

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	22/10/14 11:34 AM
<b>Consultation Point</b>	Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan - Section 13 Ashburton ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Support

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

##### **Introduction**

Thank you for the opportunity to make submissions to Variation 2 of the proposed Canterbury Land and Water Regional Plan.

Water is critical to the Ashburton district, the Canterbury region and New Zealand as a whole in terms of public health and community wellbeing and its significant contribution to the primary sector and the district, regional and national economies in general.

Council operates and maintains a stockwater network comprised of approximately 2757 km of open water races and associated facilities. The stockwater network has been part of the district's environment and the understanding of the contributions the stockwater network makes to the environment and groundwater recharge continues to increase.

Council's interest with respect to water in the region in general is focused on creating and supporting an enabling environment that will support and assist where appropriate:

- 1 The "fearless" identification of unrequired water;
- 2 The making available of any unrequired water for appropriate use where there are multiple benefits and opportunities;
- 3 Financial arrangements relating to the transfer or reallocation of water that recognises: the cost to the original consent holder to secure access to the water and to gain operational and application efficiency; and the productive value of the water;
- 4 An appropriate sharing of unrequired (surrendered) water between "new" users of the consented water and the "environment";

- 5 Sufficient time to allow information to be gathered related to consented volumes versus actual take prior to confirming how much water is "unrequired".

Council notes the following:

- 1 *"No Zone Committee shall have the authority to commit any Council to any path or expenditure and shall operate in such a way as it does not compromise the Council's freedom to deliberate and make such decisions as it deems appropriate.*
- 2 *No Zone Committee shall have the authority to submit on resource consent matters in its own right."*

On 3 April 2014, Ashburton District Council endorsed the Ashburton Zone Implementation Programme Addendum "...as the basis for drafting the Hinds Plains Sub-regional section of the proposed Land and Water Regional Plan and for design and realignment of work programmes."

There are areas in Variation 2 of the proposed Canterbury Land and Water Regional Plan that are of concern to Council particularly as they relate to stockwater.

Set out below is Council's submission on specific aspects of Variation 2.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Consideration of the following submission points.

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<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	20/10/14 4:33 PM
<b>Consultation Point</b>	13.4.5 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Support

*Please state your reasons for supporting/opposing/amendments sought*

**My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

Ashburton District Council considers this policy (and the amendments) will ultimately contribute to meeting the environmental outcomes desired by the plan and the Ashburton ZIP. Council is currently embarking on significant changes to how its stockwater service is provided within the district. These changes are likely to be underpinned by approaches involving transfer of water. By allowing for the transfer of water takes from sensitive surface water to deep groundwater, the plan provides the necessary flexibility to allow Council to consider and implement more effective and efficient alternatives to the open race stockwater network.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

No change.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	20/10/14 4:40 PM
<b>Consultation Point</b>	13.4.6 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Support

*Please state your reasons for supporting/opposing/amendments sought*

**My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

Ashburton District Council considers this policy (and the amendments) will ultimately contribute to meeting the environmental outcomes desired by the plan and the Ashburton ZIP. It demonstrates a commitment to ensure that water eventually returned to the environment (i.e. not taken) is not then made available for other purposes.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

No changes.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	20/10/14 5:39 PM
<b>Consultation Point</b>	13.5.7 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

Council operates a significant open stockwater race network throughout the Hinds / Hekeao Plain area, and uses agrichemicals for weed control along banks and margins of races within the race network. This approach reduces the requirement to use mechanical weed clearance. The current wording of this rule appears to include water races and will place a considerable management burden on Council.

Council notes that there is no definition of "public access points" in the plan. Chemical weed control operations are typically carried in large sections of the network at a time. These can be either long continuous sections spanning many kms or many isolated multiple sections many kms apart. The requirement to provide signage "...at all public access points within 2km of the discharge..." will be onerous and very subjective. If Council was undertaking spraying of a roadside race, it could be inferred that signage is required at the end of each site, at each road intersection, and at each property entranceway. This would be highly impractical.

Our reading of the Section 32 Evaluation Report leads us to believe that the rule was intended to apply to drains and specifically in stream spraying. So the application to Council's stockwater network may be an unintended consequence.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

#### **I seek the following decisions from Environment Canterbury:**

Delete rule;

**OR**

Appropriate amendment to remove its applicability to the water race network for example:

For discharges to surface water signs are erected at all public access points within 2km of the discharge location at least 48 hours prior to commencement of the discharge, and shall remain in place for at least 48 hours following the discharge. Signs shall include the following information:

- 1 The name of the agrichemical discharged, the date and time the discharge will commence and a description of the application area; and
- 2 A warning to avoid contact with surface water, and to avoid collection of shellfish or mahinga kai; and
- 3 A contact name and phone number for the person carrying out the discharge.

