

**From:** [Lindsay Fung](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** Plan Change 7 to the LWRP Submission  
**Date:** Thursday, 12 September 2019 3:45:20 PM  
**Attachments:** [2019-09-12 Plan Change 7 Submission - NZ Deer Farmers Association.pdf](#)

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Please find attached a submission on Plan Change 7 to the Canterbury Land and Water Regional Plan from the Canterbury/West Coast and South Canterbury/North Otago branches of the New Zealand Deer Farmers Association.

Kind regards  
Lindsay





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Submitter ID:

File No:

## Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

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

Return your signed submission by 5.00pm Friday 13 September 2019 by:

- Email: [mailroom@ecan.govt.nz](mailto:mailroom@ecan.govt.nz) (subject heading: Plan Change 7 to the LWRP Submission)
- Post: Proposed Plan Change 7 to the Land and Water Regional Plan  
Environment Canterbury  
PO Box 345  
Christchurch 8140

**Organisation:** NZ Deer Farmers Association - Canterbury/West Coast Branch (*Chair: Russell Rudd*) and South Canterbury/North Otago Branch (*Chair: Graham Peck*)

**Phone (Cell):** 027 668-0141

**Email:** [lindsay.fung@deernz.org](mailto:lindsay.fung@deernz.org)

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

Lindsay Fung, Deer Industry New Zealand, PO Box 10702, Wellington 6143

### Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

**Please tick the sentence that applies to you:**

- ☒ I could not gain an advantage in trade competition through this submission; or
- ☐ I could gain an advantage in trade competition through this submission

**Signature:**

**Date:** 12 September 2019

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

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information

- ☐ I do not wish to be heard in support of my submission; or
- ☒ I do wish to be heard in support of my submission; and if so,
- ☒ I would be prepared to consider presenting this submission in a joint case with others making a similar submission at any hearing

# **Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan**

## **NZ Deer Farmers Association – Canterbury/West Coast Branch and South Canterbury/North Otago Branch.**

### **Introduction**

The South Canterbury/North Otago Branch and the Canterbury/West Coast Branch of the New Zealand Deer Farmers' Association (NZDFA) welcome the opportunity to provide a submission on the Proposed Plan Change 7 (PC7) to the Canterbury Land and Water Regional Plan (LWRP).

The NZDFA branches have previously submitted on PC3 and PC5 of the LWRP. Key aspects of deer farming in the region are summarised as follows:

- NZDFA is a voluntary subscription funded incorporated society representing the regional and national interests of approximately 1500 financial members. The combined membership of the two branches is approximately 700 deer farmers - the largest and dominant deer farming region in the country.
- The New Zealand industry is the world's largest exporter of venison and deer velvet and the biggest producer and export of deer velvet antler. The Canterbury region:
  - Has the largest herd size (28 % of the national herd).
  - Serves as the major collection, grading and processing hub for velvet antler.
  - Has significant venison processing capacity (with four out of the 12 specialist venison plants in the country) – serving the whole of the South Island herd.
  - Is also the dominant location for the large co-products industry.
- Deer farming systems are pastorally based on the annual production of venison, velvet and deer co-products; as such they share many similarities with sheep and beef systems and can be focused on breeding or finishing, and located in fertile plains or South Island high country areas. It is estimated that about 80 % of deer farms are mixed livestock (sheep, beef or dairy grazing) and arable cropping can also be incorporated.
- Both branches have a track record in environmental stewardship:
  - Key participants in the development of the industry's 2004 and 2012 Landcare Manuals and the 2018 Environmental Management Code of Practice.
  - Participated in a Sustainable Farming Fund project examining the use of nitrogen in high country to develop native tussocks.
  - Participants in a current Sustainable Farming Fund project to showcase

wetlands on farms.

