptions.	Amend Rule 5.191 to state: ...

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
	Aquifer Recharge)		<p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</p>	<p>9. 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 <u>further than up to 1 kilometre</u> beyond the discharge point; and</p> <p>10. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	<p>AFIC 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>AFIC 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	AFIC 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.

From: [Hannah Goslin](#)
To: [Tavisha Fernando](#)
Subject: FW: Acton Farmer"s Irrigation Co-operative, LWRP PC7 submission
Date: Tuesday, 8 October 2019 1:52:30 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[AFIC PC 7 submission.pdf](#)

Hi Tavisha (again!)

Could you please replace the submission on Sharepoint and HP Records Manager for the Acton Farmers Irrigation Co-operative with the one attached?

Thanks very much,
Han

Hannah Goslin

Resource Management Consultant



PO Box 25-289
Christchurch
Phone 03 379 9749
Mobile 027 335 2300

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From: Eva Harris <eva@irrigo.co.nz>
Sent: Tuesday, 8 October 2019 12:13 PM
To: Hannah Goslin <hannah.goslin@incite.co.nz>
Cc: Tavisha Fernando <Tavisha.Fernando@ecan.govt.nz>
Subject: RE: Acton Farmer's Irrigation Co-operative, LWRP PC7 submission

Hi Hannah,

Sorry – I don't know how I managed to do that, it was just an error on my part in the rush to get them in. Please find attached the correct submission I intended to provide for AFIC.

Regards,

Eva

From: Hannah Goslin [<mailto:hannah.goslin@incite.co.nz>]
Sent: Tuesday, 8 October 2019 10:42 a.m.
To: Eva Harris <eva@irrigo.co.nz>
Cc: Tavisha Fernando <Tavisha.Fernando@ecan.govt.nz>
Subject: Acton Farmer's Irrigation Co-operative, LWRP PC7 submission

Hi Eva,

I'm currently assisting Environment Canterbury with summarising submissions on Plan Change 7 to the CLWRP. I have been summarising Acton Farmer's Irrigation Co-operative submission and have one point to clarify as follows:

1. It appears there are three iterations of the relief table in Annexure A of the submission. All submission point and relief sought are identical across all three tables, except for the relief sought in relation to the definition of 'Commercial vegetable growing operation'. The first table on Page 5 seeks the following relief:

Amend definition to account for the following:

- Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations.
- Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.

The third table on Page 18 seeks the following relief:

Amend definition to the following:

is a sub-set of 'farming activity' and means the growing, for the purpose of commercial gain, of vegetable crops for human consumption, or other crops modelled as vegetable crops in Overseer, and includes the full sequence of crops and pasture used as part of that rotation.

The reason column also sets out slightly different reasoning for the changes sought. Is it intended that there are two separate submission points from the relief sought (Eg: One submission point seeking the general amendments to the definition and a second submission point that seeks the specific amendments on Page 18) or should they be the same?

If the submission requires amendment based on the point of clarification above, would you please be able to send through an amended submission document? Happy for you to respond to this email with an amended submission, instead of going via the ECan Mailroom.

Kind regards,
Hannah

Hannah Goslin

Resource Management Consultant



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Mobile 027 335 2300

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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 Acton Farmers Irrigation Co-Operative (**AFIC**)

Address: 326 Burnett St, Ashburton 7700

Contact: Eva Harris, Environmental Manager

Email: eva@irrigo.co.nz

Trade competition statement:

2 AFIC 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 AFIC 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 Barrhill-Chertsey Irrigation Limited

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) Policies 4.99 and 4.100 and Rules 5.189 to 5.190 (managed aquifer recharge);

(c) Rule 5.111 (small and community water takes);

- (d) Schedule 7 Farm Management Plan;
- (e) Schedule 7A Management Plan for Farming Activities;

Submission

Submission Structure

- 6 AFIC's submission is structured as follows:
 - 6.1 Background Acton Farmers Irrigation Co-operative (AFIC)
 - 6.2 AFIC's overall position on PC7;
 - 6.3 AFIC's specific submissions on PC7, including reasons and detailed relief sought.

Background

Acton Farmers Irrigation Co-Operative

- 7 AFIC owns and operates the Acton Farmers Irrigators Co-Operative, which delivers up to 3,000 l/s of water from the Rakaia River through a network of open channel and pipes to approximately 50 shareholders east of Rakaia. AFIC is owned by their shareholders, who cover approximately 20,000 ha in the area. The water is leased from Barrhill-Chertsey Irrigation Limited (BCIL), and all nutrients are managed through the BCIL nutrient discharge resource consent CRC162882.
- 8 AFIC shareholders are predominantly a mixture of arable (70%) and dairy (20%), with vegetable growing activities a significant part of the arable enterprises. Water was first delivered by the scheme in 2010, with most shareholders already irrigated with groundwater. A number of AFIC 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 AFIC 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 (15% in 2015-16 to 36% in 2018-19 season), a reduction of "C" audit grades (10% in 2015-16 to 0% in 2018-19), a reduction in fertiliser use (average 300 kg N/ha in 2015-16 to 200 kg N/ha 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.

