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To: [Mailroom Mailbox](#)
Subject: Plan Change 7 to the LWRP Submission
Date: Friday, 13 September 2019 2:51:10 PM
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Submission on Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

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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 to:

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

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* the organisation that this submission is made on behalf of
Postal Address: 156 Loburn White rock road Phone (Cell): 0212029336
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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 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.

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: [Signature] Date: 13/09/2019
(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 my submission in a joint case with others making a similar submission at any hearing

Section and number	Position	Reasons	Relief sought
Definitions			
Add a new definition: Dairy Support	Support	PC7 differentiates significantly between reductions required by dairy operations and 'other' farming activities, which includes dairy support. This has a significant impact on those farms within the Nitrate Priority Areas. On that basis, "dairy support" should be defined, so that self-sufficient farms (i.e. dairy farms which also include a dairy support element) can accurately split the activities.	<p>Add the following definition for dairy support (aligns with the NES):</p> <p><u>Dairy support means pastoral farming where the animals grazed are dairy cattle not being milked (young animals or mixed-age cows) that are grazed off the milking platform (i.e. the area devoted to feeding dairy cows on a daily basis during the milking season) either temporarily or throughout the year.</u></p> <p><i>Note that this definition is only required if the primary relief (to delete the Nitrate Priority Areas, and Table 8-9) is declined.</i></p>
Nitrate Priority Area: means the area identified as the Nitrate Priority Area on the Planning Maps.	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that all farmers within the region are treated equally.	Delete in its entirety.
Nitrate Priority Sub-area: means, within the Nitrate Priority Area, any area identified as Sub-areas A, B, C, D or E on the Planning Maps.	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that all farmers within the region are treated equally.	Delete in its entirety.
Section 4 - Policies			
Section 8 - Waimakariri			
POLICIES			
<p>Policy 8.4.25: Nitrate-nitrogen limits for the Waimakariri sub-region are achieved, and potential future impacts on the nitrate-nitrogen concentrations of waterbodies outside the Waimakariri Sub-region are managed by:</p> <ol style="list-style-type: none"> further restricting, relative to the region-wide rules, the area of land used for a farming activity as a permitted activity, and the area of winter grazing that may occur as a permitted activity; and requiring within the Nitrate Priority Area, further reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) in accordance with Table 8-9, provided that any further stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities. 	Oppose	<p>This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.</p> <p>Specifically this submission seeks the High Runoff Risk Phosphorus Zone area near Cust, that is currently in the Sub-area E zone, be removed. This is to be consistent with the rest of the Cust surface water catchment. The area in question runs from the western end of Cust Township to Spring bank road and along Oxford road. It is approximately 1000 ha in extent</p>	<p>Delete sub-section b of the Policy.</p> <p>Policy 8.4.25: Nitrate-nitrogen limits for the Waimakariri sub-region are achieved, and potential future impacts on the nitrate-nitrogen concentrations of waterbodies outside the Waimakariri Sub-region are managed by:</p> <ol style="list-style-type: none"> further restricting, relative to the region-wide rules, the area of land used for a farming activity as a permitted activity, and the area of winter grazing that may occur as a permitted activity; and requiring within the Nitrate Priority Area, further reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) in accordance with Table 8-9, provided that any further stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities. <p><i>Note that this submission seeks the deletion of all references to Nitrate Priority Areas, and Table 8-9. The relief sought by this submission includes any subsequent changes which need to occur following the deletion of these.</i></p>
<p>Policy 8.4.26 Within the Waimakariri sub-region only consider granting an application for resource consent to exceed the Baseline GMP Loss Rate where:</p> <ol style="list-style-type: none"> the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and 	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.	<p>Delete sub-section c of the Policy</p> <p>Policy 8.4.26 Within the Waimakariri sub-region only consider granting an application for resource consent to exceed the Baseline GMP Loss Rate where:</p> <ol style="list-style-type: none"> the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and for properties within the Nitrate Priority Area, the applicant demonstrates through actions and a timeframe set out in the Farm

c. for properties within the Nitrate Priority Area, the applicant demonstrates through actions and a timeframe set out in the Farm Environment Plan, how any further reductions required by Table 8-9 will be achieved.			Environment Plan, how any further reductions required by Table 8-9 will be achieved.
Policy 8.4.27: Where an application for a land use consent for a farming activity demonstrates the nitrogen loss rate reductions required by Policy 8.4.26(c) are unable to be achieved by the dates specified in Table 8-9, any application for an extension of time to achieve those reductions will be considered having regard to: <ul style="list-style-type: none"> a. the Baseline GMP Loss Rate and the level of any enduring nitrogen loss rate reduction already achieved; and b. the nature and extent of any mitigations implemented during the nitrogen baseline period that are better than Good Management Practice, and the extent to which these have been effective in minimising nitrogen losses; and c. the capital and operational costs of achieving the nitrogen loss rate reductions and the benefit (in terms of maintaining a farming activity's financial viability) of spreading that investment over time; and d. the nature, sequencing, measurability, effectiveness and enforceability of any steps proposed to achieve the nitrogen loss rate reductions; and e. progress made towards achieving nitrate-nitrogen limits and targets in Tables 8-5, 8-6, 8-7 and 8-8. 	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.	Delete the entire Policy.
New Policy	Support	As outlined above, this submission seeks the removal of the Nitrate Priority Areas, and Table 8-9. The submission seeks that the reliance on modelling is removed from the planning framework, and is instead replaced by a focus on achieving Baseline GMP Loss Rates, and improving water quality data and knowledge through increased monitoring. It is considered that this approach will better achieve the outcomes in Tables 8.5 – 8.8, while providing for the social and economic well-being of the district.	Policy 8.4.XX <u>Maintain and improve the water quality limits within the Waimakariri sub-region in order to achieve the outcomes in Tables 8.5, 8.6, 8.7 and 8.8 by requiring farming activities comply with GMP.</u>
Policy 8.4.35: Inform successive plan review cycles by reporting every 5 years on: <ul style="list-style-type: none"> a. the current state of groundwater, surface water, estuarine water quality and ecosystem health, and any trends observed; and b. any assessments of downstream impacts on the Waimakariri River and Christchurch deep aquifers; and c. the results of any relevant investigations carried out in relation to the groundwater system; and progress made towards freshwater outcomes and limits, including an assessment of the effectiveness of the framework, (including any non-statutory actions) in achieving those outcomes and	Support	This submission supports this policy, as consistent reporting of actual measured results will be critical in informing a plan change based on actual situations, rather than modelled scenarios. This approach also allows for an adaptive approach to future planning.	Retain.