- Proactive engagement with the OTOP and Waimakiriri zone committees
- Hosting annual farm visits for Farm Environment Plan Auditors and Environment Canterbury staff as party of ongoing training and professional development opportunities.
- Establishing Deer Industry Environment Groups and deer farmer-led Advance Parties to enable supported practice change particularly with respect to environmental stewardship.
- Support for the target set by Deer Industry New Zealand and the NZDFA for all deer farms to have a Land and Environment Plan (or regional council equivalent) by 2020.

## **Support for Beef + Lamb New Zealand**

NZDFA fully endorses and supports the submission from Beef + Lamb New Zealand (B+LNZ). As most deer farmers have mixed livestock farms and occupy the same topography as sheep and beef farmers, the issues and solutions are generally the same for both sets of land uses. NZDFA notes that there are specific deer behaviours that create unique environmental challenges and are best managed through industry activities and support networks as identified above. These activities and support groups typically complement B+LNZ extension activities.

NZDFA notes that water allocation will impact on some deer farms. Water allocation is mostly agnostic on livestock species (apart from the issue of priority access to water by livestock for animal welfare); therefore the B+LNZ position on this issue is supported by NZDFA.

## **General Consent to Farm (Farm Environment Plan or Management Plan)**

NZDFA notes that requirements for a permitted activity under the Resource Management Act are quite specific and prescriptive in order to provide legal certainty (e.g. nitrogen loss rates for land use, slope thresholds for stock exclusion or area thresholds for winter grazing). For mixed livestock and land use farms on variable topography, soils and micro-climates, such prescriptive approaches are counter-intuitive to achieving good environmental outcomes from complex and diverse production systems.

Livestock exclusion requirements for example are overly prescriptive and inflexible - they do not reflect the realities and effectiveness of current good farming practices which are better expressed through a Management Plan. Similarly the requirement for farms that have high risk activities (high nitrogen losses, winter grazing) to prepare a Farm Environment Plan or Management Plan is also designed to focus on good outcomes rather than prescribed requirements.

Under Plan Change 5 and now the proposed Plan Change 7, a number of "risk" activities or situations have been identified. NZDFA considers that where a consent to farm that requires

the development and actioning of a Management Plan or Farm Environment Plan, an optimal approach for cost-effectiveness and outcome focused results to would be to combine all "risk activities" under one farm consent. This should reduce cost for the farmer and administrative time for the council. *The consent duration (e.g. 20 years) could be sufficient to offer investment certainty for the farmer (especially where this involves considerable capital investments such as deer fencing, winter barns or feedpads). The audit frequency (e.g. every 2, 3 or 5 years) will provide verification/assurance for the council.*

An example could be that a 300 hectare deer farm on hill country with multiple springs and waterways, uses deficit irrigation on flat paddocks to maintain cover and has 10 hectares within the High Runoff Risk Phosphorus Zone but requires 25 hectares of crop for its own stock over winter, would struggle to achieve a permitted activity status. Rather than requiring several consents of varying durations and requirements, all of the policy issues/areas of concern (direct deposition of contaminants and stream bank erosion, nitrogen leaching, sediment and phosphorus loss) could be addressed simultaneously under a Farm Environment Plan.

**NZDFA strongly encourages Environment Canterbury to consider this approach in the implementation of the Land and Water Plan and in particular for Plan Change 7.**

## Further Contacts

<i>Russell Rudd</i>	Chair, Canterbury/West Coast Branch of the New Zealand Deer Farmers Association  <a href="mailto:russell.rudd@scorch.co.nz">russell.rudd@scorch.co.nz</a>
<i>Graham Peck</i>	Chair, South Canterbury/North Otago Branch of the New Zealand Deer Farmers Association  <a href="mailto:empeckfarms@gmail.com">empeckfarms@gmail.com</a>
<i>Edmund Noonan</i>	Environment Spokesperson, Canterbury/West Coast Branch of the New Zealand Deer Farmers Association  <a href="mailto:edmund.noonan@gmail.com">edmund.noonan@gmail.com</a>