AFIC's Overall Position on PC7

- 11 AFIC 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 AFIC generally supports the direction of PC7, particularly the intention to manage nutrient losses from vegetable growing activities differently to other land uses. However, AFIC believes the regime developed by ECan and included in PC7 is fundamentally flawed as it:
 - 12.1 Fails to consider the natural limitations of soil and climate for vegetable growing activities
 - 12.2 Fails to take into consideration the social importance of vegetable growing operations in supplying cost-effective fresh food for the domestic market
 - 12.3 Fails to take into consideration the importance of vegetable growing operations for addressing climate change
 - 12.4 Relies heavily on Overseer nutrient budgets for expanded vegetable growing operations
 - 12.5 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.

AFIC's Specific Concerns

- 14 Without limiting the generality of the foregoing, AFIC'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:** AFIC's submissions on Parts A of PC7

Summary of decisions sought by AFIC

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

Acton Farmer Irrigation Co-Operative

By its authorised Agents

Irrigo Centre Limited

Date: 12 September 2019

DRAFT

ANNEXURE A: PLAN CHANGE 7 - REASONS FOR SUBMISSION AND DECISIONS SOUGHT BY ACTON FARMERS IRRIGATION CO-OPERATIVE

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Section 2.9 Definitions, Translations and Abbreviations				
Page 12	<i>Definition</i> Baseline commercial vegetable growing area	Oppose	AFIC 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.
	<i>Definition</i> Commercial vegetable growing operation	Support in part	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include equivalent land use activities and exclude operations with a small proportion of vegetable activities. 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.	Amend definition to account for the following: <ul style="list-style-type: none"> - Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations. - Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.
	<i>Definition</i> 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.
	<i>Definition</i> Highest Groundwater Level.	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.
Section 4 Policies				
Page 17	Policy 4.36A	Support in part	AFIC supports recognition of the particular constraints applicable to commercial vegetable growing operations and the requirement for all growers to operate at Good	Amend Policy 4.36A as follows:

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
			<p>Management Practice, complete Farm Environment Plans and to meet applicable nutrient loss reduction targets.</p> <p>However AFIC 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 (NPS-HPL), which aims to:</p> <ul style="list-style-type: none"> • Recognise the full range of values and benefits associated with the use of Highly Productive Land for primary production; • Maintain its availability for primary production for future generations; and • Protect it from inappropriate subdivision, use, and development. <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>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> <p>a. requiring commercial vegetable growing operations to operate at good management practice;</p> <p>b. 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;</p> <p>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;</p> <p>d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and</p> <p>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.</p>
page 19	Policies 4.99 and 4.100	Support	AFIC 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	<p>AFIC 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.</p> <p>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.</p>	<p>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:</p> <p>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.</p>
page 20	Policy 4.103	Support	AFIC 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.
Section 5				

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Region Wide Rules				
page 29	Rule 5.41	Support	<p>AFIC supports the inclusion of the commercial vegetable growing activities within the permitted activity rules for land otherwise managed under another consent.</p> <p>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.</p>	Retain Rule 5.41 as notified.
page 30	Rules 5.42CA – 5.42CD	Support in Part	<p>AFIC supports the principle of providing specific provisions for managing effects from commercial vegetable growing operations.</p>	Amend as described in the sections below.
page 30	Rule 5.42CA	Support in part	<p>AFIC 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.</p> <p>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.</p> <p>AFIC therefore recommend no restrictions on vegetable growing operations less than 4 ha.</p>	<p>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.</p>
page 30	Rules 5.42CA – 5.42CD	Oppose	<p>AFIC 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 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, AFIC 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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>

(1) The specific provisions of PC7 that AFIC's submission relates to are:		(2) AFIC's submission is that:		(3) AFIC 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 strikethrough).
Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
			<p>AFIC 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>	<ol style="list-style-type: none"> <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> <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u> <ol style="list-style-type: none"> <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u> <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u> <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u> <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>AFIC 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, AFIC 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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <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</p>	<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"> 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 The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and

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			<p>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>AFIC 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>2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and</p> <p>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</p> <p>4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and</p> <p>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</p> <p>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.</p>
page 30	Rule 5.42CC	Oppose	<p>AFIC 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>AFIC 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	AFIC 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	AFIC 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.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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.	<p>Amend Rule 5.62 to read as follows:</p> <p>The use of land for a farming activity 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</p>

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Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
				farming activity permit will be an irrigation scheme or a principal water supplier, is a discretionary activity.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	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>AFIC supports the rules in 5.191 with two exceptions.</p> <p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</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 further than <u>up to</u> 1 kilometre beyond the discharge point; and</p> <p>6. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	AFIC 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.	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.