limits.			
RULES			
8.5.22: Where any property or Farming Enterprise includes land within the Nitrate Priority Area, the nitrogen loss reductions in Table 8-9 only apply to that part of the property within the Nitrate Priority Area.	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.	Delete
8.5.23: Where any property or Farming Enterprise includes land within more than one Nitrate Priority Sub-area, the required reduction in nitrogen loss for each sub-area is applied only to that part of the property that is within the sub-area.	Oppose	This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.	Delete
8.5.26: The use of land for a farming activity on a property greater than 5 hectares in area that does not comply with one or more of conditions 1, 2 or 3 of Rule 8.5.24 or one or more of conditions 2, 3 or 4 of Rule 8.5.25 is a restricted discretionary activity, provided the following conditions are met: <ol style="list-style-type: none"> 1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and 2. Until 30 June 2020, the nitrogen loss calculation for the property does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate unless the nitrogen baseline was lawfully exceeded prior to 20 July 2019, and the application for resource consent demonstrates that the exceedance was lawful. <p>The exercise of discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> 1. The efficacy of the Farm Environment Plan; and 2. The commencement date for the first audit of the Farm Environment Plan; and 3. The content, quality and accuracy of the nutrient budgets provided with the application for resource consent; and 4. The actual or potential adverse effects of the activity on surface and groundwater quality and sources of drinking water and how these will be avoided or mitigated; and 5. The timing of any actions or Good Management Practices proposed to achieve the objectives and targets described in Schedule 7; and 6. Methods that limit the nitrogen loss calculation for the farming activity to the Baseline GMP Loss Rate; and 7. For land within the Nitrate Priority Management Area, the methods and timeline in the Farm Environment Plan for achieving the nitrogen loss rate reductions set out in Table 8-9; and 	Support in part	This submission seeks the removal of the Nitrate Priority Areas, so that measures are directed at those demonstrated to be key sources of elevated losses and opportunities to reduce losses, enabling all farmers within the region are treated with equity.	Delete the matters of discretion as follows: <ol style="list-style-type: none"> 7. For land within the Nitrate Priority Management Area, the methods and timeline in the Farm Environment Plan for achieving the nitrogen loss rate reductions set out in Table 8-9; and 8. For land within the Nitrate Priority Area, the extent to which any mitigations better than Good Management Practice implemented during the 2009-13 Baseline period have been taken into account when applying the further reductions in nitrogen loss required by Table 8-9; and

<p>en loss rate reductions set out in Table 8-9; and</p> <p>8. For land within the Nitrate Priority Area, the extent to which any mitigations better than Good Management Practice implemented during the 2009-13 Baseline period have been taken into account when applying the further reductions in nitrogen loss required by Table 8-9; and</p> <p>9. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where the Good Management Practice Loss Rate has not been influenced by severe extraordinary events (including but not limited to droughts and floods) and is less than the Baseline GMP Loss Rate; and</p> <p>10. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits;</p> <p>11. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council, including via the Farm Portal; and</p> <p>12. The efficacy of any proposals in the Farm Environment Plan to as a first priority, avoid, and where impracticable, mitigate any adverse effects on mahingakai, wāhi tapu or wāhi taonga.</p>			
TABLES			
Table 8.9: Nitrate Priority Area Staged Reductions in Nitrogen Loss for Farming Activities, Farming Enterprises and Irrigation Schemes.	Oppose	Delete	Delete table, and associated Nitrate Priority Area and sub-Areas overlay.
SCHEDULES			
<p>Schedule 7: Farm Environment Plan</p> <p>Part 10 Waimakariri – Additional Requirements.</p> <p>Within the Waimakariri Sub-region, the following additional requirements for farm environment plans apply:</p> <ol style="list-style-type: none"> The information required under Part B 2(c) includes the location of any artificial watercourses Management Area 5A:Nutrients includes the following additional objectives and targets: <p>Objectives:</p> <ol style="list-style-type: none"> Staged reductions in nitrogen loss for land within the Nitrate Priority Area to meet nitrate-nitrogen limits for surface water, groundwater and drinking water sources in Section 8. <p>Targets:</p> <ol style="list-style-type: none"> Where required, by 1 January 2030, further reductions in the nitrogen loss rate for properties within the Nitrate Priority Area as required by Table 8-9. Within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone, any property greater 	Oppose		Delete additional requirements for Waimakariri.

<p>r than 5 ha in area that includes or directly adjoins a river or coastal lake, and with winter grazing or irrigation on the property, is to prepare, implement, and have audited a Farm Environment Plan in accordance with this Schedule. However,</p> <p>Management Area 5A: Nutrients, Objective 2, Target 1 does not apply to properties that comply with the irrigation and winter grazing thresholds in Rule 8.5.25.</p>			
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