## Specific submission points:

<b>(1) The specific provisions of the Proposed Plan that my submission relates to are:</b>	<b>Livestock exclusion from waterbodies (Waimakiriri Zone)</b> , Section 8, pages 68 – 69, provision 8.4.30 and page 86, provision 8.5.33
<b>(2) My submission is that:</b> <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>	<p><b>Oppose</b></p> <p>Downlands or hill country farms may have many springs which discharge into lakes, rivers or wetlands) – springs may also be intermittent and transient (new springs may appear over time while others dry up). Physically excluding deer may not be practical, nor cost-effective to achieve a good environmental outcome (as stocking rates may be quite low. However effective mitigation, particularly if using sediment traps and <i>constructed</i> wetlands, could be used.</p> <p>A (farm) Management Plan, as described in Schedule 7A, would better address the issue of springs discharging into rivers, lakes or wetlands in the presence of livestock, rather than a blanket requirement to exclude stock, regardless of cost or likely environmental impact. The mitigation measures (e.g. stocking rate, livestock species/classes, time of year and duration that stock are in the same paddock as the spring, downstream remediation, placement of shade, feed and water supplies) can be assessed for their effectiveness in maintaining water quality.</p> <p>We note that some farms rely on springs for household drinking water as well as livestock water and that in many cases livestock is not actively excluded. We also caution that total exclusion of deer from waterbodies (by fencing off the waterbodies) can in turn influence deer behavior that creates greater risk of contamination of waterbodies – we have raised this issue with Environment Canterbury staff and zone committee members in a number of fora and would welcome further on-farm discussion as to how good management practices can reduce this risk.</p> <p>These proposed provisions 8.4.30 (policy) and 8.5.33 (rule) will effectively require farms with many springs or artificial watercourses to apply for a discretionary activity consent (Rule 5.69) – given that some pugging or de-vegetation may occur around the spring or waterbody bank (Rule 5.68.3.a).</p>
<b>(3) I seek the following decisions from Environment Canterbury:</b> <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand)</i>	<ul style="list-style-type: none"> <li>• Recognition that livestock exclusion from springs and artificial watercourses on non-intensive farms may not always be needed to achieve good water quality. Alternative management practices exist and are used by deer farmers.</li> <li>• The risk assessment for springs, artificial watercourses and appropriate management practices can be expressed through a Management Plan (or a Farm Environment Plan where this is required for other reasons such as nitrogen management, irrigation or winter grazing) and this may be a requirement for a permitted activity (with the farmer to provide the Management Plan upon request) or as a <b>controlled activity</b> consent instead of a discretionary activity in Rule 5.69.</li> </ul>

<b>(1) The specific provisions of the Proposed Plan that my submission relates to are:</b>	<b>Consent Expiry and Duration (Waimakiriri Zone),</b> Section 8, page 70, provision 8.4.37.
<b>(2) My submission is that:</b> <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>	<p><b>Oppose</b></p> <p>NZDFA considers that a consent duration of 20 years provides certainty for farmers to invest in infrastructure such as deer fencing and feedpads. Please note the commentary on page 3 of this submission under the section “General Consent to Farm (Farm Environment Plan or Management Plan)”.</p>
<b>(3) I seek the following decisions from Environment Canterbury:</b> <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand)</i>	<p><b>Amend the provision to read:</b></p> <p>Apply the following durations to any resource consent granted after the relevant common expiry date in Policy 8.4.36:</p> <ul style="list-style-type: none"> <li>a. <del>40</del><u>20</u> years for resource consents for the use of land for a farming activity; and</li> <li>b. 10 years for resource consents for the discharge of nutrients by an irrigation scheme or principal water supplier; and</li> <li>c. 10 years for resource consents for take and use of water.</li> </ul>

