

**From:** [Tony O'Connor](#)  
**To:** [Mailroom Mailbox](#)  
**Subject:** proposed plan change 7  
**Date:** Friday, 13 September 2019 3:44:00 PM  
**Attachments:** [Seadown Drain PC7 Submission.docx](#)

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Hello  
attached is our submission

Thanks  
Tony & Keri OConnor

# **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 Tronnoco Farming Co Ltd (Tony and Keri O'Connor)  
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Tronnoco99@gmail.com

## **Trade competition statement:**

- 2 We 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**), specifically the Orari-Temuka-Opihi-Pareora (**OTOP**) sub-region component of PC7, comprising "Part B" (**Proposal**).

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

- 4 This submission is confined to matters in relation to the Levels and Seadown Plains Area in the Timaru Freshwater Management Unit (FMU).

## **Submission**

- 5 We have been dairy farming on our property since 1999. Part of our property has been in our family for three generations. We milk 495 cows on 230ha. Since our original purchase in 1999 we have continued to develop our business, incorporating neighbouring properties and have continued to operate under the original consents of those properties. While operating under these consents we have continued to make efficiencies to our irrigation system.

Under the current consents we operate six bores, three of these bores have maximum rates of 38 l/s and the other three are 16 l/s, 15 l/s and 14 l/s.

At present our business employs 5 people as well as myself. Under the proposed plan our business would not be able to operate as we currently do. This would mean that we would have to employ less people resulting in less employment opportunities.

In the 1940's our family initially had the battle to farm because of flooding from uncontrolled irrigation on the Levels Plain. After years of questioning, those affected managed to get the Seadown Drain established to drain the farmland so they were

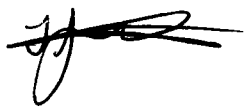
able to farm the land again. Now two generations later the challenge has arisen again for the opposite reason, to be able to have a minimum flow. The properties that we farm now, were not part of the original group of properties that were flooded therefore not hydrologically linked to the Seadown Drain. The original family dairy farm had a stock water race that ran through the middle of the farm and was the only source of water for stock. This water race fed into the Seadown Drain. In the late 1970's the District council made the decision to establish water troughs and pipe the stock water race. This allowed for 90% of the water to be taken to the town reservoir. Now because we have stayed and carried on operating the property the proposed change is going to link us to maintaining a minimum flow when we believe that we haven't decreased the amount of available water.

**Decisions sought by the submitter:**

- 5 We seek the following decisions from Environment Canterbury:
  - 5.1 that the decisions sought in **Annexure A** to this submission be accepted; and/or
  - 5.2 alternative amendments to the provisions of PC7 to address the substance of the concerns raised in this submission; and
  - 5.3 all consequential amendments required to address the concerns raised in this submission and ensure a coherent planning document.

**Wish to be Heard:**

- 6 We wish to be heard in support of this submission.
- 7 We would be prepared to consider presenting a joint case with others making similar submissions at the hearing.



