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To: [Mailroom Mailbox](#); [Mailroom Mailbox](#)
Subject: PC7 submission
Date: Friday, 13 September 2019 1:10:39 PM
Attachments: [PC7 Submission MAq MPL HDM 13sep2019.docx](#)

Hi there
Please find attached my submission to PC7
Thanks
Hamish

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

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Trade competition statement:

- 2 The submitting parties 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**)

The specific provisions of PC7 that this submission relates to:

- 4 This submission relates to Part A and Part B of PC7 (Orari-Temuka-Opihi-Pareora sub-region component of PC7) in its entirety.

Wish to be Heard:

- 1 The submitting parties wish to be heard in support and expansion of this submission. Please note it has been difficult to sepecificy exact proposed amendments sought due to recently released NPS statements and I would like to offer further detail during the hearing process.
- 2 The submitting parties would be prepared to consider presenting a joint case with others making similar submissions at the hearing.

Background

1. McFarlane Agriculture is a diverse 620 ha family owned and managed irrigated cropping, horticultural and livestock business based 10km north east of Temuka, South Canterbury. Our product range includes blackcurrants, raspberries, carrots, general arable and livestock. We grow in the Opihi, Temuka and Orari catchments on land owned directly by the business or seasonally leased. Most of the food we produce is sold to local buyers who then sell into the domestic market or export around the globe. We employ six fulltime staff and up to 15 seasonal employees.
2. McFlynn Potatoes is a dedicated process potato growing business supplying McCain Foods Ltd. It farms approximately 400ha on land seasonally leased from close to 40 individual farms. Our range of operations takes us from as far south as Temuka and as far north as Darfield spanning 3 zones and 6 catchments. Around 20 employees are required for the growing season from August – June.
3. Both businesses are required to demonstrate good management practice, sound environmental stewardship plus ethical treatment of staff and animals as a condition of supplying our customers with quality food products they can supply to New Zealand and the world.
4. I am also submitting as an individual member of the community who has been heavily involved in the development of the ZIPA and has a keen interest in sensible planning that delivers strong environmental outcomes to our region in a manner that we can be proud of in the future.

General Comments

5. By its nature, planning is a tough process. A new plan requires development before the maturation of the existing plan, it tries to second guess the pressures that will arise during the life span of the existing plan. It is critical that we write more adaptable legislation that can react to economic and social pressures in a measured and responsive manner. Legislation that uses trigger points and allows the freedom for innovation to deliver outcomes.
6. While I support the measures in general to tidy up our environment, we need alternatives to prescriptive planning legislation that allows and encourages change rather than being legislated into a particular avenue of mitigation. For example, within the Temuka, Opihi and Rangitata Orton catchments there are valid concerns around water quantity, quality and allocation and these have been recognised by the community. It has also been identified that significant changes are required to allow the outcomes envisaged. These could be met far more quickly and with a lot less social upheaval with a relatively small bundle of out of catchment water. There is no question of new irrigation area or additional intensification. These are off the table. But it would relieve the pressures on our spring fed streams and foothill rivers by replacing current surface and shallow ground water takes.

7. Managed Aquifer Recharge occurs in a trial capacity north of the Rangitata River. The amount of water used for this would make a significant difference to the situation South Canterbury faces over the next decade. We need to get serious about how water is allocated and used across all of Canterbury.
8. In the past we have all seen examples of early initiators who are critical to the ongoing success of our region be penalised under planning legislation by being cut on reliability, volumes and options. This is because they come up for review before those who are later in applying to use resources, often at a time when those resources are under increasing pressure. This plan does not address those concerns. There are many families in this zone who will be inequitably treated relative to others and lose banded flows, water allocation or have to cut nutrients from an already low base.
9. As someone involved but also affected by the planning process I have been troubled by the limitations on adequate current data, reporting and assessments of potential impacts and gains. We ought be aggressive with change but not reckless. For example, second or third step changes in flow and allocation regimes should not be made in the final dying days of a plans life purely so they can be there. Make those decisions upon review of the plan or at the very least be conditional on targets not being met. My view differs from the law no doubt, but we should be rational and not be blinded by procedure.
10. While much has been made of the collaborative approach there is very little of this strategy expressed in the plan. Many of the outcomes required will be driven by on ground actions and decisions. Loosely affiliated organisations such as the catchment groups existing in OTOP zone have the ability to drive change and behaviour. There is the ability to use these groups as an advisory panel at a local level to determine actions that result in outcomes.
11. As a general comment, technical sheets and maps should be adaptable to updates that don't require a plan change to evolve.