<p><b>(1) The specific provisions of the Proposed Plan that my submission relates to are:</b></p>	<p><b>Livestock exclusion from waterbodies (OTOP Zone)</b>, Section 14, pages 134 – 135, provision 14.4.15 and page 154, provision 14.5.25</p>
<p><b>(2) My submission is that:</b>  <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i></p>	<p><b>Oppose</b></p> <p>Downlands or hill country farms may have many springs which discharge into lakes, rivers or wetlands) – springs may also be intermittent and transient (new springs may appear over time while others dry up). Physically excluding deer may not be practical, nor cost-effective to achieve a good environmental outcome (as stocking rates may be quite low. However effective mitigation, particularly if using sediment traps and <i>constructed</i> wetlands, could be used.</p> <p>A (farm) Management Plan, as described in Schedule 7A, would better address the issue of springs discharging into rivers, lakes or wetlands in the presence of livestock, rather than a blanket requirement to exclude stock, regardless of cost or likely environmental impact. The mitigation measures (e.g. stocking rate, livestock species/classes, time of year and duration that stock are in the same paddock as the spring, downstream remediation, placement of shade, feed and water supplies) can be assessed for their effectiveness in maintaining water quality.</p> <p>We note that some farms rely on springs for household drinking water as well as livestock water and that in many cases livestock is not actively excluded. We also caution that total exclusion of deer from waterbodies can in turn influence deer behavior that creates greater risk of contamination of waterbodies – we have raised this issue with ECan staff and zone committee members in a number of fora and would welcome further on-farm discussion as to how good management practices can reduce this risk.</p> <p>These proposed provisions 14.4.15 (policy) and 14.5.25 (rule) will effectively require farms with many springs or artificial watercourses to apply for a discretionary activity consent (Rule 5.69) – given that some pugging or de-vegetation may occur around the spring or waterbody bank (Rule 5.68.3.a).</p>
<p><b>(3) I seek the following decisions from Environment Canterbury:</b> <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand)</i></p>	<ul style="list-style-type: none"> <li>• Recognition that livestock exclusion from springs and artificial watercourses on non-intensive farms may not always be needed to achieve good water quality. Alternative management practices exist and are used by deer farmers.</li> <li>• The risk assessment for springs, artificial watercourses and appropriate management practices can be expressed through a Management Plan (or a Farm Environment Plan where this is required for other reasons such as nitrogen management, irrigation or winter grazing) and this may be a requirement for a permitted activity (with the farmer to provide the Management Plan upon request) or as a <i>controlled</i> activity consent instead of a discretionary activity in Rule 5.69.</li> </ul>



<b>(1) The specific provisions of the Proposed Plan that my submission relates to are:</b>	<b>Nutrient management (OTOP Zone),</b> Section 14, page 135, provision 14.4.17 and page 150, provision 14.5.17
<b>(2) My submission is that:</b> <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>	<p><b>Oppose</b></p> <p>Management Plans or Farm Environment Plans are now required for most farms, including farms which use more than 20 hectares of land for winter grazing (deer and cattle) in a "High Runoff Risk Phosphorus Zone." <b>In this case the purpose is to minimise losses of phosphorus, sediment and microbial contaminants.</b></p> <p>Outside of these zones cattle winter grazing is restricted to about 10 % of the total land area where <b>the purpose is to manage nitrogen losses.</b></p> <p>It would be simpler and consistent to apply common (area) thresholds for winter grazing instead of a 20 ha threshold for deer and cattle in phosphorus risk zones and 10 % of the total area for cattle elsewhere. The 10 % approach is already in place so should be continued. This level is a useful proxy for the ability for a farm to feed its own stock (above 10 % it is likely that additional stock is being brought in over winter).</p> <p>For farms in the High Runoff Risk Phosphorus Zone, a Management Plan should be required instead of a Farm Environment Plan (unless other provisions require one). The only difference between the two types is that the Farm Environment Plan has a nutrient budget (using OverseerFM) to estimate nitrogen loss. Since this is not the issue, the Management Plan will be quicker and cheaper to develop and will address the issues of concern.</p> <p>NZDFA has previously opposed the use of catchment scale mapping for the High Runoff Risk Phosphorus Zone to then prescribe farm and paddock level activities. We note that farms that operate contiguously within and without this zone will be restricted to 20 hectares of winter grazing, regardless of if the grazing is actually carried out in the High Runoff Risk Phosphorus Zone or not. Paddock selection may mean that winter grazing does not occur within the zone but a threshold of 20 hectares will still penalize farm that is over 200 hectares (i.e. where 10 % of the total farm area exceeds the 20 hectare threshold).</p>
<b>(3) I seek the following decisions from Environment Canterbury:</b> <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand)</i>	<p><b>Reword provision 14.4.17 as follows:</b></p> <p>Water quality outcomes, limits and targets in Tables 14(a) to 14(g) in the Orari-Temuka-Opihi-Pareora sub-region are achieved by requiring:</p> <p>...</p> <p>d. farming activities <u>that include winter grazing of cattle or deer</u> within the High Runoff Risk Phosphorus Zone to demonstrate through their <u>Management Plan</u> how active management of the loss of phosphorous, sediment and microbial contaminants to water will be achieved; <del>and</del> <u>where the area of winter grazing is less than or equal to:</u></p> <ul style="list-style-type: none"> <li>i. <u>10 hectares for any property less than 100 hectares in area; or</u></li> <li>ii. <u>10% of the area of the property, for any property between 100 and 1000 hectares in area; or</u></li> </ul>