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Tony and Keri O'Connor

Date: 13 September 2019

**ANNEXURE A – REASONS FOR SUBMISSION AND DECISIONS SOUGHT**

(1) The specific provisions of Proposed Plan Change 7 (PC7) that the submission relates to are:		(2) The submission is that:		(3) We seek the following decisions from Environment Canterbury:
Section & Page No.	Sub-section/ Point	Oppose/ support (in part or full)	Reasons	
Section 14.1A	Definitions	Oppose in part	A Maitaitai Protection Zone has been identified that is a substantial portion of the Levels and Seadown Plains Area. We recognize and are supportive of the catchment cultural importance however, we are seeking a clear explanation on the values of the Maitaitai Protection Zone and whether the explanation in the Ngai Tahu section of the LWRP, page 22 is also an appropriate explanation for this Zone in PC7.	Clarification on whether the Maitaitai Protection Zone as explained on page 22 of the LWRP is an appropriate explanation for this Zone in PC7 and determine if this needs to be included in a definition within this section of the plan.
Section 14.1A	Definitions	New Definition	We are looking at all options for mitigating the effects of minimum flows in our area. Augmentation of the Seadown Drain could be an option. Therefore, the plan needs to allow for this.	Augmentation  means the discharge of water the Seadown Drain for the primary purpose of improving flows and/or water quality.
Section 14.4	Policies	New Policy	We are looking at all options for mitigating the effects of minimum flows in our area. Augmentation of the Seadown Drain could be an option. Therefore, the plan needs to allow for this.	Improve water quantity and/or quality by facilitating the augmentation of the Seadown Drain.
Section 14.4.41	Policies	New Policy	We are looking at all options for mitigating the effects of high nitrogen concentrations in the lower end of the Levels Plain area and its association with the Seadown Drain. We oppose the ongoing staged nitrogen loss reductions and prefer to focus on achieving water quality outcomes.	More measuring sites for the lower Levels Plain to show (Seadown Drain area) that the lower Levels Plain does not have the same high nitrogen concentration as the Levels Plain, and therefore not be included in nitrogen loss requiems of the Levels Plain high concentration area, with a focus on water quality in the Seadown Drain
Section 14.5	Rules	New Rules	We are looking at all options for mitigating the effects of minimum flows in our area. Augmentation of the Seadown Drain could be an option. Therefore, the plan needs to allow for this.	The discharge of water into the Seadown Drain for augmentation purposes, is a restricted discretionary activity, provided the following conditions are met:

				<ol style="list-style-type: none"> <li>1. The activity does not take place on land that is listed as an archaeological site; and</li> <li>2. The activity is not within a Community Drinking Water Protection Zone as defined in <a href="#">Schedule 1</a>; and</li> <li>3. The discharge is not within 100m of any abstraction point used for drinking water; and</li> <li>4. A management plan is prepared and submitted with the application for resource consent; and</li> <li>5. The discharge does not result in the erosion of the bed or banks of any receiving waterbody.</li> </ol> <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> <li>1. The appropriateness of the location of the discharge points.</li> <li>2. The content and quality of the management plan, and the methods proposed to: <ol style="list-style-type: none"> <li>a. monitor and report on the discharges to the drain; and</li> <li>b. manage the timing of the discharge to the drain; and</li> </ol> </li> <li>3. The appropriateness of integration with existing or planned infrastructure and water conveyance systems; and</li> <li>4. Effects on people and property arising from raised groundwater levels and reduced drainage capacity in the drainage system; and</li> <li>5. Effects on water quality in Washdyke Lagoon and significant habitats of indigenous flora and fauna; and</li> <li>6. Effects on sites or areas of wāhi tapu, wāhi taonga or mahinga kai; and</li> <li>7. The potential benefits of the activity to the community and the environment; and</li> <li>8. Effects on Ngāi Tahu cultural values; and</li> </ol>
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				<p>9. The rate and volume of the discharge.</p> <p>The discharge of water into Seadown Drain for augmentation purposes that does not meet one or more of the conditions of Rule XXX is a discretionary activity.</p>
Section 14.6.2 Environmental Flow and Allocation Regimes	Table 14(z) – Timaru Freshwater Management Unit Environmental Flow & Allocation Regimes	Oppose	Seadown Drain is managed by ECan for drainage and flood protection purposes. This means that it is subject to, for example, regular weed clearing. The amount of weed growth in the drain affects the measured flow as it impacts the water level in the drain. An assessment was completed for water users in the catchment by Ryder Consulting. This report suggested that the drain would be better managed by a water level rather than a flow. We know that this would not usually be a way of managing a water body but considering that the drain is not a normal waterbody, this made sense. The report also suggested that the flow equivalent of the level was 100 L/s. We therefore believe that the current minimum flow of 150 L/s should be amended.	Change Table 14(z) to a minimum flow of 100 L/s with partial restrictions commencing at a flow of 150 L/s.
14.6.3 Groundwater Allocation Zone Limits	Table 14(zb) – Orari Temuka Ophi Pareora Groundwater Limits	Oppose in part	There is no T allocation block proposed for the Levels Plains Groundwater Allocation Zone. Having an option to transfer surface takes or hydraulically connected groundwater should be an option for this zone given that there will be many more users subject to a minimum flow than before.	Amend Table 14(zb) for the Levels Plains Groundwater Allocation Zone to an A allocation limit of 22.9 million cubic metres per year and a T allocation limit of 10 million cubic metres per year, while retaining the total allocation for the zone of 32.9 million cubic metres per year.