Commercial Vegetable Farming – Rules 4.36A and 5.42

12. Not all rural production activities are equal in value to the community or equal in environmental effect. The value of vegetable growing for domestic food supply and security and the ability to feed people in the future is not reflected in proposed Plan Change 7. Nor are the effects of climate change considered in maintaining the status quo land use activity mix
13. A tailored approach is required for commercial vegetable production if land with high production value is to be realised for its food production purpose, while achieving catchment wide water quality improvements and other environmental benefits in the longer term

14. Rural production systems are very diverse with a wide range of fruits, vegetables and other crops being grown across Canterbury. Vegetable production systems rely on rotations; often enabled by sharing and leasing agreements. The current Canterbury approach has significantly degraded the ability to undertake new leases. Plan Change 7 presents significant further obstacles and requires amendment to avoid wider effects that are most likely unintended
15. The assessment process underpinning the proposed Plan Change 7 does not adequately provide for new growing operations to meet future food demand. Existing production is also at threat from the restrictions on movement of activities across property and catchment boundaries
16. I have concerns about my ability to accurately assess nutrient discharges from horticultural systems, specifically the deficiencies in OVERSEER to model horticultural crops, and would support a more generic method for tallying nutrient losses. The vegetable sector is supporting a more accurate “direct measurement” based approach and in my view that is appropriate
17. The real water quality improvements come from the practices I adopt to manage discharges from land I manage (often only temporarily). I support requiring all growers to operate at good management practice
18. I propose provisions be added to enable existing areas of vegetable growing to move onto different land in a different catchment, to account for crop rotation, leased land arrangements and to enable growers to move to less environmentally sensitive locations
19. I also support the ability for a group of growers to be able to manage environmental issues collectively to improve the effectiveness of the response to water quality issues. I consider Plan Change 7 should enable collaborative or collective approaches to regulating vegetable production activities. This has been demonstrated as workable by the irrigation schemes and should not be expressly disallowed.
20. Where this submission aligns with the Potatoes NZ, Process Vegetables NZ and Horticulture NZ submissions, I support those submissions

Allocation Matters

21. It is critical to send the correct signals to water abstractors through planning rules that create behaviour patterns required to encourage change in a positive direction. In this proposed plan this is not the case particularly with regard to allocation and allocation claw back. If people are judged on a use it or lose it basis this will lead to extravagant use of water and undermine efforts to lower nitrogen losses.

22. Where demonstrated use is consistently less than paper allocation investigate on a case by case basis to reduce. Consider the use of S.126 RMA or other means to reduce paper allocation of unexercised consents.
23. Develop alternative investment into external sources of water (ie – schemes) so that people are more comfortable making decisions to invest in high cost but more environmentally sustainable water sources (currently you stand to lose reliability and low cost water by sourcing scheme water and not using shallow bores for example)
24. Using volumes based on land area to ensure no doubling up of water rather than bringing everything back to instantaneous volumes. Schemes need to investigate and move towards a model that reserves unused allocation and volume from actively abstracting scheme members for when they need it – this will discourage a use it or lose it mentality. I realise this is more difficult to manage but will have huge results for total volume used in any one year.
25. Environmental augmentations be accounted for when part of allocation volumes and a firm cap on allocation in over allocated zones and no new/ reallocation to occur.
26. We need to encourage abstractors to source more environmentally sustainable sources of water but if they are stripped of already existing allocation they will lose cost benefits and reliability. The ironic thing here is that the people who do not take positive action end up with lower cost structures and potentially better reliability.
27. We also need to take a hard look at takes by local government and others that are no longer fit for purpose – that once fulfilled a critical purpose but are not so relevant in this day and age. We have to find the best use for our resources whether it be environmental or cultural or commercial.

Orari Temuka Opihi Pareora - Section 14

28. Orari River: I support the original work and outcomes delivered by the Orari Steering group for adaption into section 14. I oppose any deviations from the original work. This also aligns with the OTOP ZIPA. Where Orari Water Users Group have submitted I support these submissions in principal.
29. Temuka Catchment: I support the submission of the Temuka Catchment Working Party in principal. To reiterate, there is cataclysmic change required here that the community has bought into. It has been brought about through overallocation of a limited resource by the regulator and as a result the abstractors will have to be very adaptable to deliver on NPS, rununga and community expectations. It is essential that alternative water sources are seriously examined and delivered on to allow this to happen.
30. High Phosphorous Run Off Zone: While I agree in principal with the intent of the zone, the map used to describe this area has some issues by either including land that is low risk and not including some high risk areas. The map should be linked to

data derived from instream or other measurements/ observations and be an evolving document

31. Water Quality Targets - Rangitata Orton Zone Section 14.4.19 I support these proposed changes in principal but believe that they need to be subject to trigger levels and if targets are being met before step changes, then the reductions beyond GMP are void. As well, a Fonterra discharge consent exists in the lower part of the catchment and this should be assessed on its own merits as opposed to averaging out the remainder of the catchment.
32. Water Quality Targets – Levels: While I support in principal the targets for the Levels catchment I question that it is only the Levels catchment that is responsible for achieving these. It is my understanding that groundwater entering the catchment from the uphill gradient is at higher levels than the targets – therefore logic would say that no matter what reductions beyond GMP are enacted, the policy will always fail to meet outcomes.
33. Water Quantity Targets – Seadown Drain: The Seadown drain was first engineered to deal with rising groundwater levels resulting from early border dyke schemes put in the levels area. Over time it has become a natural water body in its own right. However, with the advent of spray irrigation the flows have come under pressure due to lower groundwater levels. I can't comment on what the minimum flows should be. I can however suggest that augmentation become an available tool to mitigate decreased reliability in the area and deliver positive environmental outcomes in the drain.

Nga mihi nui

Hamish McFarlane