Note:- For the purposes of this rule surface water excludes water races that form part of Ashburton District Council's stockwater race network.

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<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 10:15 AM
<b>Consultation Point</b>	13.5.16 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

At the trigger level and timeframe indicated Council is concerned that management of this rule will necessitate considerable resource input from Environment Canterbury. The rule will impact on a large number of farming operations within the District and it is important that the consenting requirements can be managed effectively and efficiently.

Council believes it would be appropriate to provide clarification around status of the activity, if a consent has been applied for and not yet granted. This is particularly important if there are significant delays in processing of applications.

Council is concerned that these rules may also result in perverse outcomes through the movement toward more intensive (but supposedly reduced impact) farming practice i.e. barn farming. The proliferation of this mode of farming would not be environmentally or aesthetically desirable in the district and may have consequences beyond that currently understood.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

#### **I seek the following decisions from Environment Canterbury:**

Appropriate amendment:

- 1 to reduce number of properties captured by rule; and
- 2 provide clarity around activity status during consent processing period.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 10:06 AM
<b>Consultation Point</b>	13.5.17 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

At the trigger level and timeframe indicated Council is concerned that management of this rule will necessitate considerable resource input from Environment Canterbury. The rule will impact on a large number of farming operations within the District and it is important that the consenting requirements can be managed effectively and efficiently.

Council believes it would be appropriate to provide clarification around status of the activity, if a consent has been applied for and not yet granted. This is particularly important if there are significant delays in processing of applications.

Council is concerned that these rules may also result in perverse outcomes through the movement toward more intensive (but supposedly reduced impact) farming practice i.e. barn farming. The proliferation of this mode of farming would not be environmentally or aesthetically desirable in the district and may have consequences beyond that currently understood.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

#### **I seek the following decisions from Environment Canterbury:**

Appropriate amendment:

- 1 to reduce number of properties captured by rule; and
- 2 provide clarity around activity status during consent processing period.



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### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 10:37 AM
<b>Consultation Point</b>	13.5.26 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Support

*Please state your reasons for supporting/opposing/amendments sought*

**My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

Council believes the rule provides for appropriate stock exclusion for drains.

Council seeks further clarification that stockwater races are not captured by rules 5.68, 5.69, 5.70 & 5.71. as stock require access to stockwater races by necessity. Issues regarding damage to race banks and impact on water quality within the network are managed through Council's Water Race Bylaw and ECan resource consents.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Council requests the following amendment:

Within the Hinds/Hekeao Plains Area any reference to the bed of a lake, river or wetland in Rules 5.68, 5.69, 5.70 and 5.71 also includes a drain, but does not include any sub-surface drain, stormwater swale, stockwater race or other artificial watercourse which is ephemeral in nature.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	23/10/14 2:18 PM
<b>Consultation Point</b>	13.5.31 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

The ability to transfer water permits is an essential part of Council's strategy to rationalise the stockwater network. Council is currently working with irrigation companies within the district to determine the logistics of handing over responsibility for provision of stockwater to those companies. The potential future delivery of the service being via a piped network. It is also negotiating commercial terms of such a transfer.

It is imperative that Council is able to transfer the stockwater requirements as part of those arrangements together with additional water in consideration for the impact on the irrigation company's infrastructure and operation. If successful, these transfer arrangements may yeild significant volumes of surface water returned to the environment (i.e. no longer taken), at limited, or no cost to the community.

As written, this rule seems to contradict policy 13.4.5 which is clearly intended to be enabling.

This rule will directly impact on Council's ability to meet its obligations under the Ashburton ZIP. The water currently supplying the open race stockwater network has been identified as a potential resource to address catchment over-allocation, and environmental concerns, however, the plan needs to provide sufficient flexibility to allow this to happen.

The inability to explore water transfer opportunities will severely compromise Council's current strategy in relation to rationalisation of the network, and may ultimately reduce volumes that could potentially be made available in future for managed aquifer recharge initiatives.

Condition 1 of this rule, limits the groundwater take to the same property as the existing resource consent hence compromising water transfer opportunities between ADC and landowners.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Amendment of rule or condition 1 of rule to provide for ADC's water transfer aspirations.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	23/10/14 2:22 PM
<b>Consultation Point</b>	13.5.32 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

The ability to transfer water permits is an essential part of Council's strategy to rationalise the stockwater network. Council is currently working with irrigation companies within the district to determine the logistics of handing over responsibility for provision of stockwater to those companies. The potential future delivery of the service being via a piped network. It is also negotiating commercial terms of such a transfer.