	<p>iii. <u>100 hectares, for any property greater than 1000 hectares in area; and</u></p> <p><b><i>Reword provision 14.5.17 as follows:</i></b></p> <p>The use of land for a farming activity on a property greater than 10 hectares in area is a permitted activity provided the following conditions are met:</p> <p>...</p> <p>4. The area of the property used for winter grazing of cattle <u>or deer (within a High Runoff Risk Phosphorus Zone)</u> is less than or equal to:</p> <p style="padding-left: 40px;">a. <u>10 hectares for any property less than 100 hectares in area; or</u></p> <p style="padding-left: 40px;">b. <u>10% of the area of the property, for any property between 100 and 1000 hectares in area; or</u></p> <p style="padding-left: 40px;">c. <u>100 hectares, for any property greater than 1000 hectares in area; and</u></p> <p>...</p> <p><del>7. For any property greater than 20 hectares in area that has part of the property located within the High Runoff Risk Phosphorus Zone, the area used for winter grazing of cattle or deer does not exceed 20 hectares.</del></p>
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<b>(1) The specific provisions of the Proposed Plan that my submission relates to are:</b>	<b>Offal and Farm Rubbish Pits (region wide)</b> , Section 5, page 26, provision 5.24
<b>(2) My submission is that:</b> <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>	<p><b>Oppose</b></p> <p>The definition of "highest groundwater level" is: <i>the single highest elevation to which groundwater has historically risen that can be reasonably inferred for the site, based on all available hydrogeological and topographic information.</i></p> <p>NZDFA notes three areas of concern:</p> <ol style="list-style-type: none"> <li>1. Access of historical and technical (hydrogeological) information on the "highest groundwater level" will be problematical for many farms. The "seasonal high water table" is much more readily determined. If such information is now required it should be made available free of charge to farmers from the regional council.</li> <li>2. Existing offal and rubbish pits may be affected by this new level. If the highest groundwater level is higher than the seasonal high water table, will these be required to be re-sited and existing pits "remediated"?</li> <li>3. Under areas that have been heavily modified (such as drained wetlands or swamps) and the hydrogeology has been changed, how does the council propose to decide if a rubbish/offal pit can be established (e.g. groundwater level was historically close to the surface) or if a consent is required (e.g. historically high levels versus present levels due to previous drainage works or shifting aquifers)?</li> </ol>
<b>(3) I seek the following decisions from Environment Canterbury:</b> <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand)</i>	<ul style="list-style-type: none"> <li>• Amend either provision 5.24 or the definition of highest groundwater level to reflect the present-day hydrogeological situation.</li> <li>• Provide historical hydrogeological and topographical information, free of charge, to all land owners for the purposes of siting offal and farm rubbish pits.</li> </ul>