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			AFIC propose Schedule 7 property identification and nitrogen baseline requirements are updated to take into consideration short-term leases and the size of the operation. 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.	
page 195-196	Schedule 7a	Support in Part	AFIC 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.
(4) The specific provisions of PC7 that AFIC's submission relates to are:		(5) AFIC's submission is that:		(6) AFIC 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 strikethrough).
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	AFIC 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	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include equivalent land use activities and exclude operations with a small proportion of vegetable activities. For instance, AFIC have a shareholder who grows tulip bulbs on leave arrangement, which is similar to that of 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	Amend definition to account for the following: <ul style="list-style-type: none"> - Inclusion of the term "predominantly vegetable growing" to exclude operations where vegetable growing activities are a minor component of their operations. - Expansion to allow for other land uses which face similar challenges, who would benefit from operation under the vegetable growing operation rules framework.

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			<p>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>	
	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 Highest Groundwater Level.	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.
Section 4 Policies				
Page 17	Policy 4.36A	Support in part	<p>AFIC 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 AFIC 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 (NPS-HPL), which aims to:</p> <ul style="list-style-type: none"> Recognise the full range of values and benefits associated with the use of Highly Productive Land for primary production; Maintain its availability for primary production for future generations; and Protect it from inappropriate subdivision, use, and development. <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>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> <p>a. requiring commercial vegetable growing operations to operate at good management practice;</p> <p>b. 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;</p> <p>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;</p> <p>d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and</p>

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			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.	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.
page 19	Policies 4.99 and 4.100	Support	AFIC 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	AFIC 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. 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.	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: 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	AFIC 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.
Section 5 Region Wide Rules				
page 29	Rule 5.41	Support	AFIC 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	AFIC 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	AFIC 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	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.

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			<p>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.</p> <p>AFIC therefore recommend no restrictions on vegetable growing operations less than 4 ha.</p>	
page 30	Rules 5.42CA – 5.42CD	Oppose	<p>AFIC 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 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, AFIC 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>AFIC 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. 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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"> 4. <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> 5. <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> 6. <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u> <ol style="list-style-type: none"> a. <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u> b. <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u> c. <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u>

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				<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>
page 30	Rule 5.42CB	Support in part	<p>AFIC supports the inclusion of a discretionary activity rules for commercial vegetable growing activities which are of sufficient risk to ensure good management practice is implemented. However, AFIC 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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <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>AFIC 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>Further restrictions on area or reliance on Overseer will create unnecessary barriers to growth on land which is already limited in it's ability to grow vegetables. These</p>	<p><u>Amend Rule 5.42CB to state:</u></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"> 1. 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 2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and 3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and 2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and 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 4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and 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 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.

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			restrictions will ultimately mean growers will need to shorten their rotations or cease growth of their activities which will increase the cost of food to the wider community.	
page 30	Rule 5.42CC	Oppose	AFIC 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. AFIC propose growth in vegetable growing operations is promoted, provided they are managed to Good Management Practice.	Remove Rule 5.42CC
page 30	Rule 5.42CC	Neutral	AFIC 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	AFIC 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.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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 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.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	Retain Rule 5.111 and the associated "interpretation" note as notified.
Pages 52 - 53	Rules 5.191 – 5.193	Support in part	AFIC supports the rules in 5.191 with two exceptions.	Amend Rule 5.191 to state: ...

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	(Managed Aquifer Recharge)		<p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</p>	<p>7. 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 <u>further than up to</u> 1 kilometre beyond the discharge point; and</p> <p>8. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	<p>AFIC 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>AFIC 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	AFIC 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.
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Section 2.9 Definitions, Translations and Abbreviations				
Page 12	Definition Baseline commercial vegetable growing area	Oppose	AFIC 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	AFIC supports the definition of commercial vegetable growing operation including the full sequence of crops which form the rotation. AFIC also recommends the expansion of this definition to include similar land use activities which are modelled as commercial vegetables in Overseer as these activities face similar challenges and limitations. For instance, there are a small number of tulip bulb growers who need to lease land on long rotations, but are limited as Overseer does not model their crops as bulbs, but instead as onions which have a very high modelled 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.	Amend definition to the following: is a sub-set of 'farming activity' and means the growing, for the purpose of commercial gain, of vegetable crops for human consumption, <u>or other crops modelled as vegetable crops in Overseer</u> , and includes the full sequence of crops and pasture used as part of that rotation.
	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 Highest Groundwater Level.	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.
Section 4 Policies				

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Section & Page Number	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Page 17	Policy 4.36A	Support in part	AFIC 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. However oppose the limitations on growing areas or management to baseline nitrogen loss rates on new commercial vegetable growing land.	Amend Policy 4.36A as follows: 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: a. requiring commercial vegetable growing operations to operate at good management practice; b. 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; 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; d. constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and 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.
page 19	Policies 4.99 and 4.100	Support	AFIC 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	AFIC 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. 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.	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: 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	AFIC 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.