It is imperative that Council is able to transfer the stockwater requirements as part of those arrangements together with additional water in consideration for the impact on the irrigation company's infrastructure and operation. If successful, these transfer arrangements may yeild significant volumes of surface water returned to the environment (i.e. no longer taken), at limited, or no cost to the community.

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The inability to explore water transfer opportunities will severely compromise Council's current strategy in relation to rationalisation of the network, and may ultimately reduce volumes that could potentially be made available in future for managed aquifer recharge initiatives.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Appropriate amendment of rule 13.5.31 or condition 1 of rule 13.5.31 to provide for ADC's water transfer aspirations.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 11:48 AM
<b>Consultation Point</b>	13.5.33 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

The ability to transfer water permits is an essential part of Council's strategy to rationalise the stockwater network. Council is currently working with irrigation companies within the district to determine the logistics of handing over responsibility for provision of stockwater to those companies. The potential future delivery of the service being via a piped network. It is also negotiating commercial terms of such a transfer.

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The inability to explore water transfer opportunities will severely compromise Council's current strategy in relation to rationalisation of the network, and may ultimately reduce volumes that could potentially be made available in future for managed aquifer recharge initiatives.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Delete rule;

OR

Appropriate amendment to provide for ADC's water transfer aspirations.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 11:52 AM
<b>Consultation Point</b>	13.5.34 Paragraph ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

#### **My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

The ability to transfer water permits is an essential part of Council's strategy to rationalise the stockwater network. Council is currently working with irrigation companies within the district to determine the logistics of handing over responsibility for provision of stockwater to those companies. The potential future delivery of the service being via a piped network. It is also negotiating commercial terms of such a transfer.

It is imperative that Council is able to transfer the stockwater requirements as part of those arrangements together with additional water in consideration for the impact on the irrigation company's infrastructure and operation. If successful, these transfer arrangements may yeild significant volumes of surface water returned to the environment (i.e. no longer taken), at limited, or no cost to the community.

As written, this rule seems to contradict policy 13.4.5 which is clearly intended to be enabling.

This rule will directly impact on Council's ability to meet its obligations under the Ashburton ZIP. The water currently supplying the open race stockwater network has been identified as a potential resource to address catchment over-allocation, and environmental concerns, however, the plan needs to provide sufficient flexibility to allow this to happen.

The inability to explore water transfer opportunities will severely compromise Council's current strategy in relation to rationalisation of the network, and may ultimately reduce volumes that could potentially be made available in future for managed aquifer recharge initiatives.

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**



Delete rule;

OR

Appropriate amendment to provide for ADC's water transfer aspirations.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 12:26 PM
<b>Consultation Point</b>	Table 13(a) Freshwater Outcomes for Hinds/Hekeao Plains Area Rivers ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

*State concisely whether you support or oppose the provision being submitted on, or wish to have amendments made.*

**My submission is that:** Oppose

*Please state your reasons for supporting/opposing/amendments sought*

**My reason(s) for supporting, opposing or requesting amendments to this specific provision are:**

The Section 32 Evaluation Report indicated that this table was essentially the same as Table 1(a) of the pLWRP except for the inclusion of the Cultural Indicator.

Council is concerned about the phrase "..sufficiently abundant..". It is considered to be highly subjective and may vary over time.

Council also notes two errors in the table (on the basis that table 13(a) is meant to be same as table 1(a)):

- 1 the values for "Cyanobacteria" and "Siltation Indicator" appear to be reversed; and
- 2 use of comma instead of "<" after "Fine sediment."

*Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand the outcome you are seeking.*

**I seek the following decisions from Environment Canterbury:**

Amendments appropriate to address the concerns of subjectivity of the Cultural Indicator. This could include development of outcomes utilising the MFEs Cultural Health Index.

Amendments to correct errors in table as noted.

## Submissions

### Proposed Variation 2 to Proposed Canterbury Land and Water Regional Plan (26/09/14 to 24/10/14)

<b>Submission by</b>	Ashburton District Council (Mr Andrew Guthrie)
<b>Submission ID</b>	V2 pLWRP-
<b>Response Date</b>	21/10/14 4:04 PM
<b>Consultation Point</b>	6 Mandatory Information ( <a href="#">View</a> )
<b>Status</b>	Draft
<b>Submission Type</b>	Web
<b>Version</b>	0.1

#### 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

#### To Be Heard

**Please select the appropriate option from the following:** I DO wish to be heard in support of my submission;

If so