From:	Tracey Anstiss on behalf of Grant Edmundson
To:	Mailroom Mailbox
Cc:	mdeder3@gmail.com; gandbmorris@gmail.com
Subject:	Plan Change 7 to the LWRP Submission - Michael Eder and Gregory Morris
Date:	Friday, 13 September 2019 3:24:43 PM
Attachments:	image001.png GKE-136318-33-207-1 Submission on Proposed Change 7 to the Canterbury Land and Water Regional Plan EderMorris.pdf

Dear Sir/Madam

Please find attached a Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan in respect of our client Michael Eder and Gregory Morris.

Regards

Grant Edmundson
Partner
Email: grant@helmores-law.co.nz

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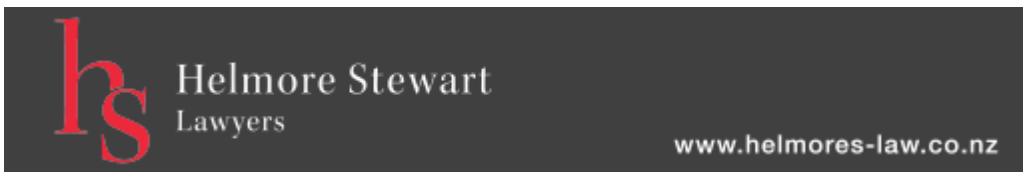


Environment Canterbury Regional Council
Kaunihera Taiao ki Waitaha

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

FOR OFFICE USE ONLY

Submitter ID:

File No:

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

Proposed Plan Change 7 to the Land and Water Regional Plan
Environment Canterbury
PO Box 345
Christchurch 8140

Full Name: Michael Eder / Gregory Donald Morriss

Phone (Hm):

Organisation*:
* the organisation that this submission is made on behalf of

Phone (Wk):

Postal Address: 82 Dicks Road, RD 7, Sefton, Rangiora

Phone (Cell): 027 227 3180 (Michael)

Postcode: 7472

Email: mdeder3@gmail.com / gandbmorris@gmail.com

Fax: N/A

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

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 plant 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 completion through this submission; or
- [ ] I could gain an advantage in trade competition through this submission

If you have ticked this box, please select one of the following:

- [ ] I am directly affected by an effect of the subject matter of the submission
- [ ] I am not directly affected by an effect of the subject matter of the submission

Signature: G D Morriss **Date:** 13/9/19

(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 address 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 my submission in a joint case with other making a similar submission at any hearing

Schedule 1

Submission in regards to Plan Change 7 to the Canterbury Land and Water Regional Plan

This submission has been prepared and is submitted by Michael Eder and Gregory Morriss in respect of the Plan Change 7 ("Plan") to the Canterbury Land and Water Regional Plan. We are duly authorised to make this submission.

Introduction

(a) A dairy farming operation is conducted at 82 Dicks Road with adjoining land leased from MD Eder at 143 Broad Rd.

(b) The land has been owned by Michael Eder and his family for almost 105 years. The Morriss family have been farming their land for 95 years .

(c) The dairy operation (for the last 40 years) is currently operated with two surface water consents and a land use consent.

(d) The owners and operators of the farm have been conducting, at their own expense, on-farm mitigations to improve water quality since the 1980's including riparian planting and the fencing off of waterways.

(e) The farm falls within the jurisdiction of the new Coastal Protection Zone (Te Aka Aka).

Submission

1. It is generally submitted:

1.1. Submission 1: Rule 8.7.1 (Environmental Flow and Allocation Limits) read against Rule 8.7.3
SUPPORT (in part)

It is critical to note that Saltwater Creek at Factory Road is not reflected as a measurement zone in this rule (only Saltwater Creek Toppings Rd, Sefton), although it is referred to in Table 8-5 in respect of Water Quality Limits and Targets for Waimakariri Rivers. See Rule 8.7.3.

Our submission is that Saltwater Creek at Factory Road (from a water flow perspective) must be incorporated into Table 8-1.

Our current consent conditions require a minimum 100l/s to flow past our intake and a level of 150L/s at Factory Rd. **We would support an increase at our take point to 148l/s and a minimum flow of 200l/s at Factory Rd.** We demonstrated to Ecan in 1998 that there is a significant amount of additional water that enters Saltwater Creek below Toppings Rd and above our intake.

1.2. Submission 2 – Rule 8.7 (Table 8-1)
OPPOSE (to the extent Submission 1 is not adequately addressed)

If Submission 1 fails, we oppose Rule 8.7.

This is due to the fact that the increase in trigger level of Saltwater Creek at Toppings Road to 148 L/s (from 20 July 2032) will have a devastating effect on our farm where we currently operate at 100 L/s

Initial: GEDM

as a trigger. We will not be able to sustain the farm on the basis that flow references to Factory Rd are not stated in Table 8-1

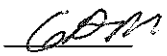
1.3. Submission 3 – Rule 8.5.17.1
OPPOSED

This Rule is opposed and should be deleted from the Plan.

Concluding Remarks

1. Our submission is specific to our farming operation and is a tangible example of the drastic changes that are being required of farmers without farmers being given an opportunity to methodically and over time, progress water quality outcomes on-farm within financial constraints. As long time farming families, we recognise and are constantly striving to improve environmental outcomes so we have a sustainable business for our children to continue our proud tradition standards. However, we do not believe the Plan needs to unfairly "punish" farmers for the benefit of all people in the community by the manner in which some of these Rules are drafted. Improved environmental outcomes require fairer efforts (and rules) by all people in our community rather than skewed so heavily towards a few owners of larger tracts of land that happen to derive their major source of income from the land.
2. We would also like it acknowledged that the Coastal Zone is in many ways "a catchment" for all the upstream challenges in regards to water flow, nutrient loss, sediment etc which if not adequately mitigated, lumbers the Coastal Zone with impossible environmental obstacles to overcome..

Thank you for considering this submission.

Initial: 

(1) The specific provisions of the Proposed Plan that my submission relates to are:		(2) My submission is that: *(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)*		(3) I seek the following decisions from Environment Canterbury: *(Please give precise details for each provision. The more specific you can be, the easier it will be for the Council to understand your concerns)*
Section & Page Number	Sub-section / Point	Oppose / Support (in part or full)	Reasons	
	Rule 8.7.1	Support (in part)	See submission 1.1	Supplement Table 8-1 as per submission
	Rule 8.7 (Table 8-1)	Oppose	See submission 1.2	Amend 148 L/s to a more realistic number
	Rule 8.5.17.1	Oppose	See submission 1.3	Delete

Initial: GDM