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Section 5 Region Wide Rules				
page 29	Rule 5.41	Support	<p>AFIC supports the inclusion of the commercial vegetable growing activities within the permitted activity rules for land otherwise managed under another consent.</p> <p>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.</p>	Retain Rule 5.41 as notified.
page 30	Rules 5.42CA – 5.42CD	Support in Part	AFIC 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	AFIC 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.	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	<p>AFIC 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 management rules is equitable with the restrictions faced by other land uses in the region. However, 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>AFIC 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. 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>Include a two new permitted activity rules 5.42 CAA and 5.42 CAAA which states:</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"> <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> <u>The area of the commercial vegetable growing operation authorised to be irrigated with water is less than 50 hectares; and</u> <u>The area of the commercial vegetable growing operation used for winter grazing is less than:</u>

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				<p>a. <u>10 hectares, for a commercial vegetable growing operation less than 100 hectares in area; or</u></p> <p>b. <u>10% of the area of the commercial vegetable growing operation between 100 hectares and 1000 hectares in area; or</u></p> <p>c. <u>100 hectares, for any commercial vegetable growing operation greater than 1000 hectares in area; and</u></p> <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>AFIC supports the inclusion of a discretionary activity rules for commercial vegetable growing activities which are of sufficient risk to ensure good management practice is implemented. However, AFIC oppose restrictions on the growth area and obligation for the grower to ensure additional land meets nitrogen baseline losses for the property.</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"> - Complicated rotations which are difficult and expensive to model in Overseer - Management of N losses on leased land <p>These challenges increase significantly if growers become responsible for ensuring N losses on new lease land also complies with property baseline.</p> <p>Furthermore, the primary tool for managing nitrogen losses on a property, Overseer, has limited data supporting the calculated N losses for many vegetable crops. 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>Commercial vegetable growing activities are also naturally limited by soils, climate, crop rotations and proximity to processing plants. 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>AFIC therefore recommend a rules framework which ensures commercial vegetable growers are subject to implementation of Good Management Practice is sufficient to manage adverse effects from these activities.</p>	<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"> 1. 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 2. The aggregated area of land used for the commercial vegetable growing operation is no greater than the baseline commercial vegetable growing area; and 3. All land that forms part of the commercial vegetable growing operation is located within the same sub-region and Nutrient Allocation Zone. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and 2. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and 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 4. Methods that demonstrate how any nutrient loss reductions required by Sections 6 to 15 of the Plan will be achieved; and 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

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			Further restrictions on area or reliance on Overseer will create unnecessary barriers to growth on land which is already limited in its ability to grow vegetables. These restrictions will ultimately mean growers will need to shorten their rotations or cease growth of their activities which will increase the cost of food to the wider community.	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.
page 30	Rule 5.42CC	Oppose	AFIC 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. Provided all vegetable growing activities are managed to Good Management Practice, effects on the environment will be minimised.	Remove Rule 5.42CC
page 30	Rule 5.42CC	Neutral	AFIC 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	AFIC oppose a prohibited activity rule based on a tool (Overseer) which is not suitable for many vegetable crops.	Remove Rule 5.42CD.
page 31	Rule 5.60 and 5.61	Support	AFIC 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	AFIC 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 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.
page 34-35	Rule 5.111 (Small and community water takes) and associated "interpretation" note	Support	AFIC 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 (RMA).	Retain Rule 5.111 and the associated "interpretation" note as notified.
Pages 52 - 53	Rules 5.191 – 5.193 (Managed	Support in part	AFIC supports the rules in 5.191 with two exceptions.	Amend Rule 5.191 to state: ...

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	Aquifer Recharge)		<p>5.191.5. AFIC 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 AFIC 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. AFIC 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 and AFIC 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.</p>	<p>9. 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 <u>further than up to 1 kilometre</u> beyond the discharge point; and</p> <p>10. The point of discharge is not:</p> <ul style="list-style-type: none"> a. directly into the bed of a river or lake, an artificial watercourse or a wetland, excluding an artificial wetland; or b. onto or into contaminated or potentially contaminated land; or c. within 50 m of an existing bore used for water abstraction; or d. within a Community Drinking-water Protection Zone as set out in Schedule 1; and...
Schedules				
page 186 – 194	Schedule 7	Support in Part	<p>AFIC 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>AFIC 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	AFIC 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.